

**STORM WATER MANAGEMENT PLAN
FOR THE
NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES)
PHASE II**

**A Guideline for Implementation of Solano County's
NPDES Phase II Storm Water Management Plan**

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SECTION 1.

INTRODUCTION AND BACKGROUND

INTRODUCTION

Solano County has historically had great interest in storm water management. Between one-third and one-half of Solano County's surface area is covered by FEMA flood hazard "A Zone." And there have been approximately 16 large flood events in the last 70 years. The agencies charged with authority and responsibilities for water conveyance, flood control management, and the issuance of development permits within Solano County and the residents have given surface water transport consideration and priority in new development and redevelopment projects.

The Federal Clean Water Act of 1972, which mandates National Pollutant Discharge Elimination System Phase II, requires storm water dischargers to reduce pollutants to the maximum extent practicable. On December 8, 1999, Solano County was designated a Phase II community by the United States Environmental Protection Agency (US EPA). On October 4, 2002, Solano County was formally notified by the San Francisco Regional Water Quality Control Board that Solano County was subject to Phase II of the National Pollutant Discharge Elimination System (NPDES). It had been determined that some unincorporated portions of Solano County had urbanized areas, according to the 2000 Census, thus designating the NPDES Phase II permit requirement for Solano County.

This Storm Water Management Plan (SWMP) has been prepared, as directed by the Regional Water Quality Control Board, to be consistent with the NPDES Phase II permit procedures and designed to enable Solano County to meet the Federal Clean Water Act. There are six major sections to the Plan. Section 1: The Background provides a brief history of water quality regulations. Section 2: Administration, Planning and Funding describes the structure, staff involvement, and funding mechanisms of the Program. Section 3: Geography and Land Use provides demography, maps, and other physical descriptions of Solano County. Section 4: The Pollutants of Concern section delineates known impaired water bodies and pollutants of concern, as well as actions the Program will take to address specific pollutants that are impairing water quality. Section 5: Minimum Control Measures describes elements of Solano County's program for controlling storm water quality. Section 6: Monitoring and Evaluation includes Solano County's measurable goals to bring the program into compliance.

BACKGROUND

HISTORY OF THE CLEAN WATER ACT

In 1972, Congress passed the Clean Water Act with goals to restore the biological, physical, and chemical integrity of our nation's waters and to make all of our waters fishable and swim-able. Section 402 of the Clean Water Act (CWA) established the National Pollutant Discharge Elimination System (NPDES) permit program. The NPDES permit program set nationwide

permitting requirements for discharging pollutants into waterways. The limits varied by category of industry and were based on a level of treatment that was achievable using the best available technology. The 1987 amendments to the CWA required that municipal storm water dischargers obtain NPDES permit coverage. These amendments required municipalities to effectively prohibit non-storm water discharges to their storm drain systems and to implement controls to reduce pollutants in storm water to the maximum extent practicable. Phase 1 required National Pollutant Discharge Elimination System (NPDES) permits for: A) all municipalities with storm water runoff discharge from large municipalities of 100,000 persons or more, B) construction projects that disturb 5 or more acres of land, and C) certain categories of industries. In 1999, the U.S. Environmental Protection Agency promulgated regulations to implement Phase 2 of the NPDES, which requires NPDES permits from: designated counties and small municipalities (less than 100,000 persons) and construction projects that disturb between one and five acres.

PORTER-COLOGNE WATER QUALITY CONTROL ACT

In California, the State Water Resources Control Board (State Board), along with the nine Regional Water Quality Control Boards (Regional Boards), have primary responsibility for regulating water quality. The State Board has overall responsibility for water quality regulation under division 7 of the Porter-Cologne Water Quality Control Act (Act). This Act also divides the state into nine hydrological basins, for local administration of the Act by the semiautonomous Regional Boards with coordination and oversight from the State Board. The Regional Boards have authority to regulate point source discharges, such as municipal storm water discharges, through the adoption of waste discharge requirements. In addition, the responsibility for implementing the NPDES permit program has been delegated to the State Board and its 9 Regional Boards.

The County of Solano, unincorporated areas and cities, are split between two hydrologic basins and as a result is also split between two Regional Boards (Central Valley Region 5 & San Francisco Region 2).

SOLANO COUNTY'S STORM WATER MANAGEMENT PLAN

The NPDES Phase II program provides each municipality a timeline through year 2008 to create and implement a complete storm water program by submittal and revision of a Storm Water Management Plan (SWMP). Storm Water Management Plans represent an initiative by US EPA, SWRCB, and the Regional Boards to control the potential for detrimental effects on water quality caused by new development and redevelopment. Each SWMP is a document tailored to meet the storm water quality needs of individual municipalities. SWMP's are considered living documents that must undergo revision on an annual basis to incorporate changes in municipalities programs as well as state and federal law.

