

# OWTS Ordinance – MONO COUNTY

Ordinance Number \_\_\_\_\_

## CHAPTER 14.04 – Onsite Wastewater Treatment Systems

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### **Sec. 14.04.010. Purpose and Intent**

The purpose of this chapter is to regulate onsite wastewater treatment systems as defined herein. It is the intent of the Board of Supervisors, in adopting this chapter, to ensure that onsite wastewater treatment systems are constructed, modified, repaired, abandoned, maintained, inspected and serviced in a manner that prevents environmental degradation and protects the health, safety and general welfare of the people of Mono County. This chapter is intended to implement and comply with the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy), adopted by the California State Water Resources Control Board on June 19, 2012, and as may be amended, the policy and purpose of which is to protect water quality and public health.

### **Sec. 14.04.020. Definitions**

The definitions set forth in this section shall govern the construction of this chapter.

(A) "Accessible" means being readily reached and located and opened for purposes of servicing, inspection, repair, upgrade or modification, as defined in this chapter.

(B) "Accessory Structure" is any structure, which is subordinate to a main structure. Examples include, but are not limited to, residential second units, guesthouses, decks, cabanas, pools, tennis courts, greenhouses and paved or impervious driveways.

- (C) "Adequate Access" means unobstructed tank ports with a minimum of a twenty inch inside diameter.
- (D) "Administrative Authority" is the Director of the Environmental Health Services Division of the Mono County Public Health Department, or a duly authorized representative thereof.
- (E) "Alluvium" means unconsolidated rock and/or soil that has been redeposited and typically lies above consolidated bedrock.
- (F) "Alternative Wastewater Treatment System" is an onsite wastewater dispersal field that consists of components other than a conventional or supplemental treatment system as defined in this chapter. Examples include, but are not limited to, "mound," "evapotranspiration," and "at grade" systems.
- (G) "ANSI" means the American National Standards Institute.
- (H) "Bedroom" is any room in a dwelling that has a door for privacy, a closet, and an egress window.
- (I) "Bedrock" is any consolidated rock, either weathered or not, which usually underlies alluvium. Bedrock would include sedimentary rocks excluding alluvium. "Bishop Tuff" would be considered bedrock for the purposes of this chapter.
- (J) "Building Official" means an employee of the Mono County Community Development Department, working in the Building Division, and works under the general supervision of the Department Director.
- (K) "Cesspool" is an excavation with permeable sides and/or bottom that receives sewage, wastewater, or drainage and is designed to retain organic matter or solids but permits liquids to seep through the bottom or sides.
- (L) "Community System" is a residential wastewater treatment system serving more than two single family housing units on a single lot, or on more than two parcels; or commercial, industrial, or institutional systems that treat 2,500 gallons or more of domestic/sanitary wastewater per day (peak daily flow).
- (M) "Conventional Onsite Wastewater Treatment System" is an onsite wastewater treatment system composed of a septic tank and a dispersal field that uses leach lines or a leach bed that is gravity fed.
- (N) "Dispersal Area" is the location of a dispersal field and expansion area.
- (O) "Dispersal Field" means a location used for discharge of liquid sewage effluent from a septic tank, dosing tank or treatment tank. Standard dispersal fields include, but are not limited to, leach lines, leach beds, and seepage pits.
- (P) "Drywell" is synonymous with the term "Seepage Pit."
- (Q) "Effluent" means the partially treated wastewater discharge from an onsite wastewater treatment system.
- (R) "Emergency Repair" is a repair that is intended to immediately remedy a failing onsite wastewater treatment system where wastewater has surfaced and is a threat to health and safety or creates a nuisance as defined in this chapter.

(S) "Expansion Area" means an undeveloped area designated as a location for an additional or replacement dispersal field.

(T) "Failing Onsite Wastewater Treatment System," is any onsite wastewater treatment system where wastewater is no longer safely treated or discharged and presents a health risk to humans or adversely impacts the environment, as determined by the Administrative Authority. Evidence of a failing system includes, but may not be limited to:

- (1) A backup of sewage into a structure which is caused by a septic tank or dispersal area problem other than a plumbing blockage;
- (2) A discharge of sewage or onsite wastewater treatment system effluent to the surface of the ground that creates a health and safety concern, creates a nuisance, or contaminates the waters of the state;
- (3) A septic tank that requires pumping more frequently than once a year in order to provide adequate dispersal of sewage;
- (4) Inability to use the system as intended.

(U) "Graywater System" means an onsite wastewater treatment system as defined by the California Plumbing Code.

(V) "Groundwater" is water located below the land surface in the saturated zone of the soil or rock. Groundwater includes perched water tables, shallow water tables, and zones that are seasonally or permanently saturated.

(W) "Inspection" means checking, observing, testing, and/or evaluating an onsite wastewater treatment system to determine the condition of an onsite wastewater treatment system.

(X) "IAPMO" means the International Association of Plumbing and Mechanical Officials.

(Y) "Inspection Port" is a pipe installed directly into a leaching trench, mound system and/or other dispersal field to monitor the performance of the system through visual inspection or collection of samples.

(Z) "LAMP" is an acronym for a "Local Agency Management Program" used for implementation of the Tier 2 standards in the State Water Resources Control Board's Policy for Siting, Design, Operation and Management of Onsite Wastewater Treatment Systems.

(AA) "Leach Line" is a subsurface soil absorption wastewater dispersal system installed in a trench, usually consisting of a perforated distribution pipe placed over gravel or other media and backfilled with native material. For purposes of this chapter, "leach line" also includes a trench with gravel-less leaching chambers.

(BB) "Limiting Conditions" are geological, hydrological or soil conditions that restrict the ability of the soil in a dispersal field to eliminate effluent. Examples of limiting conditions may include but are not limited to: impervious material, bedrock, high groundwater, fractured rock, consolidated rock, and extreme percolation rates (less than one minute per inch or greater than 120 minutes per inch).

(CC) “Low Pressure Distribution” means a wastewater dispersal system of small diameter pipes equally distributing effluent throughout a trench or bed at greater than atmospheric pressure.

(DD) “Maintenance” means work related to the upkeep of a wastewater treatment system. Examples include, but are not limited to, any installation, repair or replacement of septic tank baffles, risers, tees, ells, tops, access port lids, pumps, and blowers. For purposes of this chapter, “maintenance” may also include cleaning of any wastewater treatment system components.

