

Santa Barbara On-Site Sewage Ordinance

Sec. 29-6. Purpose of article.

It is the purpose of this article to regulate existing and future on-site sewage disposal systems, as defined herein, to ensure that they are constructed, modified, repaired, abandoned, maintained, and serviced in a manner which protects the health, safety and general welfare of the people of Santa Barbara County. It is the intent of the board of supervisors, in adopting the standards described in this article, to ensure that upon permit issuance, all on-site sewage disposal systems are capable of disposing sewage in a subsurface manner and that upon servicing, septic tanks shall be inspected for signs of corrosion, deterioration, damage and disposal field failure. (Ord. No. 4356, § 2)

Sec. 29-7. Definitions.

Unless the context requires otherwise, the definitions set forth in this section shall govern the construction of this article.

- (a) "Accessible" means capable of being readily located for purposes of servicing, maintenance or repair.
- (b) "Administrative authority" means the director the environmental health services division of the Santa Barbara County public health department, or a duly authorized representative.
- (c) "Board of supervisors" means the Santa Barbara County board of supervisors. The board of supervisors is the governing board for the unincorporated area of the county, which has the local jurisdiction and authority over on-site sewage disposal system standards.
- (d) "Cesspool" means a single chamber with permeable sides and bottom to allow liquid to be absorbed into the surrounding soil while retaining solids within the chamber.
- (e) "Disposal field" means a subsurface excavation used for disposal of liquid sewage effluent from a septic tank. Typical disposal fields include leach lines, leach beds, and drywells.
- (f) "Drywell" means a modified seepage pit, unlined and filled with rock, cylindrical in shape, with a centrally located vertical perforated pipe, constructed for the purpose of disposing of sewage effluent from a septic tank.
- (g) "Failure" of an on-site sewage disposal system means the occurrence of one or more of the following:
 - (1) Discharge into the on-site sewage disposal system results in backup of sewage into the structure served.
 - (2) Discharge of septic tank effluent onto the surface of the ground or into any surface water.
 - (3) The disposal field requires modification in order to adequately absorb septic tank effluent.
 - (4) The septic tank requires pumping more frequently than once every two years.
- (h) "Graywater system" means a private disposal system, consisting of a holding tank discharging into a subsurface irrigation/disposal field, for untreated domestic wastewater which has not come into contact with toilet waste. Graywater includes water from bathtubs, showers, bathroom wash basins, and water from clotheswashing machines and laundry tubs. It does not include wastewater from kitchen sinks or dishwashers.
- (i) "Imminent danger" means a hazardous condition that presents an immediate and unreasonable risk of death or severe personal injury.
- (j) "On-site sewage disposal system" means a septic tank with the effluent discharging into a subsurface disposal field or other facilities as may be permitted by the administrative authority under these standards. On-site sewage disposal systems are also referred to as septic systems, individual sewage disposal systems or private sewage disposal systems.

(k) "On-site sewage disposal system maintenance" means any replacement of septic tank baffles, tees, ells, tops, lids or sewer lines.

(l) "On-site sewage disposal system modification" means replacement or enlargement of any component of an on-site sewage disposal system, not included as "maintenance" or "repair" in this section, for the purpose of increasing the capacity of the system.

(m) "On-site sewage disposal system repair" means repair, replacement or enlargement of any malfunctioning or damaged component of an on-site sewage disposal system, except those defined in this section as maintenance.

(n) "On-site sewage disposal system servicing" means pumping and cleaning of a septic tank or disposal system components by a registered septic tank pumper.

(o) "Person" means any individual, firm, partnership, association, corporation, estate, trust, joint venture, receiver, county, or other political subdivision, or any other group or combination acting as a unit.

(p) "Qualified contractor" means a contractor holding a license classification from the Contractors State License Board for plumbing (C-36), sanitation system (C-42), or general engineering contractor (A). A contractor holding a license classification as a general building contractor (B) shall be considered a qualified contractor when constructing, modifying or abandoning an on-site sewage disposal system as part of a larger construction project involving a new structure or major addition to an existing structure.

(q) "Qualified inspector" means a contractor holding a license classification from the California Contractors State License Board for plumbing (C-36), sanitation system (C-42), or general engineering contractor (A), or an individual who has satisfactorily completed an on-site sewage disposal system inspection and certification program approved by the administrative authority.

(r) "Septic tank" means a subsurface compartment designed to separate, remove, treat and store solid materials in domestic wastewater, while allowing liquid to pass out of the tank for separate treatment or disposal.