SECTION 2.

ADMINISTRATION, PLANNING, AND FUNDING

The National Pollutant Discharge Elimination System - Phase II requires Solano County to identify the agencies/departments that will implement or coordinate the Storm Water Management Plan. The following describes the program structure, legal authority, staffing, staff duties, and funding mechanisms.

ADMINISTRATION

The formation and implementation of Solano County's NPDES Phase II program will be accomplished as a joint task by the County Department of Environmental Management and the County Department of Transportation. The following is a listing of the various tasks and related responsible staff positions:

- A. Storm Water Program Administrator – Director of Environmental Management
- B. Reporting, Monitoring, & Evaluation – Assistant Director of Environmental Management, with each respective Division representative reporting to him/her.
- C. Public Education and Outreach – Planning Division, under direction of the Planning Manager and the Senior Planner
- D. Public Participation/Involvement – Planning Division, under direction of the Planning Manager and the Senior Planner
- E. Illicit Discharge Detection and Elimination – Environmental Health Division, under direction of the Environmental Health Manager
- F. Construction Site Runoff Control – Building Division, under direction of the Building Official and the Civil Engineer
 - a. Road and bridge construction site runoff is the responsibility of the Department of Transportation, under direction of the Director of Transportation
- G. Post Construction Storm Water Management – Building Division, under direction of the Building Official and the Civil Engineer
- H. Pollution Prevention/Good Housekeeping for County road rights-of-way and County corporation yards–
 - a. Municipal Facilities/Corporation Yards – Department of Transportation, under direction of the Director of Transportation and the Operations Manager
 - b. Field Operations & Road Maintenance – Department of Transportation, under direction by the Director of Transportation and the Operations Manager

The potential for creation or reclassification of a position dedicated solely to Solano County's storm water management program is unknown at this time. The need and costs associated with this position will be discussed and evaluated in the first year, as outlined in the measurable goals for Administration, Planning, and Funding. The Solano County Board of Supervisors will have the final decision regarding this issue. The Assistant Director of Environmental Management is responsible for ensuring that each division is collecting/reporting the necessary data, as well

preparing the annual report which evaluates progress with respect to the outlined goals. The Assistant Director will serve as the primary point of contact until the Board of Supervisors has made a decision regarding a permanent position.

County Ordinances which provide specific County Department authority and ability to implement and enforce a comprehensive storm water program include the following:

- A. Drainage and Land Leveling, Chapter 9. Ordinance which provides standards, permitting, and enforcement of projects which change the topography and drainage of land. Typically applies to agricultural land leveling.
- B. Refuse and Garbage, Chapter 23. Ordinance which provides standards, fees, permitting, and enforcement for garbage storage and collection by the public, commercial facilities, and permitted dump sites.
- C. Litter Control Program, Chapter 23.5. Ordinance which provides standards against and enforcement of littering caused by the public, vehicles, construction, or commercial facilities.
- D. Roads, Streets, and Other Public Property, Chapter 24. Ordinance which provides standards, permitting, and enforcement of encroachments into the County road rights-of-ways (including roadside drainage projects), use of prisoner labor on public works projects, and traffic reduction.
- E. Pumping and Sewage Disposal, Chapter 25. Ordinance which provides standards, permitting, and enforcement of chemical toilets, septic tanks and leach fields, waste pumping trucks, biosolids disposal, and industrial wastewater disposal.
- F. Subdivision Ordinance, Chapter 26. Ordinance which provides standards and permitting for the subdivision of land, supplementing the requirements of the Solano County General Plan and California's Subdivision Map Act.
- G. Grading and Erosion Control, Chapter 31. Ordinance which provides standards, permitting, and enforcement for controlling soil erosion, sedimentation, storm water runoff, and environmental damage associated with construction and maintenance of fills, excavations, and clearing of vegetation.
- H. Solano County Road Improvement Standards (adopted June 12, 2001). Regulations which provide standards for construction of public and private roads and drainage facilities, conditions applicable to Use Permitting, and conditions applicable to subdivisions of land.
- I. Certified Unified Program Agency. Solano County's Hazardous Materials Division performs storm water inspections as part of their mandated Certified Unified Program Agency (CUPA) inspections at facilities storing and managing hazardous materials and hazardous wastes and underground storage tanks. During these inspections the hazardous materials staff is mandated to inspect storm drains for evidence of improper disposal of hazardous materials and hazardous wastes and address management practices that could cause discharges to storm drains.

The ordinances and standards above provide an all inclusive list of the County's (local government) ability to regulate and enforce activities which may cause degradation to the storm water quality of unincorporated Solano County. Copies of these ordinances may be found in Section 9. The CUPA Health and Safety Codes can be found at www.leginfo.ca.gov/calaw.html. The CUPA implementing regulation can be found at www.calregs.com while the regulations for the administration of the CUPA program can be found at www.calepa.ca.gov/publications/Title27/.