(EE) “Modification” means replacement or enlargement of any component of an onsite wastewater treatment system, not defined as “maintenance” or “repair” in this chapter, which results in a change in flow, capacity or design of the system.

(FF) “NSF” means the National Sanitation Foundation or NSF International, a not-for-profit, nongovernmental organization that develops health and safety standards and performs product certification.

(GG) “Nuisance” is an onsite wastewater treatment system that has created an obnoxious situation such as, but not limited to, unpleasant odors, saturated surface soils, or surfacing effluent.

(HH) “Onsite Wastewater Treatment System” (OWTS) is a system composed of a septic tank and a dispersal field and related equipment and appurtenances. Onsite wastewater treatment systems may also be referred to as septic systems, onsite sewage disposal systems, individual sewage disposal systems or private sewage disposal systems and may include alternative and supplemental treatment systems.

(II) “Operating Permit” is a written authorization to operate an OWTS issued by the Administrative Authority.

(JJ) “Parallel Distribution” means a dispersal field in which the OWTS effluent is distributed simultaneously through a distribution box.

(KK) “Percolation Test” means a subsurface test conducted to measure the absorption rate of water in soil strata. The test is conducted after initial pre-saturation and results are usually expressed in minutes per inch.

(LL) “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.

(MM) “Primary Treatment” means temporary holding of wastewater in a septic tank where heavy solids can settle to the bottom while oil, grease and lighter solids float to the surface.

(NN) “Public Water System” means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year.

(OO) “Qualified Contractor” means a contractor holding a license that is current and active from the Contractors State License Board for Plumbing (C-36), Sanitation Systems (C-42), or General Engineering Contractor (A). A contractor holding a license as a General Building Contractor (B) shall be considered a

Qualified Contractor when constructing, modifying, or abandoning an OWTS as part of a larger construction project involving a new structure or major addition to an existing structure.

(PP) "Qualified Inspector" means a Registered Environmental Health Specialist, Professional Engineer, or Qualified Contractor or an individual that meets the requirements of the State OWTS Policy.

(QQ) "Qualified Professional" means 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 or is currently licensed as a Professional Engineer or Professional Geologist.

(RR) "Regional Water Quality Control Board" (Regional Board) means, for the purposes of this chapter, the Lahontan Regional Water Quality Control Board, also known as Region 6, is one of nine Regional Boards in California. Each Regional Board is charged with protecting water quality and exercising rulemaking and regulatory activities within its jurisdictional boundaries. Each Regional Board is supported by and coordinates with the State Water Resources Board. Mono County falls within Region 6.

(SS) "Registered Pumper" is a firm or person that pumps and/or hauls septage or wastewater from chemical toilets has been issued a registration by the Administrative Authority, and as otherwise outlined in the Mono County LAMP.

(TT) "Repair" means restoration, replacement, or alteration of any malfunctioning or damaged component of an OWTS except those defined in this chapter as maintenance.

(UU) "Secondary Treatment" means wastewater treatment which removes dissolved and suspended biological matter. Secondary treatment is typically performed by indigenous, water-borne microorganisms in a septic tank or treatment tank.

(VV) "Seepage Pit" means an excavation, typically cylindrical in shape and filled with rock, constructed for the purpose of disposing of sewage effluent from a septic tank or treatment tank.

(WW) "Septic Tank" means a water tight, compartmentalized, covered receptacle designed and constructed to: receive the discharge of sewage; separate the solids from the liquid; digest organic matter; store digested solids for a period of retention; and allow the resultant effluent to discharge from the tank to the dispersal field.

(XX) "Serial Distribution" means the distribution of septic tank effluent by gravity flow that progressively loads one section of a dispersal system to a predetermined level before overflowing to the succeeding section.

(YY) "Servicing," means inspection pumping and cleaning of a septic tank, dispersal field, or other system components.

(ZZ) "Severely Constrained Lot" is a lot of record that contains limiting conditions that prevent the installation of an OWTS that conforms to the provisions of this chapter.

(AAA) "Sewage" is any and all waste substance, liquid or solid, associated with human habitation, or which contains or may contain human or animal excreta or excrement, offal or any feculent matter. Industrial wastewater shall not be considered as sewage.

(BBB) "Shallow Drip System" means a treated wastewater dispersal system using filters, flexible tubing, drip emitters and a flushing mechanism to disperse directly to the soil without stone aggregate or chambers.

(CCC) "Subdrain" is 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.

(DDD) "Supplemental Treatment System" is an OWTS that utilizes engineered designs and/or technology to treat effluent to reduce one or more constituents of concern in wastewater. It may also be referred to as an Advanced Treatment System or Enhanced Treatment System. Examples include, but are not limited to, sand filters, textile filters and aerobic treatment units but do not include composting or incinerating toilets.

(EEE) "Tertiary Treatment" means wastewater that has already undergone primary and secondary treatment and will be disinfected prior to discharge.

(FFF) "Treatment Tank" is a tank other than a septic tank in which wastewater is acted on either by chemical or biological means, to reduce the concentrations of constituents of concern.

#### **Sec. 14.04.030. General Provisions**

##### **(A) Requirement for Adequate Wastewater Treatment**

(1) Any structure, regardless of use, that produces wastewater shall have adequate wastewater treatment as required by the California Plumbing Code, as amended and adopted by Mono County at Section 15.04.030 of the Mono County Code. Wastewater treatment shall either be accomplished by means of an approved OWTS or connection to a public sewer.

(2) When a public sewer exists within 200 feet of a structure that produces wastewater, an OWTS will not be permitted and the structure must connect to the public sewer system.

(3) The minimum daily design flow for residences shall be calculated using 150 gallons per day per bedroom.

(4) Chemical toilets may be used only on a temporary or occasional basis.

(5) A supplemental treatment system for new or replacement OWTS shall be required under any one of the following conditions:

a) Areas identified by the Regional Water Quality Control Board as having groundwater basins experiencing significant groundwater degradation due to OWTS.

b) Areas identified by the Regional Water Quality Control Board as having surface waters experiencing degradation due to OWTS.

c) On previously developed severely constrained lots where a repair is required but no conforming OWTS can be constructed.

(6) Composting and incinerating toilets may only be utilized, with written permission from the Administrative Authority, when the residence or structure is also equipped with a standard toilet served by an OWTS, regardless of whether such OWTS is a conventional, alternative, or supplemental treatment system.