(s) "Septic tank pumper" means a person who performs sewage disposal system servicing and holds a valid registration permit from the administrative authority.

(t) "Seepage pit" means a hollow excavation, typically cylindrical in shape and lined with brick, constructed for the purpose of disposing of sewage effluent from a septic tank.

(u) "Subdrain" means an underground passage for the re-direction of water, typically made by filling a trench with loose stones and/or a perforated pipe and covering with earth. Subdrains are also called curtain drains; rubble drains or French drains.

(v) "Vent pipe" means a pipe installed to provide air flow to or from a drainage system or to provide air circulation within a system to protect trap seals from siphonage or back pressure. (Ord. No. 4356, § 2)

Sec. 29-8. Permit and inspection requirements.

(a) Permit and Inspection Required.

(1) No person shall construct, reconstruct, repair, modify or abandon any on-site sewage disposal system or graywater system or any portion thereof on any property within the unincorporated area of the county without having first obtained a permit to do so from the administrative authority; provided, however, that this provision shall not apply to emergency work necessary due to the sudden failure of the existing system or a condition of imminent danger, when it is demonstrated to the satisfaction of the administrative authority that such work is urgently necessary and that it is not practical to obtain a permit before commencement of work. In all such cases, notification shall be made before commencement of work by telephone, electronic facsimile or in person to the administrative authority. A written application for permit shall be submitted to the administrative authority within three business days after commencement of work.

(2) It shall be unlawful for any person to cover, conceal or put into use an on-site sewage disposal system, or portion thereof, without having first obtained an inspection and final approval from the administrative authority.

(b) Permit Requirements for New On-Site Sewage Disposal Systems.

(1) Prior to issuance of a permit for construction of an on-site sewage disposal system, a satisfactory percolation or performance test report shall be submitted to the administrative authority. Such percolation or performance test shall be carried out in the area of the property to be used for the proposed on-site sewage disposal field, and shall be representative of the soil zones to be used for the disposal field.

(2) If the on-site sewage disposal system is to utilize the leach line method of disposal, soil percolation tests shall be performed under the supervision of a registered civil or geotechnical engineer.

(3) If the site is unsuitable for leach lines and the drywall method of disposal is to be utilized, performance tests of completed drywells shall be carried out under the supervision of a registered civil or geotechnical engineer or a certified engineering geologist.

(4) A land use permit or coastal development permit for any new structure to be served by a proposed on-site sewage disposal system shall be issued by the Santa Barbara County planning and development department prior to issuance of a permit to construct an on-site sewage disposal system.

(c) Permit Transfer. The permit is not transferable, unless the new property owner makes a new application and the conditions under which the existing approved permit was issued have not changed. If changes are proposed in the design or construction of the on-site sewage disposal system, the new owner shall file an application for a new on-site sewage disposal system permit.

(d) Permit Expiration. Each permit shall expire and become null and void if the work authorized has not been completed within one year from the date of permit issuance. Upon the expiration of the permit, no further work shall be performed until the applicant receives a new permit.

(e) Permit Suspension and Revocation.

(1) The administrative authority may suspend or revoke any permit issued pursuant to this article, whenever it finds that the permittee has violated any provisions of this article, has misrepresented any material fact in the permit application or supporting documents for such permit, and/or performed any work under the permit that has resulted in a nuisance.

(2) No person whose permit has been suspended or revoked shall continue to perform the work for which the permit was granted until, in the case of suspension, such permit has been reinstated by the administrative authority. The permit shall not be reinstated until the violation has been abated.

(3) Upon suspension or revocation of any permit, if any work already done by the permittee has left an on-site sewage disposal system in such a condition as to constitute an emergency, the administrative authority may order the permittee to perform any work reasonably necessary to protect the public health and safety. No permittee or person who has held any permit issued pursuant to this article shall fail to comply with any such order.

(f) Right of Hearing. Any person whose application for a permit has been denied, suspended, or revoked, may appeal to the administrative authority in writing, within ten working days after notification of the imposition of any denial, suspension, or revocation. Such appeal must specify the grounds upon which it is taken. The administrative authority shall set such an appeal for an office hearing at the earliest practical time, and shall notify the appellant, in writing, of the established time and place at least ten days prior to the date of the hearing.

(g) Permit Application Fees. The board of supervisors may, by resolution, adopt such fees as are allowed under Sections 510 and 4010.8 of the California Health and Safety Code and may prescribe such terms and conditions as may be necessary to enable the County of Santa Barbara to recover the reasonable and necessary costs incurred by the county in administering this article.