PLANNING

Solano County's SWMP will be annually reviewed and evaluated to determine and identify possible revisions needed, and to verify and document implementation over the next 5 years. Annual reports of the County's progress will be sent to each Regional Board (2 & 5) to outline new goals and measure goal compliance.

FUNDING

Solano County's SWMP will initially be funded by utilizing funds of existing programs. The elements and staff positions of the SWMP noted above are currently funded as follows:

- A. Reporting, Monitoring, and Evaluation will be absorbed in the general fund for the Department of Environmental Management.
- B. Public Education and Outreach, as well as Public Participation/Involvement will be included in the Solano County Source Elimination and Recycling program which already derives funding from local landfills and state grants. Solano County's Solid Waste Planning Fee bills garbage haulers annually based on population served. Solano County's Solid Waste Mitigation Fee charges permitted landfills \$0.15 per ton of collected refuse.
- C. Illicit Discharge Detection and Elimination will be funded through the Hazardous Materials Section, where fees are established every fiscal year by fee ordinance approved by the Solano County Board of Supervisors. These fees are established to reimburse Solano County Environmental Management for the costs associated with administering the CUPA program including conducting inspections. The fees are collected by sending each business a bill for service once a year. This bill includes Solano County Fees and surcharges assessed by the State of California for these programs.
- D. Construction site runoff control is already covered through plan check and inspection fees related to building and grading permits. Solano County's Chapter 11 also authorizes the Director of Transportation to collect fees and a monetary deposit (if warranted) for any construction within the County's road rights-of-ways. Proposed construction and placement of drainage facilities and proposed management of storm water within the road rights-of-ways require the issuance of an encroachment permit.
- E. Post construction Storm Water Management derives its funding through fees attached to Use permits as well as plan check and inspection fees.
- F. Pollution prevention and good housekeeping for County road rights-of-way and County corporation yards will be absorbed into the Department of Transportation's field maintenance, training, and operations facilities budgets.

As the Storm Water Management Program evolves and progresses, additional or alternative cost recovery mechanisms may be identified or need to be implemented. This may include additional local ordinances, or the formation of new entities requiring voter approval. The cost recovery

methods listed above derive their authority and fees from existing County Ordinance Chapter 11, Finances, Fees, Taxation, and Revenue (attached in Section 9).

SECTION 3.

GEOGRAPHY AND LAND USE

NPDES Phase II requires Solano County to define boundaries, square miles of land, population, percent of land urban, percent of land rural, drainages to which water bodies, and map of area with main corridors, cities, towns, creeks, lakes, and other water bodies labeled. Mapped land uses and watersheds must also be defined.

The Department of Environmental Management and Department of Transportation represents the unincorporated area of Solano County, which is split between two Regional Water Quality Control Boards: Region 2 Bay Area and Region 5 Central Valley. The County is still predominately agricultural land with some rural residential development, and very limited commercial development adjacent to existing City areas. According to the 2000 Census, Solano County has a total population of 404,000, with only 14,313 people living in the unincorporated areas (~22 persons/square mile). On the western edge of the County we have several ranges of mountains, most of which is watershed with limited development, and much of which is owned by the Bureau of Land Management or ranchers. The majority of the land in the unincorporated area has relatively flat topography, with grassy swales and creeks as the primary drainage system.

The 2000 Census demographics of the urbanized areas subject to NPDES Phase II requirements are listed on the attached Table 1. The urbanized areas under RWQCB Region 5's jurisdiction include 1,352 persons over 3.85 square miles. The urbanized areas under RWQCB Region 2's jurisdiction include 613 persons over 2.4 square miles. These areas are zoned Rural Residential and Agriculture.