(7) Graywater systems are allowed as per the requirements of the California Plumbing Code.

(8) For OWTS utilizing parallel distribution for wastewater dispersal, each trench line shall be of equal length to the maximum extent practical. For dispersal systems using serial distribution, trenches shall be maintained at the shallowest depth possible and no deeper than five (5) feet below ground surface.

#### (B) Protection of OWTS

(1) OWTS shall be located so as to be accessible for servicing, inspection, upgrades, modification and repairs.

(2) Designated expansion areas shall not be developed in a manner that precludes their availability for the new dispersal field.

(3) Each OWTS shall be designed, installed and maintained so as to prevent infiltration and exfiltration.

(4) If subdrains discharge diverted water to subsurface soils, the minimum upslope separation from any dispersal field shall be twenty feet and the minimum down slope separation shall be fifty feet. If the subdrain is provided for the sole purpose of protecting the integrity of a structure, such as a retaining wall, then the Administrative Authority may modify the separation requirements provided above.

#### (C) Permit Issuance Does Not Allow Continued Violation

The issuance of a permit or approval of plans shall not be deemed or construed to allow a violation of any of the provisions of the Mono County Code or California state law. The issuance of a permit or approval of plans shall not prevent the Administrative Authority from requiring the correction of errors in said permit or approved plans when a condition allowed in the approval is found to be in violation of the Mono County Code or California state law. Continued violation may result in administrative fines assessed to the responsible party pursuant to Chapter 1.12 of the Mono County Code.

#### (D) Prohibitions

(1) Discharges from new OWTS are prohibited if they could result in noncompliance with state and county regulations.

(2) Seepage pits and cesspools are prohibited. Upon discovery, cesspools shall be properly abandoned and replaced with an OWTS that meets the requirements of this chapter. The continued use of a properly functioning, existing seepage pit will be evaluated on a case by case basis.

(3) Holding tanks are prohibited as a permanent method of sewage disposal for both residential and commercial applications. Approved vault toilets, such as those used in campgrounds, are exempt from this prohibition.

(4) Sewage dispersal shall not be permitted in fill material or on slopes greater than 30% unless it is specifically designed by a Registered Civil Engineer to accommodate the discharge without creating a nuisance or public health hazard as approved by the Administrative Authority.

(5) Discharge from an OWTS that exceeds peak design flow or maximum permitted capacity is prohibited.

(6) An OWTS that discharges above grade, including but not limited to sprinklers, exposed drip lines, and ponds is prohibited.

(7) Dispersal fields are prohibited in roadways, but may be allowed with prior approval of the Administrative Authority in designated parking areas if they are designed to withstand vehicle load ratings and are covered with a permeable surface.

#### (E) Industrial Operations

(1) Any industrial operation which generates wastewater other than, or in addition to, domestic wastewater shall have separate OWTS for the domestic and the industrial wastewater unless a single system is approved by the Regional Water Quality Control Board. Separate applications, plans, and specifications must be submitted for each system.

(2) Industrial wastewater may be subject to regulation by the Regional Water Quality Control Board.

#### (F) Inspections

(1) Inspections shall be scheduled with the Administrative Authority a minimum of two working days in advance of the time requested. Inspections are required prior to final covering of any components of a system.

(2) A Qualified Professional, with the approval of the Administrative Authority, may conduct construction inspections of OWTS after excavation and prior to the placement of any rock or fill material. Prior to final approval, a signed report shall be submitted to the Administrative Authority confirming that the OWTS installation has been completed in accordance with the approved design. This does not preclude the normal inspection process associated with any other building permit or requirement.

(3) When the system is installed outside the permitted/approved area, additional testing will be required, or approved by the Qualified Professional that designed the OWTS. The previously approved plans shall be revised to reflect the new location or design change.

#### (G) Permit Suspension and Revocation.

(1) The Administrative Authority may suspend or revoke a permit whenever it is determined that the permittee has violated any provisions of this chapter; 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 a suspension, the permit has been reinstated by the Administrative Authority. The permit shall not be reinstated until the violation causing the suspension has been abated.

(3) Upon suspension or revocation of any permit, if any work already done by the permittee has left an OWTS 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 health and safety of the public. No permittee or person who has held any permit issued pursuant to this chapter shall fail to comply with any such order.

(H) Professional Qualifications, Signatures, and Stamps

(1) An OWTS shall be designed by a Qualified Professional as defined by this chapter.

(2) In order to construct, modify, repair, abandon or replace any OWTS, a person must be a Qualified Contractor as defined by this chapter. However, a property owner may construct, repair or modify a system on his/her own property provided the owner complies with all the provisions of this chapter.

(3) A Qualified Inspector, Qualified Contractor, or professional engineer shall perform inspection, maintenance and servicing required by this chapter.

(4) Prior to approval by the Administrative Authority, percolation and performance test reports and final OWTS plans, shall have an original signature and stamp of the professional engineer or the Registered Geotechnical Engineer who performed the tests, wrote the reports and designed the onsite sewage treatment system.

**Sec. 14.04.040. Permits**

No person shall construct, reconstruct, repair, modify, destroy, or abandon any OWTS or graywater system, or any portion thereof, without having first obtained a permit from the Administrative Authority. It shall be unlawful for any person to cover, abandon, destroy, modify, repair, conceal, or put into use an OWTS or graywater system, or any portion thereof, without having first obtained a permit and final approval from the Administrative Authority. Alternative systems and systems with supplemental treatment require an operating permit in conformance with Section 14.04.050(I) of this chapter which shall be issued by the Administrative Authority prior to the final approval of the construction of the system.

(A) Applications

(1) An OWTS permit application shall be submitted on a form approved by the Administrative Authority for new construction, repair, abandonment or modification of an OWTS, alternative system, or graywater system. The application shall be accompanied by plans and specifications submitted in a format prescribed by the Administrative Authority. The approved application shall be deemed a permit to construct and will contain conditions that apply to the construction,

operation and maintenance of the system. The permit conditions shall be binding upon the property owner and successive property owners for the life of the system.

(B) Fees

(1) Submission of an application shall be accompanied by payment of all appropriate fees. The Board of Supervisors may, by resolution, adopt such fees as are allowed under § 101325 of the California Health and Safety Code and may prescribe such terms and conditions as may be necessary to enable the County of Mono to recover the reasonable and necessary costs incurred by the County in administering this chapter.

