

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF SISKIYOU
AMENDING
CHAPTER 2 OF TITLE 5
OF THE SISKIYOU COUNTY CODE
REGARDING SEWAGE DISPOSAL**

THE BOARD OF SUPERVISORS OF THE COUNTY OF SISKIYOU ORDAINS
AS FOLLOWS:

SECTION I: Chapter 2, of Title 5, entitled "Sewage Disposal", is hereby amended in its entirety to read as follows:

Sec. 5-2.00. - Title.

This chapter shall be known as the Siskiyou County Sewage Disposal Law.

Sec. 5-2.01. - Application and scope.

The provisions of this chapter shall apply in the unincorporated area of the County to all new construction, relocated buildings, and trailers and to all alterations, repairs, or reconstruction, except as otherwise provided in this chapter.

Sec. 5-2.02. – Definitions.

- (a) Authorized Representative. "Authorized Representative" shall mean a Registered Environmental Health Specialist registered in the State and working under the supervision of the Health Officer.
- (b) Department. "Department" shall mean the Community Development Department, Environmental Health Division.
- (c) Health Officer. Whenever the term Health Officer is used in this chapter, it shall mean the Siskiyou County Health Officer or his authorized representative.
- (d) Non-standard system. "Non-standard system" shall mean:
 - (1) Any water-carried onsite wastewater treatment system which uses a pre-treatment unit for sewage treatment (e.g., Aerobic treatment units, packed bed filters, sand filters); or

(2) Any water-carried onsite wastewater treatment system that does not use subsurface leach lines for effluent dispersal (e.g., Wisconsin Mounds or At-Grade Systems); or

(3) Any water-carried onsite wastewater treatment system where the pump tank and leach lines are connected by a pipe which exceeds 500 feet in length; or

(4) Any system receiving flows greater than 1,500 gallons per day; or

(5) Any other system the Department shall deem non-standard including but not limited to, pressure distribution systems, drip dispersal systems, and constructed wetlands.

(e) On-site wastewater Treatment System or OWTS. “Onsite wastewater treatment system(s)” or “OWTS” shall mean a water-carried system for the sanitary, safe, and nuisance-free receipt and treatment of sewage and wastewater. OWTS may also be referred to or known as a septic system, sewage treatment system, or sewage disposal system. The short form of the term may be singular or plural.

(f) On-site Wastewater Treatment System Failure or OWTS Failure. “Onsite wastewater treatment system failure” shall include, but not be limited to, the following:

(1) Surfacing of effluent with the bacteriological or chemical characteristics of sewage;

(2) Sluggish or inoperative plumbing fixtures;

(3) The flow or seepage of effluent from an onsite wastewater treatment system into surface or subsurface waters.

(g) Qualified Professional. “Qualified Professional” shall mean an individual licensed or certified by a State of California agency to design OWTS and practice as professionals for other associated reports, as allowed under their license or registration. Depending on the work to be performed and various licensing and registration requirements, this may include an individual who possesses a Registered Environmental Health Specialist certificate, Registered Geologist, or

licensed as a Professional Engineer. A soil scientist certified by the Soil Science Society of America may be considered a Qualified Professional for purposes of site evaluations if approved by the Director of the Department.

(h) Qualified service provider: A person who shall demonstrate all of the following:

(1) California License: A license that is current and active from the Contractors State License Board for Sanitation Systems (C-42), Plumbing (C-36) or a General Engineering Contractor (A).

(2) Education: Third Party inspection and maintenance certification from a recognized institution (e.g., NSF, COWA, CEHA CWEA, NOWRA, or approved equivalent).

(3) Experience: A minimum of two (2) years' experience installing non-standard onsite wastewater systems, including a minimum of ten (10) such systems installed and approved by the Department.

(i) Standard system. "Standard system" shall mean a method of water-carried, onsite wastewater treatment system which includes a septic tank (with or without a sump and pump) by which effluent is carried through subsurface leach lines which are constructed in accordance with 5-2.19 of this Code. The septic tank in a standard system uses no mechanical device to aid treatment of sewage

Sec. 5-2.04. - Department having jurisdiction.