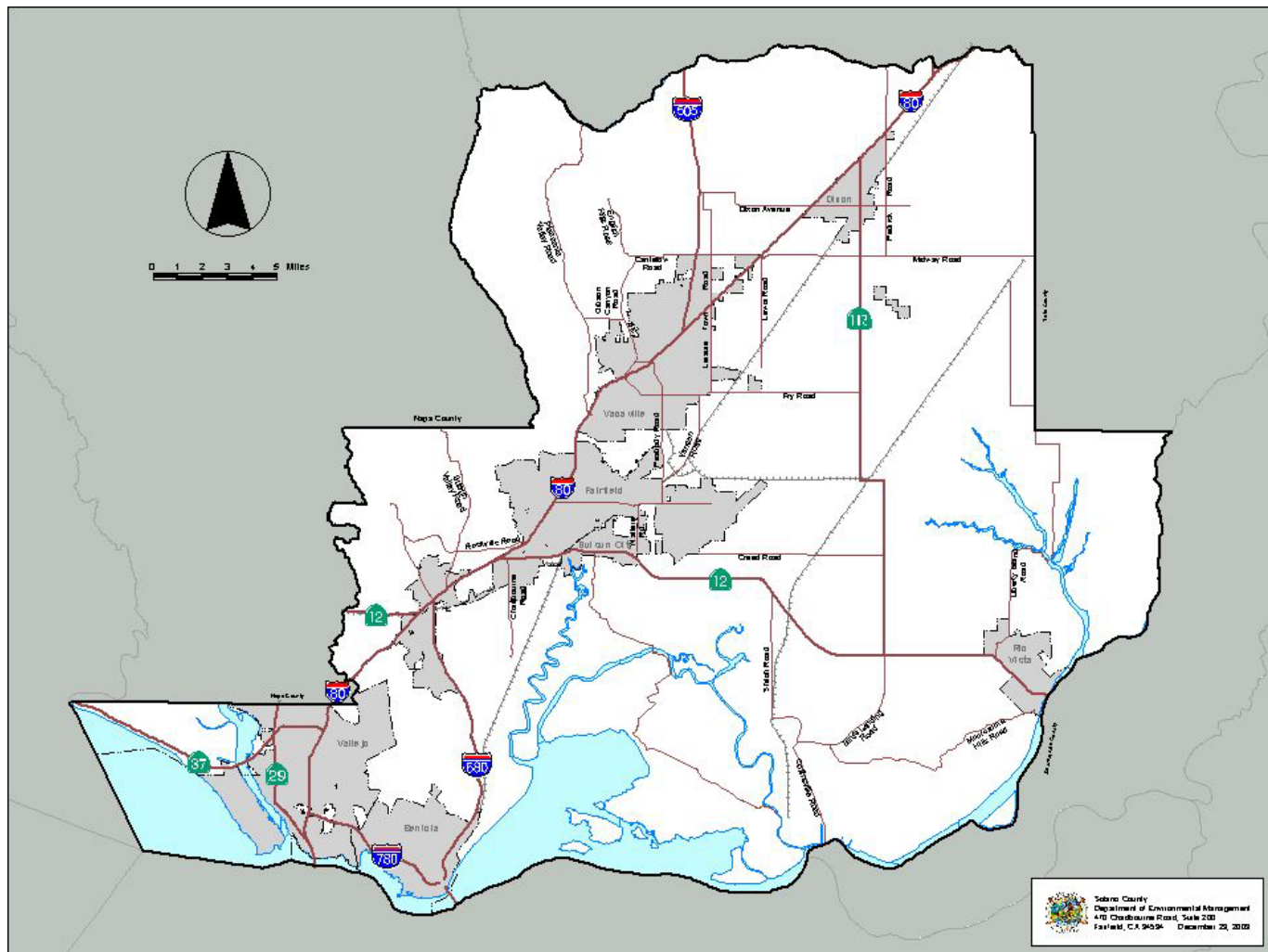
This SWMP will be used to implement the NPDES Phase II requirements only in identified urbanized areas per the 2000 Census. It is not intended to cover runoff from other areas of the unincorporated County, nor does it cover the urbanized areas under the storm water authority of Vallejo Sanitation and Flood Control District. The following attached maps provide visual descriptions of Solano County's boundaries and urbanized areas:

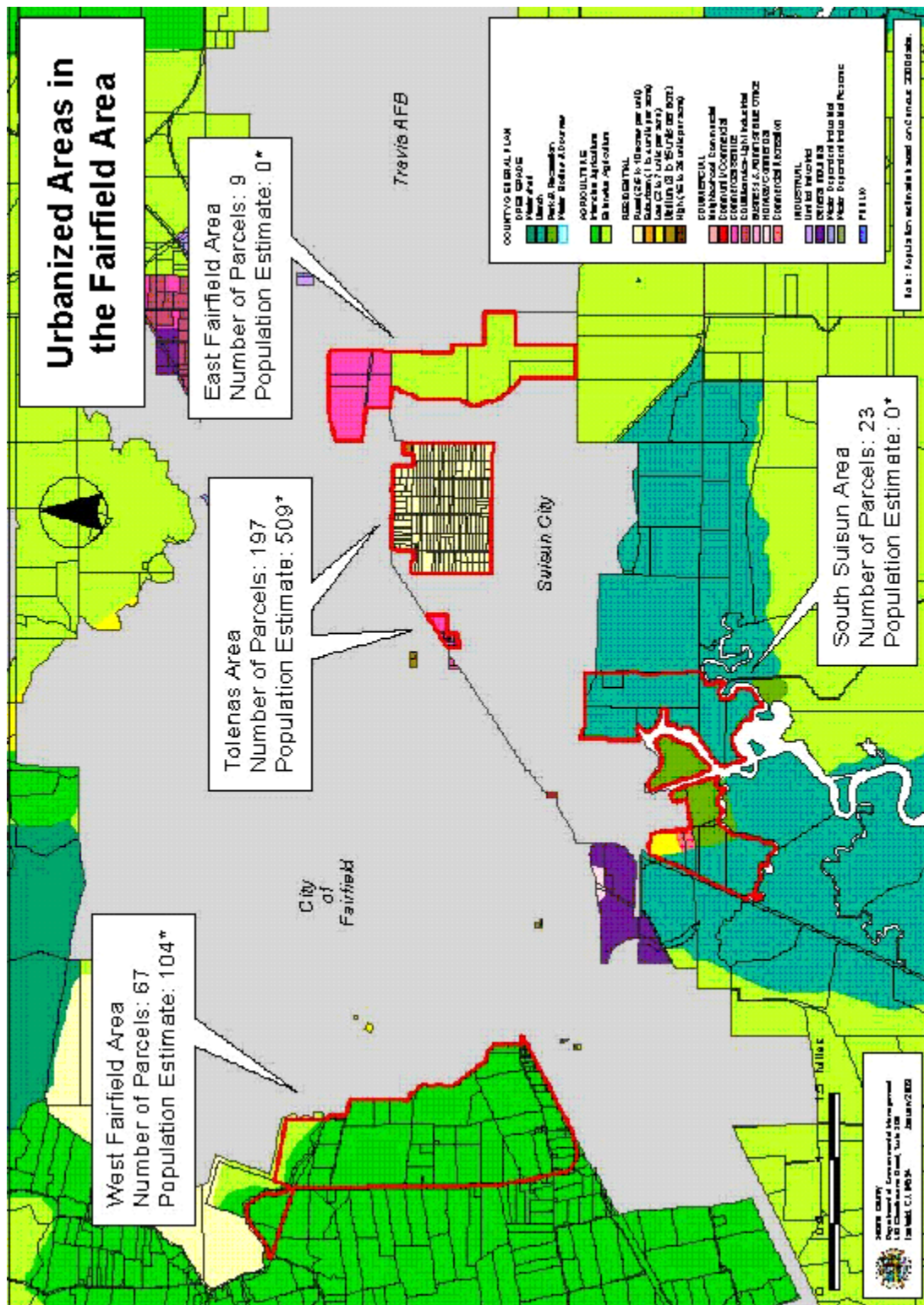
1. Map of Solano County
2. Maps of Urbanized Areas
3. Table of Pollutants of Concern