(2) The Board of Supervisors shall determine fees for operating permits.

(C) Expiration

Construction permits shall expire by limitation and become null and void if the work authorized is not commenced within one (1) year from the date of issuance of the permit. If the work authorized by such permit is started and then suspended or abandoned for a period of one (1) year or longer, the work shall not be recommenced until a new permit is obtained. Upon written request from the applicant, the Administrative Authority may issue a one-time renewal of the permit for a maximum of one (1) year beyond the initial expiration date, provided that the plans, specifications, and site conditions have not changed. The renewal request must be received by the Administrative Authority prior to the expiration of the previously approved permit. When such renewal is authorized the work must comply with current requirements. Upon the expiration of a permit, no further work shall be performed unless a new permit is issued.

(D) Exemption for Maintenance and Servicing

OWTS maintenance and servicing, as defined in this chapter, 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 and such work complies with all codes, regulations, and procedures applicable in Mono County at the time the maintenance is performed. The written report shall be submitted on a form approved by the Administrative Authority within 30 days of completion of the maintenance. If the report is not received by the Administrative Authority within 30 days of the completion of the maintenance or servicing, the Qualified Contractor may be subject to administrative fines.

(E) Transfers

An OTWS permit for operation, construction, modification, repair, or abandonment is not transferable. If there is a sale or transfer of a property upon which a permit has been issued and the work authorized in the permit was not completed by the previous owner, the new property owner must submit a new application.

(F) Zoning Clearance

Approval and/or appropriate permits to construct must be issued by the Mono County Community Development Department for any new structure utilizing an OWTS prior to the issuance of a permit to construct the OWTS.

(G) Administrative Fines and Penalties

Any person who commences work on an OWTS for which a permit is required, without first having obtained a permit, shall be required to obtain a permit and pay double the permit application fee established by the Board of Supervisors and may be subject to administrative fines as provided in Chapter 1.12 of the Mono County Code.

(H) Suspension and Revocation

(1) The Administrative Authority may suspend or revoke any permit to construct, repair, modify, or abandon an OWTS, or any component of the system, issued pursuant to this chapter, whenever the permittee has violated any provisions of this chapter, misrepresented any material fact in the permit application or supporting documents for such permit, and/or performed any work that was not authorized under the permit or has created a nuisance.

(2) Any permittee whose permit has been suspended or revoked shall discontinue work for which the permit was granted until such permit has been reinstated or reissued.

(3) If the work halted by the suspension or revocation of a permit has left an OWTS in a condition that constitutes a safety hazard, a nuisance, or threatens public health, the Administrative Authority may order the permittee to perform any work reasonably necessary to protect public health and safety or mitigate the nuisance, as provided in Section 7.20.020 the Mono County Code. If the permittee fails to mitigate the hazard or nuisance, the Administrative Authority may have the construction completed at the expense of the permit holder through the administrative fines process provided in Section 7.20.090 of the Mono County Code.

(I) Right to a Hearing

Any person, whose application for a permit has been denied, suspended, or revoked, may submit a request for an appeal hearing to challenge the denial, suspension, or revocation, to the Administrative Authority. The request must be submitted in writing to the Mono County Clerk in person or by mail within 10 business days after the permit is denied, suspended, or revoked. When such denial, suspension, or revocation is sent by mail, the hearing must be requested within ten business days from the date the citation was postmarked. The request must specify the grounds upon which the appeal is submitted and should contain documentation that substantiates the reason for the appeal. As soon as practicable after receiving the written request for a hearing, the county administrative officer shall appoint a hearing officer who shall be a planning commissioner. The county administrative officer, or his or her designee, shall then fix a date, time, and place for the hearing. Written notice of the date, time, and place of the hearing shall be served at least 10 business days prior to the date of the hearing to the person to which the denial, suspension, or revocation was issued and to the property owner (if different), as well as anyone else who received formal notice of the citation. The hearing officer shall independently consider the facts of the case and shall draw his or her own independent conclusions as to the merits of the appeal. The order and decision of the hearing officer shall be the final administrative action of the county. The county clerk shall serve the hearing officer's order and decision to the person who filed the appeal within five working days (after the decision is given to the clerk for filing) by certified mail, postage prepaid, return receipt requested.

## Sec. 14.04.050 New System Standards

The following requirements shall be met to ensure that all new OWTS are installed at locations that have been adequately evaluated and that methods used to conduct those evaluations meet specified minimum standards.

### (A) General Site Evaluation

(1) The Administrative Authority shall require the submission of all information necessary to thoroughly evaluate the suitability of a site for wastewater treatment and dispersal and to assess any limiting conditions. At a minimum, the site evaluation information shall include but is not limited to:

- a) The Administrative Authority may require a geologic report, prepared by a Certified Engineering Geologist, describing soil characteristics, depth to groundwater, and bedrock or other confining zones. Slope stability shall be addressed when the proposed dispersal field is located on a slope greater than 30 percent.
- b) The minimum separation from the bottom of the dispersal field to groundwater shall be confirmed by soil profiles or borings pursuant to §14.04.050(B) and §14.04.050 (C) of this chapter. Where fluctuations in groundwater levels may impact the dispersal field, the highest recorded depth shall be utilized.
- c) Minimum site requirements shall be those provided in the California Plumbing Code as amended and adopted by the County and/or the OWTS Policy, whichever are more stringent.
- d) Minimum setbacks for the components of an OWTS include:
  - 100 feet from the septic tank or dispersal field to any private water well and 150 feet to any Public Water System well;
  - 200 feet to any Public Water System well for dispersal fields greater than 10 feet in depth;
  - 5 feet from the septic tank to a building foundation or permanent structure, including a deck;
  - 8 feet from the dispersal field to a building foundation or permanent structure, including a deck;
  - 5 feet from any portion of the OWTS to any property line, or as otherwise specified by a subdivision's Specific Plan or other similar planning regulation;
  - 200 feet from a dispersal field to a water body and 50 feet to a stream.
  - Other site-specific setbacks may be imposed to ensure water quality protection and satisfy public health concerns.