The Siskiyou County Community Development Department, Environmental Health Division (DEH) shall administer the provisions of this chapter.

Sec. 5-2.05. - Duties of the Health Officer.

The Health Officer shall maintain public office hours necessary to efficiently administer the provisions of this chapter, and amendments thereto, and shall perform the following duties:

(a) Require the submission of, examine, and check plans and specifications, drawings, descriptions, and/or diagrams necessary to show clearly the

character, kind, and extent of work covered by the application for a permit applied for;

- (b) Issue permits as provided for by this chapter, the duplicate copy of which shall be maintained as a record of his office;
- (c) Administer and enforce the provisions of this chapter in a manner consistent with the intent thereof and inspect all work authorized by any permit to assure compliance with the provisions of this chapter, and amendments thereto, approving or condemning such work in whole or in part as conditions require;
- (d) Condemn or reject all work done or being done which does not in all respects comply with the provisions of this chapter, and amendments thereto;
- (e) Order changes in workmanship and/or materials essential to obtain compliance with all the provisions of this chapter;
- (f) Investigate any construction or work regulated by this chapter and issue such notices and orders as provided in this chapter;
- (g) Keep a complete record of all essential transactions of his office; and
- (h) May develop a LAMP (Local Agency OWTS Management Program) for onsite waste water treatment systems governing individual sewage disposal systems for their efficient operation and to prevent contamination, pollution, or nuisance. The LAMP shall be approved by the applicable regional water quality control board and the Siskiyou County Board of supervisors by resolution.

Sec. 5-2.06. - Right of entry.

The Health Officer and his authorized representatives shall carry proper credentials of their respective offices upon exhibition of which they shall have the right of entry, during usual business hours, to inspect any and all buildings and premises in the performance of their duties.

Sec. 5-2.07. - Dangerous and insanitary construction.

- (a) Any portion of an OWTS found by the Health Officer to be insanitary is hereby declared to be a nuisance.

- (b) Any refusal, failure, or neglect to comply with any notices or orders involving compliance with the provisions of this chapter shall be considered a violation.
- (c) When any sewage disposal system is maintained in violation of the provisions of this chapter, and in violation of any notice issued pursuant to the provisions of this section where a nuisance exists, the Health Officer shall institute any appropriate action or proceeding in any court of competent jurisdiction to prevent, restrain, correct, or abate the violation or nuisance.
- (d) All cesspools are hereby declared to be a public nuisance. It shall be unlawful to construct, maintain, use or operate a cesspool.

Sec. 5-2.08. - Violations and penalties.

Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not to exceed One Thousand and no/100ths (\$1,000.00) Dollars or by imprisonment in the County Jail for a period of time not to exceed six (6) months, or by both such fine and imprisonment.

Each separate day, or portion thereof, during which any violation of the provisions of this chapter occurs or continues shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as provided in this section.

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any provisions of this chapter. No permit presuming to give authority to violate or cancel the provisions of this chapter shall be valid except insofar as the work or use which it authorizes is lawful.

The issuance or granting of a permit or approval of plans shall not prevent the Health Officer from thereafter requiring the correction of errors in such plans and specifications or from preventing construction operations being carried out thereunder when in violation of the provisions of this chapter or any other law.

Every permit issued by the Health Officer pursuant to the provisions of this chapter shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one year from the date of issuance of such permit. One six month extension may be granted by the Department if requested prior to permit expiration. To the extent allowed by law, any rule change by the County or applicable State Regional Water Quality Control Board shall be applied when enacted regardless of permit expiration date.