(h) Water Quality Standards. These standards adopt by reference the "Individual, Alternative and Community Systems Prohibitions" contained in the "Central Coast Water Quality Control Plan"

(commonly referred to as the "Basin Plan") adopted by the State of California Central Coast Regional Water Quality Control Board for new discharges from sewage disposal systems. Repairs or modifications to existing on-site sewage disposal systems shall adhere to these standards to the maximum extent feasible, as determined by the administrative authority.

(i) Permit Exemption for Maintenance Activities. Sewage disposal system maintenance, as defined in this article, may be performed by a qualified contractor without a permit as long as a written report of work performed is submitted to the administrative authority as outlined in this article and such work complies with all applicable county standards for on-site sewage disposal systems in effect at the time. (Ord. No. 4356, § 2)

Sec. 29-9. Septic tank requirements.

(a) Septic Tank Construction. Septic tanks shall be constructed of reinforced concrete, fiberglass, or other durable, corrosion resistant, synthetic material and shall conform to Standard PS-1 of the International Association of Plumbing and Mechanical Officials (IAPMO). Metal and wooden tanks are prohibited.

(b) Septic Tank Integrity. Septic tanks installed with more than three feet of earth cover or beneath surfaces subject to vehicular traffic (e.g., driveways and vehicle turnarounds) shall be engineered to support the additional load. Septic tanks placed in paved driveways shall be provided with "traffic grade" lids.

(c) Septic Tank Installation. Septic tanks shall be installed by a qualified contractor according to the manufacturer's specifications and applicable requirements of the Uniform Plumbing Code, as adopted by Chapter 10 of this code. Earth cover over the tank shall be clean fill material, free of debris and rock.

(d) Access to Septic Tanks.

(1) Septic tanks shall be installed in a location that is accessible for servicing, inspection and pumping.

(2) Septic tanks shall be installed with the top of the tank no deeper than one foot below finish grade whenever possible. If it is demonstrated that the top of a septic tank must be deeper than one foot from grade, each compartment of a septic tank shall be provided with a watertight riser, capable of withstanding anticipated structural loads and extending to within one foot of finish grade.

(3) Risers shall be constructed of concrete, PVC, fiberglass or other approved material, with a minimum inside horizontal measurement of twenty inches. All joints shall be waterproofed with an appropriate sealant and/or interlocking mechanism approved by the administrative authority.

(4) When necessary to extend septic tank risers to finish grade, access lids shall be a cast iron, gas-tight type, securely fastened with stainless steel or other corrosion resistant fasteners resistant to vandals, tampering, and access by children.

(5) Surface water shall be diverted away from the riser cover or septic tank lid by providing a sloping surface away from the riser, or extending the riser at least six inches above grade. (Ord. No. 4356, § 2)

Sec. 29-10. Drywell and disposal field requirements.

(a) Seepage Pits and Cesspools Prohibited.

(1) Seepage pits are prohibited as a method of sewage disposal, and upon discovery, shall be abandoned or modified under permit and inspection by the administrative authority to conform to the construction standards for drywells included in this article.

(2) Cesspools are prohibited as a method of sewage disposal, and upon discovery, shall be abandoned according to the provisions of this article.

(b) Drywell Approval.

(1) All attempts shall be made to provide for shallow sewage effluent disposal by the leach line method. If the site soil conditions prove unfavorable (e.g., percolation rates slower than sixty minutes/inch, unfavorable historic site information or geologic conditions), drywell disposal may be considered. Drywells may be utilized only if leach lines are not feasible, as determined by a registered civil/

geotechnical engineer with the concurrence of the administrative authority. A determination of leach line infeasibility shall include a certified written statement by the engineer which specifies the unfavorable conditions which render leach line disposal infeasible.

(2) Unless specifically required by the administrative authority, a certified statement is not required for a new drywell which conforms to the standards of this article, and is constructed to replace an existing seepage pit or a drywell.

(c) Drywell Construction.

(1) Drywells shall be cylindrical in shape with a diameter of not less than four feet nor more than six feet. Construction of a drywell with a diameter less than four feet or greater than six feet may be permitted with written approval of the administrative authority.

(2) Drywells shall have a centrally located four- inch diameter perforated pipe which extends from the inlet to a point as close to the bottom of the pit as is practical and the space around the pipe shall be filled with rock which may vary in size from three-fourths inch to two and one-half inches. When necessary to meet minimum slope setback requirements, the upper portion of the central pipe shall be unperforated.