(B) Soil Evaluation for Leach Fields

(1) Leach Trenches:

a) At least two (2) deep soil borings or trenches shall be required within the primary dispersal area and expansion area. Deep borings or trenches shall be a minimum of five (5) feet beneath the proposed maximum depth of the dispersal field, or a minimum of 10 feet below ground surface, whichever is greater.

b) When using percolation tests to determine site suitability, not less than three (3) percolation tests shall be conducted in the primary dispersal field and expansion areas. Percolation tests shall be completed with adequate separation to characterize the primary dispersal field and the expansion area. The tests shall be performed at a depth corresponding to the bottom of the subsurface dispersal field.

c) Percolation tests shall be valid for five (5) years after completion. A professional engineer or soils engineer may recertify the tests for an additional term of five (5) years. After 10 years, the original percolation tests are no longer valid and must be repeated.

(2) Leach beds may be installed only if leaching trenches are not feasible, as determined by a Qualified Professional or registered geotechnical engineer with concurrence from the Administrative Authority. A determination of leach line infeasibility must be provided and shall include a certified written statement by the Qualified Professional or registered geotechnical engineer, which specifies the unfavorable conditions that render leach lines infeasible.

(3) Alternative systems may be utilized only if limiting conditions make leach lines infeasible, as determined by a Qualified Professional or registered geotechnical engineer with the concurrence of the Administrative Authority. A determination of leach line infeasibility must be provided and shall include a written statement that has been signed and stamped by the Qualified Professional or registered geotechnical engineer that specifies the unfavorable conditions, which render effluent dispersal using leach lines infeasible.

(C) Soil Profiles or Soil Borings

(1) Soil profiles or soil borings may be required by the Administrative Authority when available information indicates that variations in groundwater levels occur that may result in a failure to maintain the minimum separation required between the bottom of the dispersal field and groundwater.

(2) Soil Profiles or borings shall be performed during the period of highest anticipated groundwater, to be determined by the Administrative Authority, which is generally late spring to early summer.

(3) In the event of a drought or the project is constructed in the dry times of the year, the Administrative Authority may accept additional hydrologic or geologic information provided by a professional engineer experienced in soil mechanics, a registered geotechnical engineer, a

professional geologist, a certified engineering geologist, or a certified hydrogeologist that estimates the highest anticipated elevation of groundwater based on soil or historic data.

#### (D) Tank Requirements

- (1) Septic tanks and treatment tanks must be watertight. Water tightness shall be ensured prior to backfilling the excavation around the tank.
- (2) Septic tanks and treatment tanks shall be constructed of reinforced concrete, plastic, or other durable synthetic material. Tanks shall be corrosion resistant and shall be certified by IAPMO, NSF, or ASTM.
- (3) Septic tanks and treatment tanks shall only be installed beneath surfaces subject to vehicular traffic (e.g., driveways and vehicle turnarounds) when site constraints make other locations unfeasible. Tanks installed in vehicular traffic areas shall be traffic rated or engineered to support the additional load. Septic tanks and treatment tanks placed in areas subject to vehicular traffic shall be provided with lids or risers that are rated for traffic loading.
- (4) Septic tanks shall be sized based on the current California Plumbing Code or Mono County LAMP criteria, whichever is more restrictive.
- (5) All septic tanks for new systems and replacement tanks for existing systems shall be equipped with an effluent filter that is an American National Standards Institute (ANSI) listed. The filter must be accessible for cleaning, replacement and maintenance.
- (6) Septic tanks and treatment tanks shall be installed by a Qualified Contractor according to the manufacturer's specifications. Earth cover over the tank shall be clean fill material free of debris and rock.
- (7) Septic tanks shall have a minimum of two (2) compartments with access to each compartment and a lid with a minimum of 20 inches in diameter for each compartment. Access lids shall have a maximum separation of 10 feet. Treatment tanks may consist of a single tank if required by the manufacturer of an approved supplemental treatment system.
- (8) Septic tanks and treatment tanks shall be installed so as to be accessible for servicing, inspection, maintenance, upgrades, or replacement. Tanks shall have a minimum setback of five (5) feet to any foundation or structure.
- (9) Septic tanks shall be installed with the top of the tank no deeper than 12 inches below finish grade. If it is demonstrated that the top of a septic tank must be deeper than 12 inches below grade, each compartment of a septic tank shall be provided with a watertight riser, capable of withstanding anticipated structural loads and extending to within 12 inches of finish grade. Septic tanks and treatment tanks shall be installed as shallow as practical and in no case at a depth greater than factory recommendations.
- (10) When a Qualified Professional, other than the Administrative Authority, inspects a septic tank or treatment tank installation, the Qualified Professional shall provide written certification that the installation has been completed per the approved plans.

(11) Risers shall be installed to within 12 inches of grade to enhance access for maintenance.

(12) Distribution boxes, drop boxes, pump chambers, and stilling chambers shall be watertight and commercially manufactured with corrosion resistant materials.

(13) When septic tank risers are installed to finish grade, access lids shall be gas-tight, securely fastened with stainless steel or other corrosion resistant fasteners and be resistant to vandals, tampering, and access by children. Risers and lids on tanks installed in vehicular access areas shall be traffic rated.

(14) 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 (6) inches above grade.

#### (E) Leach Line Construction

(1) Leach line construction shall conform to criteria outlined in the most recent edition of the California Plumbing Code.

(2) Application rates shall be in conformity with the Mono County LAMP. Leach field sizing will be calculated based on the appropriate application rate, in gallons per square foot per day (g/sf/d), for the soil characteristics observed on site. Application rates for various soils are derived from the most recent edition of the USEPA Onsite Wastewater Treatment System Manual.

(3) Inspection ports shall be installed at the end of each trench and at other locations if required by the Administrative Authority. Inspection ports shall extend to the bottom of the trench or bed. The portion of the inspection port within the rock filter material, or within the chamber if a chamber system leach field is used, shall be perforated to permit the free flow of liquid. The inspection ports shall have removable caps and may either extend above grade or set to grade if enclosed in a service box with removable lid. The boxes shall be made of non-degradable material such as PVC, fiberglass, or concrete.