Sec. 5-2.09. - Private sewage disposal systems: Permits required

- (a) No work shall be commenced on any private sewage disposal system until a permit to do such work shall have first been obtained from the Health Officer or his/her authorized representative.
- (b) A separate permit shall be obtained for each private sewage disposal system, which shall be issued for and installed only on the subject parcel.
- (c) No person shall extensively alter, repair, relocate, add to or replace any existing sewage disposal system without first securing a permit there for.
- (d) Fees. The Board of Supervisors shall establish a fee or schedule of fees for permits and associated services, to be collected by the Department. Fees shall be paid at the time of permit application, or in other cases, upon transmission of a service invoice.
 - (1) Penalty. If the foundation of any building is laid, or any building structure is erected, or if construction of an auxiliary sewage disposal system for an existing building shall be begun prior to obtaining the required permit, the permit fee above specified may be doubled, but shall not relieve any person from fully complying with the requirements of this chapter, nor from any other penalties prescribed herein.

Sec. 5-2.10. - Applications for permits.

If the Health Officer determines that the plans, specifications, drawings, descriptions, or information furnished by the applicant is in compliance with the provisions of this chapter, he/she shall issue the permit applied for.

Every applicant for a permit to install, alter, relocate, or replace a private sewage disposal system, or part thereof, shall state in writing on the application form provided such information pertinent thereto as may be required.

Any person who commences work for which a permit is required without first having obtained a permit therefor shall be in violation of this chapter and shall be guilty of a misdemeanor; provided, however, this provision shall not apply to emergency work when it shall be proved to the satisfaction of the Department that such work was urgently necessary and that it was not practical to obtain a permit therefor before the commencement of the work. In all such cases a permit shall be obtained as soon as it is practical to do so, and, if there is an unreasonable delay, in obtaining such permit, a double fee shall be charged. For the purposes of this section, an unreasonable delay shall be considered to be a period of time in excess of seven (7) days.

When a permit has been obtained to connect an existing building or existing work to the public sewer, or to connect to a new private disposal facility, the backfilling of private sewage disposal facilities abandoned consequent to such connection shall be included in the building sewer permit.

Sec. 5-2.11. - All work to be inspected.

No person shall backfill or cover with earth, or put into use any sewage disposal system constructed under provisions of this chapter until an inspection of the sewage disposal system has been made and permit by the Health Officer or his/her authorized representative acknowledging the final inspection to insure compliance with all of the requirements of this chapter.

Sec. 5-2.12. - Notification.

It shall be the duty of the person doing the work authorized by the permit to notify the Health Officer in writing that such work is ready for inspection. Such notification shall be given not less than twenty-four (24) hours before the work shall be inspected.

It shall be the duty of the person doing the work authorized by the permit to make sure that the work will comply with the provisions of this chapter before giving such notification.

Sec. 5-2.13. - Sewers required.

- (a) Every building, structure, mobile home, manufactured home, or any permitted occupancy, shall be equipped with approved sanitary facilities and connected to a public or approved onsite sewer system. Any building, structure, or enclosure with piping or plumbing fixtures which can be or are used for sanitary purposes shall have a connection to a public or approved on-site waste water treatment system.
- (b) When no public sewer intended to serve any lot or premises is available in any thoroughfare or right-of-way abutting such lot or premises, all sewage and wastewater drainage from any building, structure, mobile home, manufactured home, or permitted occupancy shall be connected to an approved private sewage disposal system.
- (c) No permit shall be issued for the installation, alteration, or repair of any private sewage disposal system, or part thereof, on any lot for which a connection is available with a public sewer.
- (d) No provision of this chapter shall be deemed to require a change in any portion of the disposal system when such system is deemed to be working properly by the Health Officer or his/her authorized representative and was installed and is maintained in accordance with the laws in effect prior to March 10, 1966, except when any such disposal system or other works regulated by the provisions of this chapter determined by the Health Officer to be in fact dangerous, unsafe, unsanitary, or a nuisance and a menace to life, health, or property.