(3) Rock fill in drywells shall be covered with building paper or equivalent, and backfilled with a minimum of eighteen inches of clean earth cover, free of debris and rock.

(4) Drywells shall have an effective disposal depth of at least ten feet. Effective disposal depth is defined as total depth subtracted by the distance below the grade to the uppermost disposal pipe perforation.

(5) Multiple drywell installations shall receive septic tank effluent via an approved distribution box installed on a level concrete pad with watertight piping laid on undisturbed or compacted soil. The relative distribution of effluent to each of the drywells shall be approved by the administrative authority.

(d) Drywell Performance Requirements. A disposal field utilizing the drywell method of disposal shall be capable of absorbing at least five times the required septic tank capacity in twenty-four hours, after initial presaturation, as evidenced by a drywell performance test report.

(e) Separation from Subdrains. If subdrains discharge diverted water to subsurface soils, the minimum upslope separation from a new leach field or drywell shall be twenty feet and the minimum downslope separation shall be fifty feet. In all instances, the subdrain shall be located a minimum of ten feet from any leach field or drywell. (Ord. No. 4356, § 2)

Sec. 29-11. Servicing, inspection, reporting and upgrade requirements.

(a) On-Site Sewage Disposal System Servicing. Whenever an on-site sewage disposal system is serviced, both of the following shall occur:

(1) All compartments of the septic tank shall be pumped of all scum and sludge residue by a registered septic tank pumper.

(2) The septic tank shall be inspected for signs of deterioration, corrosion, damage, disposal field failure, or other deficiencies.

(b) On-Site Sewage Disposal System Inspections.

(1) On or after January 1, 2000, any individual who inspects on-site sewage disposal systems and submits reports as required by this article shall be a qualified inspector, as defined by this article.

(2) Prior to January 1, 2000, on-site sewage disposal systems may be inspected and reports submitted by a qualified inspector or by a septic tank pumper holding a valid registration permit from the administrative authority on the effective date of this article.

(c) Report Required. A written report on forms provided by the administrative authority shall be submitted by qualified inspectors, or by septic tank pumpers as provided in section 29-11(b)(2) above, to the administrative authority and the property owner no later than thirty days following servicing of an on-site sewage disposal system. The report shall include:

(1) The name of the property owner, the street address of the property on which the on-site sewage disposal system is located, and the date of servicing.

(2) The name of the septic tank pumper, size of the septic tank(s), gallons pumped, the name and location of the disposal site and a description of servicing activities.

(3) A description of any on-site sewage disposal system maintenance performed.

(4) A description of any uncorrected deficiencies in the on-site sewage disposal system. Reported deficiencies shall include, but not be limited to: damaged, corroded or deteriorated septic system components, disposal field in a state of failure, backflow of effluent from the disposal field back into the septic tank, lack of access risers or other upgrades required by this article, or other condition determined to be a significant deficiency or not in compliance with the provisions of this article.

(5) A description of any seepage pit or cesspool on the property.

(d) On-Site Sewage Disposal System Upgrades Required.

(1) All existing seepage pits, whether or not in a state of failure, shall be properly abandoned or modified upon discovery, to conform to the construction standards for drywells included in this article. Abandonment or modification shall be completed under permit and inspection by the administrative authority within thirty days of discovery.

(2) Upon failure of an on-site sewage disposal system, the system shall be repaired and made to conform to the requirements of this article except for variations specifically approved in writing by the administrative authority.

(3) Septic tanks constructed of concrete shall be replaced or structurally modified when the lid or wall is determined to have a remaining thickness of two and one-half inches or less, or to have decreased to one-half or less of its original thickness.

(4) Septic tanks shall be replaced or repaired when the height of the baffle between compartments is equal to the water depth within the tank.

(5) Any septic tank which has more than one foot of cover and is uncovered for purposes of servicing, repair or modification shall be retrofitted with risers and manhole covers as specified in this article.

(e) Notification to Property Owner. Upon notification of an uncorrected deficiency or required upgrade in an on-site sewage disposal system, the administrative authority shall notify the owner in writing of the needed corrections required to comply with the applicable standards in this article.

(f) Action by the Property Owner. Within thirty days of receipt of such written notification, the property owner shall make all corrective actions necessary to comply with the applicable standards in this article, unless otherwise directed by the administrative authority. (Ord. No. 4356, § 2)

Sec. 29-12. On-site sewage disposal system abandonment requirements.