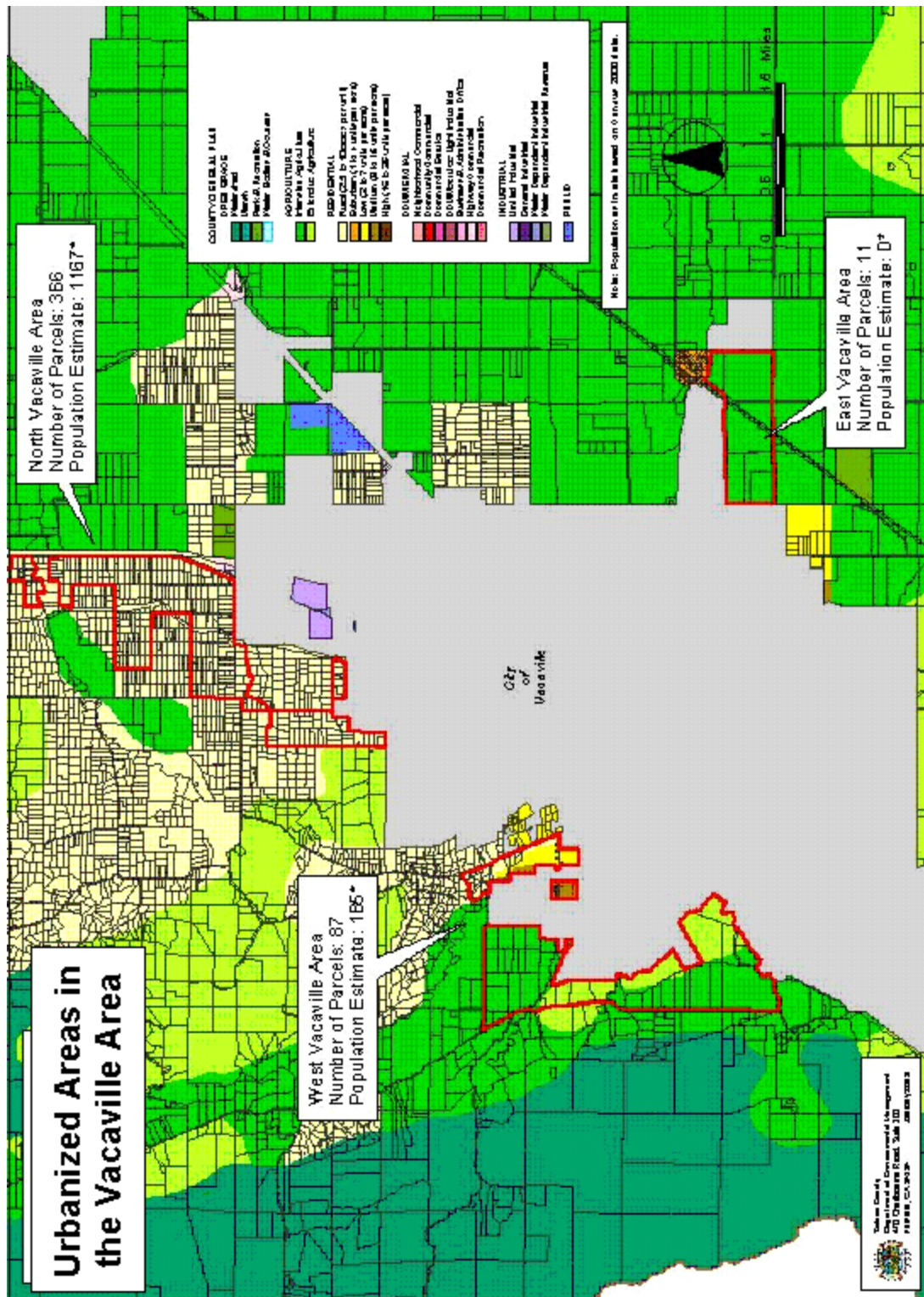
Solano County does not own or operate any storm drain systems. The Department of Transportation constructs and maintains the County rights-of-ways and the roadside grassy swale drainage systems. Rights-of-ways are areas certified by the County Board of Supervisors as the official County's maintained road mileage. We have limited sewer systems in only two areas of the County, and each of these is served by and operated through a city sewer service. One service area is the unincorporated town of Elmira served by the city of Vacaville and the second is the unincorporated area between Vallejo and Benicia served by Vallejo Sanitation and Flood Control.

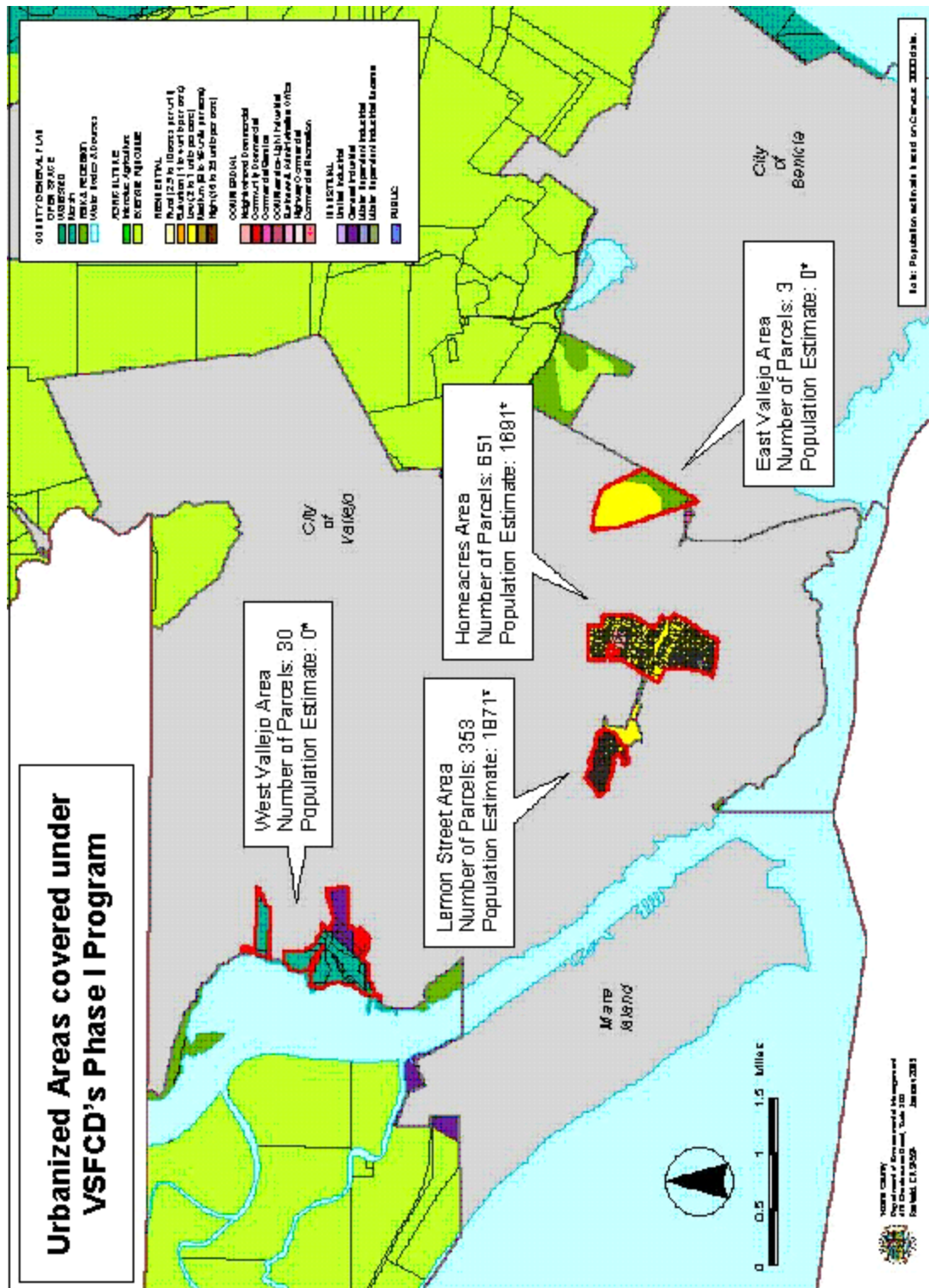
Future maps to be created will include creeks, drainages, other waters of the U.S., County facility outfalls, cities, and lakes. Coordination between Solano County and adjacent Cities and Sewage districts will need to be facilitated in order to accurately define the inter-connections between our waterways and pollutants.