Exception: Single-family dwellings and buildings, structure, mobile home, manufactured home, or permitted occupancy used as a place of habitation, existing and connected to an approved private sewage disposal system prior to the time of connecting the premises to a public sewer may, when no hazard, nuisance, or insanitary condition is evidenced and written permission has been obtained from the Health Officer, remain connected to such properly maintained private sewage disposal system when there is insufficient grade or fill to permit drainage to the sewer by gravity.

Sec. 5-2.14. - Health and safety.

Whenever compliance with all the provisions of this chapter fails to eliminate or alleviate a nuisance or any other dangerous or insanitary condition which may involve health or safety hazards, the owner or his agent shall make such repairs or alterations as may be ordered by the Health officer to abate said nuisance. Furthermore, authority is given to the Board of Supervisors to declare a moratorium on the issuance of on-site waste water treatment system permits in areas of existing or potential community contamination problems.

Sec. 5-2.15. - Prohibited connections: Waste holding tanks.

- (a) No cesspool, septic tank, seepage pit, or drainfield shall be connected to any public sewer or to any building sewer leading to a public sewer.
- (b) An approved watertight sewage or waste holding tank, the contents of which, due to their character, must be periodically removed and disposed of at some approved off-site location, shall be installed only when required by the Health Officer to prevent anticipated surface or subsurface contamination or pollution, damage to the sewer, or other hazardous or nuisance conditions.

Sec. 5-2.16. - Drawings and specifications.

The Health Officer may require any or all of the following information before a permit is issued for a private sewage disposal system, or at any time during the construction thereof:

- (a) A plot plan drawn to scale, completely dimensioned, showing the direction and approximate slope of the surface, the location of all present or proposed retaining walls, drainage channels, water supply lines, or wells, paved areas or structures on the plot, the number of bedrooms or plumbing fixtures in each structure, and the location of the building sewer and private sewage disposal system with relation to lot lines and structures;
- (b) Details of construction necessary to assure compliance with the requirements of this chapter, together with a full description of the complete installation, including the quality, kind, and grade of all materials, equipment, construction workmanship, and methods of assembly and installation; and
- (c) A log of soil formations and ground water level as determined by test holes dug in close proximity to any proposed seepage pit or disposal field, together with a statement of the water absorption characteristics of the soil at the proposed site as determined by approved percolation tests.

Sec. 5-2.17. - System Location.

No private sewage disposal system, or part thereof, shall be located in or on any lot other than the lot which is the site of the building or structure served by such private sewage disposal system; nor shall any private sewage disposal system or part thereof be located at any point having less than the minimum distances indicated in Table 1.

Sec. 5-2.18. - Minimum lot sizes; Accessory Dwelling Units.

(a) The minimum lot on which any building, structure, trailer, or mobile home may be permitted, which lot requires plumbing facilities and which is not served by a public sewer, shall not be smaller than the following when an individual sewage disposal system is required:

- (1) When a lot is served by a public water system the minimum lot size shall be 10,000 square feet.
- (2) When the lot is to have an individual water system, the minimum lot size shall be 32,700 square feet (approximately three-fourths (3/4) acre).

(3) Qualifying mound systems shall be a minimum of five (5) acres.

(b) Accessory Dwelling units. When an individual sewage disposal system is utilized, Accessory Dwelling units are required to meet the density standard for new lot minimum development of two and one half (2.5) acres. Accessory dwelling units require a minimum of five (5) acres or combined dwelling waste water flows that do not exceed 240 gallons per day per acre.

(1) Waste water flow calculations are based on 150 gallons per day per bedroom.

(2) Parcel density may be increased by 100 percent if waste water flows are treated by an appropriate approved alternative on-site waste water treatment system.

Sec. 5-2.19. - Private sewage disposal systems: General.

(a) Where permitted by Section 5-2.13 of this chapter, the building sewer may be connected to a private sewage disposal system complying with the provisions of this chapter. The type of system shall be determined on the basis set forth in the County's Regulation and Technical Manual approved as part of the LAMP.

Sec. 5-2.20. - Abandoned sewers and sewage disposal facilities.