#### (F) Low Pressure Distribution

(1) When required by site conditions, OWTS effluent may be distributed to a dispersal field under pressure. Dispersal utilizing pressure distribution shall meet the following requirements:

a) Pressure distribution systems shall be fully engineered. When system installation is inspected by other than the Administrative Authority, the Qualified Professional shall submit a stamped and signed letter to the Administrative Authority stating that the pressure distribution system has been constructed per the previously submitted plans.

b) The pump chamber shall include a visual and audible high-water alarm.

c) Emergency storage capacity shall be required equal to six (6) hours of peak flow or 375 gallons whichever is greater.

d) The dispersal field shall be dosed in compliance with design requirements.

e) The distribution network shall be accessible for inspection, testing, flushing and adjustment.

(G) Alternative Wastewater Treatment Systems

(1) OWTS utilizing an alternative dispersal field that may be approved for installation include mound and pressurized leach bed systems. The Administrative Authority may approve other types of systems.

(2) The Administrative Authority may adopt design standards for alternative systems after consultation with the Regional Water Quality Control Board.

(3) Operation, maintenance, and monitoring specifications shall be provided for review and approval for any alternative dispersal system

(4) A notice of the installation of an alternative onsite sewage dispersal field shall be recorded with the Mono County Clerk-Recorder's office. Said notice shall run with the land and serve as constructive notice to any future owner, heirs, executors, administrators, or successors that the OWTS serving the subject property has an alternative dispersal field for wastewater dispersal and is subject to an operating permit, regular monitoring, maintenance, and reporting requirements.

(5) The property owner shall ensure that a Qualified Inspector, acceptable to the Administrative Authority, conducts a visual and operational inspection of the system once every year to ensure that the system is functioning properly.

(6) The property owner shall submit a report a minimum of once a year, prepared by a Qualified Contractor or Qualified Professional in a form prescribed by the Administrative Authority. The report shall include the results of any inspections, a check of the high water alarm, and any other requirements specified by the Administrative Authority. Reports shall be submitted within 30 days of the completion of the inspection.

(H) Supplemental Treatment Systems

(1) The Administrative Authority shall review and approve the method of supplemental treatment proposed prior to construction. Treatment systems and their components shall be tested and certified by an independent testing agency, such as IAPMO, ANSI, NSF or similar, and shall be tested for the removal of total suspended solids, bio-chemical oxygen demand (BOD), and total nitrogen.

(2) A "Notice of Installation of a Supplemental Treatment System" shall be recorded with the Mono County Clerk-Recorder office. Said notice shall run with the land and serve as constructive notice to any future owner, heirs, executors, administrators, or successors that the OWTS serving the subject property has supplemental treatment and is subject to an operating permit with monitoring, reporting, and maintenance requirements.

(3) A maintenance contract between the property owner and the supplier of the supplemental treatment system or their representative shall be in force for the supplemental treatment unit and dispersal field prior to installation. The maintenance agreement shall be in force for the life of the supplemental treatment system.

## (I) Operating Permits

(1) An operating permit issued by the Administrative Authority is required for the operation of alternative and supplemental treatment systems. All OWTS requiring operating permits shall be operated, maintained and monitored pursuant to the requirements of this chapter and the permit. The operating permit shall be renewed every five (5) years following the review of satisfactory annual reports submitted to the Administrative Authority. The Administrative Authority may suspend or revoke an operating permit for failure to comply with any monitoring, maintenance, or other requirements of the permit. If a permit is suspended or revoked, operation of the system shall cease until the suspension or revocation is lifted or a new permit issued. Continued use of an OWTS where the operating permit has expired or has been suspended may cause the responsible party to be subject to administrative fines as provided in Chapter 1.12 of the Mono County Code.

(2) Operation, maintenance and monitoring specifications shall be provided for review and approval for any supplemental treatment.

(3) The property owner shall ensure that a Qualified Contractor, Qualified Professional, Registered Environmental Health Specialist, or manufacturer's representative conducts a visual and operational inspection of the system at the frequency specified by the manufacturer or a minimum of once per year to determine if the system is functioning properly.

(4) The property owner shall submit a report for every inspection or a minimum of once a year, within 30 days of inspection, prepared by a Qualified Contractor, Qualified Professional, Registered Environmental Health Specialist, or manufacturer's representative in a form prescribed by the Administrative Authority. The report shall include the inspection results, analysis of the wastewater from the inspection ports for total suspended solids, BOD, and nitrogen series, and any other requirements specified by the Administrative Authority.

### **Sec. 14.04.060 Repair, Upgrades, Evaluation, Modification and Abandonment Standards**

#### (A) Failed OWTS

(1) A Qualified Contractor as defined in this chapter shall perform all repairs. An owner-builder may perform the work in lieu of the Qualified Contractor but all repairs shall meet the provisions of this chapter.

(2) Upon failure of an OWTS, the system shall be repaired and shall conform to the provisions of this chapter. Failures in which there is surfacing of effluent shall be repaired immediately.

(3) If the OWTS to be repaired was constructed under a valid permit and the approved expansion area is known, then the replacement dispersal field shall be of equal or larger size. The permittee shall verify the size, type and location of the existing dispersal field. This information shall be submitted to the Administrative Authority as part of the repair application.

(4) If the replacement dispersal field was previously approved, an adjacent "like for like" or larger dispersal field shall be installed under permit and inspection of the Administrative Authority.

(5) An OWTS that has failed and for which a replacement dispersal field cannot meet current standards, shall meet all the requirements of this chapter for a new OWTS to the maximum extent feasible.

(6) An OWTS that has failed and was not constructed under a valid permit or was legally non-conforming, shall be replaced with a system that meets all the requirements of this chapter for a new OWTS to the maximum extent feasible.

(B) Upgrades

(1) Upon discovery, all existing hollow seepage pits shall be properly abandoned and replaced with a dispersal field approved by the Administrative Authority.

(2) Upon discovery, all cesspools and bottomless septic tanks or otherwise non-watertight tanks shall be properly abandoned and replaced with a septic tank that conforms to the provisions of this chapter.

(3) Cesspools or OWTS without adequate dispersal fields shall install a dispersal field approved by the Administrative Authority.

(4) Upon discovery, septic tanks made of wood, metal, or brick tanks with cracked or missing mortar, must be replaced with a septic tank that meets the requirements for new systems specified in Section 14.04.050 (D) of this chapter.

(5) Replacement septic tanks and treatment tanks shall meet the requirements for new systems specified in section 14.04.050 (D) of this chapter.

(6) Septic tanks and treatment tanks and all components must be constructed to provide adequate access so that all compartments can be inspected and pumped.