Map of Unincorporated Solano County









**CALCULATIONS FOR UNINCORPORATED PORTIONS OF
SOLANO COUNTY LISTED AS "URBANIZED AREAS"**

<u>Area</u>	<u>Assessor's Acres</u>	<u>Square Miles</u>	<u>Population*</u>	<u>Population Density (People/Sq. Mile)</u>
North Vacaville	1178.92	1.842	1167	634
West Vacaville	1324.86	2.070	185	89
South Vacaville (Elmira Area)	489.08	0.764	0	0
West Fairfield	1056.57	1.651	104	63
Tolenas	474.88	0.742	509	686
East Fairfield	531.1	0.830	0	0
Suisun	824.67	1.289	0	0
West Vallejo**	262.46	0.410	0	0
Lemon Street**	54.91	0.086	1871	21807
Homeacres**	253.71	0.396	1691	4266
East Vallejo**	180.26	0.282	0	0

* - Population estimate from 2000 Census data

** - Urbanized areas in the Vallejo Sanitation and Flood Control District Phase 1 program

SECTION 4.

POLLUTANTS OF CONCERN

The National Pollutant Discharge Elimination System Phase II requires Solano County to identify pollutants and creeks' health problems. As part of Section 6, Measurable Goals, Solano County must then tailor the Program to address the specific pollutants that are impairing water quality. Researching and revising this section will take significant coordination between the County, local cities, water districts, and perhaps the Resource Conservation Districts for additional public outreach and education. The inter-connections between the local municipalities drainages, and the discoveries of pollutants will need to be shared. After researching the Clean Water Act 303d listing of impaired water bodies, the following table details the known impairments and pollutants of concern:

<u>Regional Board</u>	<u>Water Body</u>	<u>Size</u>	<u>Pollutant(s) of Concern</u>
SF Bay -- 2	Lake Herman	108 Acres	Mercury
SF Bay -- 2	Laurel Creek	3 Miles	Diazinon
SF Bay -- 2	Ledgewood Creek	12 Miles	Diazinon
			Chlordane
			DDT
			Diazinon
			Dieldrin
			Dioxin Compounds
SF Bay -- 2	Suisun Bay	27498 Acres	Exotic Species
			Furan Compounds
			Mercury
			Nickel
			PCBs
			Selenium
			Metals
			Nutrients
SF Bay -- 2	Suisun Marsh Wetlands	66339 Acres	Organic Enrichment/Low
			Dissolved Oxygen
			Salinity/TDS/Chlorides
SF Bay -- 2	Suisun Slough	1124 Acres	Diazinon
C.V. -- 5	Putah Creek, Lower	28 Miles	Mercury

As part of its measureable goals, Solano County will need to identify the sources of the pollutants, determine whether Solano County has influence over the sources, and establish best management practices to reduce the pollutants under the jurisdiction of the County. This section will be developed as more information on the pollutants is researched.

SECTION 5.