(a) Every abandoned building, house, trailer, and/or mobile home sewer, or part thereof, shall be plugged or capped in an approved manner within five (5') feet of the property line.

(b) Every cesspool, septic tank, and/or seepage pit which has been abandoned, or has been discontinued otherwise from further use, or to which no waste or soil pipe from a plumbing fixture is connected shall have the sewage removed therefrom and shall be completely filled with earth, sand, gravel, concrete, or other approved materials.

(c) The top cover or arch over the cesspool, septic tank, and/or seepage pit shall be removed before filling, and the filling shall not extend above the top of the vertical portions of the sidewalls or above the level of any outlet pipe until an inspection has been called and the septic tank, cesspool, or seepage pit has been inspected. After

such inspection the cesspool, septic tank, or seepage pit shall be filled to the level of the top of the ground.

- (d) No person owning or controlling any cesspool, septic tank, and/or seepage pit on the premises of such person or in that portion of any public street, alley, or other public property abutting such premises shall fail, refuse, or neglect to comply with the provisions of this section or upon receipt of notice so to comply from the Health Officer.

Sec. 5-2.21. - Chemical toilets and composting toilets.

- (a) The construction and/or use of chemical toilets is prohibited except as follows:

- (1) May be used at construction sites on a temporary basis not to exceed one year unless an extension is requested and approved by the Public Health Officer;
- (2) May be used at temporary events such as flea markets, fairs, carnivals, fire camps, summer camps or special events where a temporary increase in the members of the public will require additional restroom facilities;
- (3) May be used by private individuals, families or private parties for temporary events. Use of chemical toilets under this subsection shall not be subject to regulation so long as commercial food handlers are excluded from using the chemical toilets.

- (b) The use of composting toilets, chemical toilets, or other approved technology, may be allowed in approved campgrounds or at other locations such as trail heads, or if it is not practical to connect to or install an approved sewer system, or to obtain a permanent potable water supply, and only if approved by the Public Health Officer.

- (c) Chemical toilets are designed to be portable and temporary, but with the approval of the Health Officer may be used on a permanent basis.

Chemical toilets must:

- (1) Be kept clean and maintained in good working order, designed and maintained in a manner that will assure privacy;

- (2) Have a self-closing door;
- (3) Be provided with an adequate supply of toilet paper;
- (4) Be located in close proximity to a hand cleaning unit approved by the Public Health Officer.

Freeze protection is required for all fixtures or equipment subject to freezing, which protection must be approved by the Public Health Officer.

ADA regulations must be followed. Employee regulations as found in Title 8 Section 1526 or any successor thereto, of California Code of Regulations must be followed.

- (d) The use of composting toilets or other approved technology shall be permanent structures equipped with a water closet and a means to wash hands and shall be provided and equipped as set forth in subsection (c) of this section.

Freeze protection is required for all fixtures or equipment subject to freezing, which protection must be approved by the Public Health Officer.

Unless provided for the exclusive use of construction, farm or ranch workers, they must be accessible to persons with disabilities. The first such unit placed shall be handicapped accessible; thereafter placement shall be in accordance with ADA regulations. Employee regulations as found in Title 8 Section 1526, or any successor thereto, of California Code of Regulations must be followed.

- (e) Chemical toilets, composting toilets, or other approved technology shall not be used in lieu of, but may be used in conjunction with, water closets and lavatories which are otherwise required by the Siskiyou County Code, State or Federal law, or applicable building standards. This applies to dwellings, restaurants, and other places of assembly.

Sec. 5-2.22. - Chemical toilets, composting toilets and vault privies: Permits.

- (a) Pit privies are not permitted in Siskiyou County.
- (b) Vault privies may be permitted but only under certain circumstances as deemed appropriate by the Public Health Officer and after a permit has been granted by the Public Health Officer.

(c) Every chemical toilet and/or composting toilet shall conform to the requirements of the County Public Health Department. A permit shall be required for the use of every chemical toilet and/or composting toilet remaining in place for six (6) months or longer.