(a) General Standards for On-Site Sewage Disposal System Abandonment.

(1) An existing on-site sewage disposal system, or portion thereof, shall be properly abandoned under permit and inspection by the administrative authority within thirty days of the occurrence of any of the following:

(A) Seepage pit(s) not modified to meet design criteria for drywells, as provided in this article.

(B) Connection of the served structure(s) to the public sewer.

(C) Removal or demolition of the served structure(s) unless the owner demonstrates his/her intent to use the system to serve a replacement structure and demonstrates to the satisfaction of the administrative authority that the system can be maintained in a safe and secure manner until completion of the replacement structure. In no case, shall an on-site sewage disposal system be allowed to stand idle for more than one year.

(2) Prior to abandonment of any on-site sewage disposal system or portion thereof, the property owner shall identify the replacement method of sewage disposal or specifically identify the structure(s) to be demolished.

(3) During abandonment of a sewage disposal system, the property owner shall provide physical evidence of the type of sewage disposal field present on the property.

(4) Earth or sand backfill shall be compacted to prevent cavities or voids.

(5) Gravel-filled leach lines may be abandoned in place without structural modification. Leach lines utilizing hollow chambers shall have the chambers removed and the trench backfilled with clean fill, or be evaluated by a registered civil or geotechnical engineer, with the concurrence of the administrative authority, if the chambers are to be abandoned in place.

(6) All sewage plumbing lines leading to and from the septic tank shall be removed or capped with watertight fittings.

(7) If the area of the abandoned sewage disposal system is to be covered with a structure or paving, all voids shall be backfilled under the supervision of a registered civil or geotechnical engineer.

(b) Abandonment Standards for Septic Tanks.

(1) Prior to abandonment, all compartments of a septic tank shall be pumped out by a registered septic tank pumper.

(2) The top of the septic tank shall be removed.

(3) The bottom of the tank shall be cracked or perforated, or at least one wall of the tank shall be removed, prior to inspection by the administrative authority.

(4) The tank shall be filled with clean earth, sand, gravel, concrete or other material approved by the administrative authority. Filling of the abandoned tank shall be witnessed by the administrative authority. In the event the abandoned septic tank is filled with concrete or cement slurry, perforation of the bottom or removal of a wall shall not be required.

(c) Abandonment Standards for Seepage Pits or Cesspools. Any residual liquid waste found in a seepage pit or cesspool shall be removed by a registered septic tank pumper. The top cover or arch of a seepage pit shall be removed. The open seepage pit shall then be backfilled with clean earth, sand, gravel, concrete or other material approved by the administrative authority. The backfilling operation shall be witnessed by the administrative authority.

(d) Abandonment Standards for Drywells. Drywells shall be excavated to a minimum depth of two feet below grade and the inspection/vent pipe cut a minimum of eighteen inches below grade. The perforated pipe and the excavation shall be backfilled with clean earth or other fill material approved by the administrative authority. (Ord. No. 4356, § 2)

Sec. 29-13. Right of entry.

(a) Whenever it is necessary to make an inspection to enforce any of the provisions or perform any duty imposed by this article or by the codes adopted by reference hereby or other applicable law, the administrative authority is hereby authorized to enter such property at any reasonable time and to inspect the same and perform any duty imposed upon the administrative authority by this article or other applicable law; provided that if such property be occupied, the administrative authority shall first present proper credentials to the occupant and request entry, explaining the reasons therefore. If such entry is refused or cannot be obtained because the owner or other person having charge or control of the property cannot be found after due diligence, the administrative authority shall have recourse to every remedy provided by law to secure lawful entry and inspect the property.

(b) Notwithstanding subsection (a) of this section, if the administrative authority has reasonable cause to believe that the on-site sewage disposal system or premises is so unsafe, offensive, or dangerous as to require immediate inspection to safeguard the public health or safety, the administrative authority shall have the right to immediately enter and inspect such property and use any reasonable means required to effect such entry and make such inspection, whether such property be occupied or

unoccupied and whether or not permission to inspect has been obtained. If the property is occupied, the administrative authority shall first present proper credentials to the occupant and demand entry, explaining the reasons therefore and the purpose of the inspection. (Ord. No. 4356, § 2)

Sec. 29-14. Remedies.

Any violation of the provisions of this article by any person is a misdemeanor and is punishable as provided in chapter 1-7 of this code. Any violation of the provisions of this article by any person is also subject to administrative fines as provided in chapter 24A of this code. (Ord. No. 4356, § 2)