(7) Septic or treatment tanks constructed of concrete shall be replaced or structurally modified when the narrowest section of the lid or wall is found to have a remaining thickness of 2-1/2" or less at its narrowest point or if the remaining concrete is less than half the original thickness. Risers shall be removed and reinstalled after the tank top is repaired.

(8) Septic tanks shall be replaced or repaired when the height of the baffle between compartments is equal to the water depth within the tank or when the baffle between compartments deteriorates to the point where it no longer provides compartment separation as designed.

(9) Any septic tank or treatment tank, which has more than two (2) feet of cover and is uncovered for purposes of servicing, repair or modification shall be retrofitted with risers that have a minimum inside diameter of 20 inches and manhole covers as specified in this chapter.

(10) If the septic tank or treatment tank is located at greater than five (5) feet beneath ground surface, then the riser shall be a minimum of 30 inches in diameter. Risers must be installed to allow for the measurement of the thickness of the tank top.

(11) Septic tanks or treatment tanks that are found to be located within the required setback distance from a structure shall be evaluated for adequate access. If it is determined that the

septic tank or treatment tank is inaccessible, they shall be relocated to provide the required setback.

(12) Missing, deteriorated, or damaged components, including but not limited to, tees, ells, risers, and lids, must be repaired or replaced.

(13) Single compartment septic tanks requiring repair or modification must be replaced with a tank that meets the requirements for new systems specified in Section 14.04.050 (D) of this chapter.

(14) Fiberglass or plastic tanks which have warped, collapsed, deflected, or have a damaged baffle, shall be replaced.

#### (C) Evaluation of OWTS

An OWTS evaluation shall be performed, and approved in writing by the Administrative Authority, for projects that remodel the interior of a structure, change the footprint of the structure, or change the use of a structure. An evaluation can only be approved when it is determined by the Administrative Authority that the proposed improvements or change in use will not encroach into required setbacks or the 100% expansion area and the existing system will accommodate the proposed changes.

#### (D) Modification

(1) Modification of an existing OWTS shall be required by the Administrative Authority when any of the following occurs:

- a) Improvements to a property intrude upon the physical location of the system or the expansion area;
- b) The existing septic system does not meet required setbacks;
- c) The septic tank or treatment tank does not meet the minimum capacity requirements contained in this chapter;
- d) The dispersal area including the 100% expansion area is not adequately sized or functioning properly; or
- e) A project increases flow to the dispersal field.

(2) The modification permit approval shall be based on field testing, engineering calculations, and other information deemed necessary by the Administrative Authority in order to determine the adequacy of the dispersal field with respect to the proposed modification.

(3) Modifications that require replacement or expansion of the dispersal field shall meet the requirements for new systems provided in Section 14.04.050 (D) of this chapter to the maximum extent feasible.

(4) A modification permit is required when the proposed construction or change in use results in either of the following:

- a) Adds a bedroom as defined in this chapter to a residential structure; or
- b) Increases peak daily design flow or the number of plumbing fixture units to a nonresidential structure.

(5) A modification shall not be required if adequate information, as determined by the Administrative Authority, is provided to confirm that the existing system meets current requirements for the proposed project.

(E) General Abandonment Standards

(1) An existing OWTS, or portion thereof, shall be properly abandoned under permit and inspection by the Administrative Authority within 30 days of the occurrence of any of the following:

- a) The discovery of a hollow seepage pit that does not meet the criteria for seepage pits, as provided in this chapter;
- b) Connection of the served structure(s) to the public sewer; or
- 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.

(2) Prior to abandonment of any OWTS, or portion thereof, the property owner shall identify the replacement method of sewage treatment and dispersal, and specifically identify the structure(s) to be demolished.

(3) The abandonment of the OWTS shall not occur prior to obtaining the required permit from the Administrative Authority.

(4) During abandonment of an OWTS, the property owner shall provide evidence of the type of sewage dispersal field present on the property.

(5) Abandonment standards for septic tanks, treatment tanks, cesspools, and seepage pits shall include the following:

- a) Prior to abandonment, a Registered Pumper shall pump the septic tank, treatment tank, cesspool or hollow seepage pit to remove any standing wastewater;
- b) Whenever possible, the septic tank, treatment tank, piping and/or other appurtenances shall be removed and transported to an approved disposal facility or landfill;
- c) The top of the septic tank, treatment tank, cesspool, or hollow seepage pit shall be removed;

d) If a tank must be left in place, the bottom of the tank shall be cracked or perforated, or at least one wall of the tank shall be removed, prior to inspection;

e) The tank, cesspool or hollow seepage pit shall be filled with clean earth, sand, gravel, concrete or other material approved 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;

f) The Building Official shall be consulted regarding the abandonment of a septic tank, treatment tank or hollow seepage pit located within the setback distance of a structure.

(7) Abandonment standards for dispersal fields are as follows:

a) Seepage pits shall be excavated to a minimum depth of two (2) feet below grade and the inspection/vent pipe cut a minimum of 18 inches below grade. The perforated pipe and the excavation shall be backfilled with clean earth or other fill material approved by the Administrative Authority.

b) 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 Qualified Professional or geotechnical engineer, with the concurrence of the Administrative Authority, if the chambers are to be abandoned in place.

#### **Sec. 14.04.070 Servicing, Inspections, and Reporting**

##### **(A) Servicing and Pumping**

(1) Any individual who inspects OWTS shall be a Qualified Inspector as defined by this chapter. Inspections shall include a visual evaluation of the system to detect any deficiencies and a review of any documents in the files of the Qualified Inspector to identify previous inspections, servicing, or work performed on the system.

(2) Whenever an OWTS is serviced, the Qualified Inspector shall inspect the system in accordance with procedures adopted by the Administrative Authority. Such procedures shall include, but not be limited to:

a) A Registered Pumper shall pump the contents of all compartments of the septic tank and the septage shall be transported to an approved disposal facility;

b) The septic tank or treatment tank shall be inspected for signs of deterioration, corrosion, elevated liquid level or damage. The dispersal field shall be examined for failure;

c) Ascertain the existence of a hollow seepage pit or cesspool if the structure is served by a substandard septic tank (e.g. made of wood, steel or bottomless).

d) The OWTS inspection report shall be fully completed, legible, and submitted to the Administrative Authority and in conformity with subsection (B) of Section 14.04.070.