Sec 5-2.23. - Septic Tank Pumping and Cleaning Services

Businesses which offer septic tank pumping and cleaning services within Siskiyou County must first obtain a Siskiyou County Business license and an operating permit by the Health Officer as per California Health and Safety Code section 117400 et al. The operating permit issued by the SCEH shall be specific to each vehicle operated in the County and shall be subject to annual permit fees and inspection by SCEH.

Septic Tank Pumping Cleaning Services shall submit records of volumes of waste pumped and locations disposed of and submit annual report of the same.

Septage pumping and storage equipment is required to be maintained in good working order to prevent the cause of public health hazards.

Sec. 5-2.24. - Variances.

Considerations for requests for variances, where applicable, shall be entertained by the Health Officer. Such requests and reasons for the requests shall be submitted in writing to the Health Officer. The Health Officer shall answer all requests in writing within seven (7) days after receipt of requests for variances.

5-2.25. - Non Standard OWTS.

(a) The intent of the following sections is to assure that non-standard wastewater treatment systems are periodically inspected to assure that they function properly and that any necessary maintenance is completed in an expedient manner

5-2.26. – Operational Permit Required for Non-Standard Systems

(a) No person, firm, corporation or other entity shall use, cause or allow the use of any non-standard system within the unincorporated area of Siskiyou County unless a valid operational permit is in effect for that system. This permit shall be applied for and issued

on an application form provided by the Department. Use of a non-standard system without a valid permit is a violation of this chapter, and subject to all of the remedies authorized by state law or this Code

(b) Experimental Disposal Systems as regulated in Chapter 2.4.5 of the County's Regulations and Technical Manual shall not be subject to the provisions of this Chapter.

(c) The Board of Supervisors shall establish a fee or schedule of fees for operational permits, to be collected by the Department.

(d) Upon payment of all fees and submission, of an application which demonstrates to the satisfaction of the Department that the system will not have an adverse effect on ground or surface waters or upon public health, an Operational Permit shall be issued. The Health Officer may issue such regulations as are necessary to carry out the provisions of this chapter.

(1) Operational Permits are valid for period of (3) years from the date of issuance unless revoked by the Department pursuant to this chapter.

(2) Operational Permits may be renewed in accordance with the terms of the permit, upon submittal of a complete application, payment of the required fee, and submittal of inspection results demonstrating continued proper maintenance and operation of the system as designed and constructed.

(3) Operational Permits must also be renewed at the time of property sale, or, in the case of commercial properties, upon change in occupants or change of use.

(4) Operation of a non-standard onsite wastewater treatment system prior to the issuance of an Operational Permit, or without a currently valid operating permit, or after revocation of a permit, shall be deemed a violation of the provisions of this chapter.

(e) Upon issuance of final construction approval for non-standard onsite wastewater treatment system, the Department shall cause a notice to be recorded on the property title indicating that a non-standard onsite wastewater system has been installed on the parcel and that an operational permit is required. This notice is intended to alert

subsequent property owners of the existence of the non-standard onsite wastewater treatment system.

(f) The owner of a parcel on which a non-standard onsite wastewater treatment system has been installed shall not interfere with the Department's right to enter onto the property to assure compliance with the provisions of this chapter. The owner shall make all components of the system accessible during the inspection (i.e., tank lids, pump control panel, and absorption area).

(g) Upon issuance of an operational permit, the Department shall require a minimum of one inspection. The inspections required by this section shall include consideration of the following factors:

- (1) Daily rainfall in the subject area for the previous thirty days
- (2) Observation of the water level in any monitoring well required as part of the wastewater treatment system permit;
- (3) Recording of domestic water use where available;
- (4) Occupancy load;
- (5) Soil moisture conditions;
- (6) Vegetation and growth conditions;
- (7) Erosion and drainage;
- (8) Available information concerning maintenance performed on the non-standard onsite wastewater treatment system (e.g., replacing the pump or pump float switch, pumping the septic tank, or flushing laterals);
- (9) Condition of all components of the non-standard onsite wastewater treatment system; and
- (10) Other information that may be available and pertinent to the operation of the non-standard onsite wastewater treatment system.

(h) The property owner shall have the option of contracting with a Qualified Professional, as defined in section 5-2.02, to perform the required inspection of the system. Upon issuance of an Operational Permit, the Qualified Professional or Qualified Service Provider or the property owner may apply for a Homeowner-Inspected Operational permit if all of the following conditions are met:

- (1) A valid Operational Permit has been in effect for a minimum of six (6) years;
- (2) All required inspections have been completed;
- (3) The system is not failing;
- (4) The system has been properly maintained;
- (5) The minimum following components are present and maintained in good repair; including, lateral and sweeps and caps, tank and risers and lids, effluent filter, functioning alarm and pump floats, and pump control panel.

(i) A Homeowner- Inspected Operational Permit may be issued upon payment of fees and shall be in effect for a period of three (3) years. Renewal of a Homeowner- Inspected Operational Permit requires an application, a fee, and results of a completed inspection. Homeowner-Inspected Operational Permit shall revert to an Operational Permit at the time of property sale or when inspections are not timely completed and submitted to the Department. This permit may be revoked if maintenance or operational problems are not corrected in a timely manner after notice. Selection of this permit option does not preclude oversight from the Department, including inspections. Upon issuance of a Homeowner-Inspected Operational Permit, the homeowner shall cause to be performed a minimum of one inspection during wet weather conditions. If deficiencies are identified, additional inspections may be required and additional fees may be imposed. Failure to correct deficiencies as directed by the Department may result in subsequent inspections, additional fees, or revocation of the permit. Reports submitted by Qualified Professional or Qualified Service Provider must be submitted within 15 days of completion of inspection, on an inspection form approved by the

Department. The inspections required of this section shall include the information listed in numbers 1-10 of subsection 5-2.26(g).

5-2.27. – Revocation.

(a) If the Department determines that a non-standard onsite wastewater treatment system for which a permit has been granted, may have an adverse effect upon the ground or surface waters, or upon public health, or may have a significant effect on the environment, the permit may be revoked by the Department after notice of the proposed action has been sent by certified mail to the permittee, and the permittee has had an opportunity to respond and be heard at a given place and time.

(b) Upon a determination by the Department that immediate action is required to prevent an adverse impact upon public health or upon surface or groundwater, the permit may be summarily revoked. Summary revocation shall be followed within (7) days by notice of the action mailed to the permittee, setting a time and place for response and an opportunity to be heard within 10 days of the date of mailing.

(c) A revoked permit may be reinstated if the Department determines that a plan has been established for adequate repair, alteration, and /or maintenance of the system, and all costs of enforcement, including attorney fees, violation reinspection fees and any of the costs described in Section 5-2.28 have been paid.

5-2.28. – Abatement.

In any action, judicial or administrative, to enforce any provision of this Code relating to onsite sewage treatment, the County may recover all of its costs of enforcement, including, but not limited to sewage treatment system repair, replacement, and /or maintenance, any administrative overhead, salaries and services for the related work of the Planning and Building Department, County Counsel, Code Enforcement, District Attorney, and or Public Works Department. If not timely paid, all such costs may be made a lien upon the property on which the system is located in accordance with law.

5-2.29. - Provisions Cumulative.

The provisions of this article are in addition to any other requirements for a permit for construction, alteration or repair of a sewage treatment system required by local or state law or regulations.

SECTION II: Constitutionality: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION III: This ordinance shall become effective 30 days after its passage and shall, within 15 days of adoption, be published once in a newspaper of general circulation, printed and published in the County of Siskiyou.

PASSED AND ADOPTED this ____ day of August, 2018 at a regular meeting of the Board of Supervisors by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Ray A. Haupt, Chairman
Board of Supervisors

ATTEST:
COLLEEN SETZER, CLERK,
Board of Supervisors

By _____
Deputy