(B) Reporting

(1) A report on a form, or in a manner approved by the Administrative Authority, shall be submitted by a Qualified Inspector to the Administrative Authority and the property owner no later than 30 days following inspection, servicing, or maintenance of an OWTS. If an inspection has determined that an OWTS has failed, as defined in this chapter, the written report shall be provided within 24 hours of servicing or maintenance.

(2) The report shall include:

- a) The name, address, and telephone number of the property owner as well as the street address of the property on which the OWTS is located;
- b) The name, address, and telephone number of the company that provided the service and conducted the inspection;
- c) A description of the system, including the type and size of the septic tank, treatment tank, other system components, as well as the type and location of the dispersal field;
- d) A description of the maintenance performed, including the date of the service, the volume of material pumped from the septic and or treatment tank(s), an assessment of the condition of the tank(s) and other system components and a description of any repairs, modifications or upgrades provided; and
- e) A description of any uncorrected deficiencies of the OWTS. Reported deficiencies shall include, but not be limited to, damaged, corroded deteriorated septic system components, failed dispersal field, backflow of effluent from the dispersal field back into the septic tank or treatment tank, lack of access risers or other upgrades required by this chapter, or other condition determined to be a significant deficiency or not in compliance with the provisions of this chapter.

(C) Property Owner Notification

(1) Upon receiving an inspection report identifying an uncorrected deficiency or required maintenance, repair or upgrade of an OWTS, the Administrative Authority shall notify the property owner in writing of the corrections required to comply with the applicable standards in this chapter.

(2) All corrective actions necessary to comply with the standards of this chapter shall be completed within 30 days of the date that a notification has been sent, unless otherwise directed by the Administrative Authority.

(D) Registered Pumper Requirements

(1) Septage haulers shall register with the Administrative Authority.

(2) Septage haulers shall have vehicles that meet the following minimum standards, which shall be verified at the Administrative Authorities request:

- a) The pumper vehicle, its holding tank(s), and all related appurtenances shall be watertight, functional, and maintained in good operating condition;

b) Each pumper vehicle shall be identified with the business name and phone number with letters and numbers of at least 3 inches in height;

c) Holding tanks shall be constructed of durable, corrosion resistant material, and shall meet the following criteria:

i) All hoses and related equipment shall be stored in covered containers or otherwise secured to the vehicle or holding tank; and

ii) Man-ways and cleanouts shall be covered with secured, tight fitting lids;

d) Appropriate safety equipment is to be provided and shall include, but not limited to, a fire extinguisher, heavy-duty rubber gloves, bleach, disinfectant and eye protection; and

e) The current registration decal shall be posted in the rear of the vehicle in a conspicuous location.

(3) The Administrative Authority may suspend or revoke a septage hauler's registration, issued pursuant to this chapter and California Health & Safety Code Section 117445, whenever it finds that the registrant or its employees performing the work has done any of the following:

a) Violated any provision of this chapter;

b) Misrepresented any material facts in the application or supporting documents for such a registration; or

c) Misrepresented facts in reports or failed to submit reports to the Administrative Authority as required by this chapter.

(4) No hauler whose registration has been suspended or revoked shall continue to perform the work for which the registration was granted until such time that the Administrative Authority reinstates the registration.

(5) Any hauler whose registration has been suspended or revoked may appeal the denial or suspension to the Environmental Health Services Director or the appointed representative in writing within 10 working days after notification of the imposition of suspension or revocation. Such an appeal must specify the grounds upon which it is taken. The Administrative Authority shall set the appeal hearing at the earliest practicable time and shall notify the appellant, in writing, of the established date and time at least 10 days prior to the hearing date.

#### **Sec. 14.04.080 Violations and Conflicting Provisions**

##### **(A) Violations**

(1) In the event of a violation of the provisions of this chapter, the property owner of the parcel where the violation exists shall be given notice of such violation and a reasonable time for its correction. In the event that all required corrections are not completed in the time noted on the notice of violation, the property owner shall be subject to administrative fines as provided in Chapter 1.12 of the Mono County Code.

(2) If the Administrative Authority performs an inspection after notice of violation has been given and the violation has not been corrected, the property owner shall be subject to a violation reinspection fee at a rate approved by the Board of Supervisors.

(B) Conflicting Provisions

(1) If any of the provisions of this chapter conflict with any of the provisions of other codes adopted by the County of Mono, the provisions of this code shall control unless expressly stated to the contrary.

(2) If any part of this chapter or its application is deemed invalid by a court of competent jurisdiction, the Board of Supervisors intend that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this chapter are severable.

**Sec. 14.04.090 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 chapter or by the Mono County Code, incorporated herein by this reference, or any 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 chapter 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 onsite sewage dispersal 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.

**Sec. 14.04.100 Remedies**

(A) Any violation of the provisions of this chapter by any person is subject to administrative fines as provided in Chapter 1.12 of the Mono County Code. These remedies are not exclusive of any other remedies available under other federal, state, or local laws and it is within the discretion of the Administrative Authority to seek cumulative remedies.

(B) The County Health Officer or his designee may order the public water supply to any premises or property to be discontinued upon finding by the County Health Officer or his designee that the continuation of such supply may endanger the public health. These may include but are not limited to:

(1) When sewage is overflowing or being discharged on the ground surface, the Director of Environmental Health Services may order the occupant or occupants thereof who contribute to such overflow or discharge to abate the same forthwith.

(2) If such occupant or occupants fail to abate such overflow or discharge as ordered, the County Health Officer may order such occupant or occupants to vacate the premises within 24 hours.

#### **Sec. 14.04.110 Powers and Duties of the Administrative Authority**

(A) The Administrative Authority may adopt policies and procedures to implement and administer this chapter.

(B) Within the unincorporated area of Mono County, the Administrative Authority is authorized and directed to enforce the provisions of this chapter. It is authorized to consult with qualified experts in any matter concerning the construction, operation, maintenance, and repair of OWTS to the extent that it deems it necessary to assist in carrying out its duties under this chapter. The Administrative Authority may request and shall receive the assistance and cooperation of other officials of the County of Mono, so far as may be necessary to carry out its duties outlined in this chapter.

(C) The Administrative Authority may approve requests for variances from the provisions of this chapter if it is determined that complete compliance with the prescribed standards is not possible or practical and that the variance is not counter to the purposes and intent of this chapter or with the LAMP approved by the Regional Water Quality Control Board.