MINIMUM CONTROL MEASURES

The Phase II Rule defines a small municipal separate storm sewer systems' storm water management program as a program comprising of six elements that, when implemented in concert, are expected to result in significant reductions of pollutants discharged into receiving water bodies. These six elements, termed "minimum control measures" are:

- Public Education and Outreach
- Public Participation/Involvement
- Illicit Discharge Detection and Elimination
- Construction Site Runoff Control
- New Development and Redevelopment Post-Construction Storm Water Management (Post-Construction Runoff Control), and
- Pollution Prevention/Good Housekeeping.

Solano County's historical interest in storm water management has lead to a broad network of existing program elements which have been incorporated into County ordinance over the last 20 years. The following is a brief outline of existing elements of Solano County's storm water management effort:

Public Education and Outreach

The intent of public education and outreach is to gain an informed and knowledgeable Community regarding the impacts of storm water runoff on water quality throughout Solano County. NPDES Phase II requires Solano County to distribute educational materials to the community, or conduct equivalent outreach activities about the impacts of storm water discharges on local water bodies and the steps that can be taken to reduce storm water pollution.

- Solano County currently distributes educational materials and performs public outreach functions for clean water, recycling, and clean-up days by funding through our Source Reduction and Recycling Element, established May, 1992 (See Attachment 1).

During the fiscal year 2002/03, the County conducted the following public education and outreach functions for proper disposal of waste, recycling, and cleanup days that are held annually on a recurring basis:

- Fifteen Used Oil Recycling Community events took place at larger Solano County public events like the Suisun Harbor Day Festival, Vacaville Kid Fest, Vallejo Flyway Festival, and the Benicia Classic Car Show to name just a few. Events such as these drew nearly 2,800 people in which they were provided information pertaining to their local drop-off centers for Batteries, Oil, Paint, and Antifreeze as well as where and how to properly dispose of their household hazardous wastes (see attached hardcopy brochures in Section 9).

Community Events

Date of Event	Name of Event	Estimated Attendance
01/18/2002	Vallejo: Flyway Festival	300
03/30/2002	Fairfield: Downtown Day for Youth	200
04/20/2002	Vallejo: Earth Day	250
04/24/2002	Vacaville: Business Expo	400
04/24/2002	Vallejo: Kaiser Hospital Earth Day	200
04/27/2002	Vacaville: Mower Exchange	100
04/28/2002	Benicia: Classic Car Show	100
04/28/2002	Dixon: Children's Fair	150
05/18/2002	Suisun: Mustang Car Show	200
05/18/2002	Vallejo: Farmers' Market	100
06/13/2002	Benicia: Farmer's Market	100
06/15/2002	Vallejo: Juneteenth Celebration	100
08/06/2002	Vallejo: National Night Out	100
09/28/2002	Suisun: Harbor Day Festival	150
09/28/2002	Vacaville: Kid Fest	300

The following schools are physically located in Unincorporated Solano County and are currently served by the Fairfield-Suisun Sewer District school outreach program. However, these schools are populated by students who reside inside and outside Unincorporated Solano County – which is also the case for the student populations of those schools that are physically located inside city limits.

Attached is the 2003 directory of Solano County's public schools.

Golden West Middle School	=	980 students
Vanden High School	=	1,331 students
Solano Community College	=	11,000 students
TOTAL	=	13,311 students

Joint outreach opportunities with Vallejo Sanitation and Flood Control District and Fairfield-Suisun Sewer District are already being undertaken.

Public Involvement and Participation

The intent of public involvement and participation is to give the public opportunities to play an active role in the development and implementation of the SWMP, as well as participate in clean water activities. NPDES Phase II requires Solano County to comply with State and local public notice requirements.

- Solano County uses public committees and public notification processes for all ordinance changes. Current public bodies through which these changes go for comment include Agricultural Advisory Committee, Solano County Flood Control Advisory Committee, Integrated Waste Management Advisory Committee, and the Solano County Board of Supervisors. In addition, notification is given to local homeowners associations, Farm Bureau, and many local groups including the Solano Land Alliance.
- Solano County is mandated by AB939 and through our Source Reduction and Recycling Element (Established May, 1992) to provide public education and outreach countywide for proper disposal of waste, recycling, and clean-up programs. The County has had an active program since 1993, which includes waste oil recycling and household hazardous waste collection programs.

During the fiscal year 2002/03, the County conducted the following public outreach functions for clean water, recycling, and cleanup days that are held annually on a recurring basis:

- 1) Four Neighborhood Clean-Up Days (sample hard copy flier attached). Fliers are distributed in the Vallejo Unincorporated area by local code enforcement officers approximately 4 weeks prior to the date of the event which is held once every quarter throughout the year, as per the franchise agreement. This effort has been in place since the inception of the garbage franchise in 1998.
- 2) 2002 Coast & Creek Cleanup Day (see hard copy information attached). 1,268 volunteers removed 34,208 pounds of trash and recyclables from local creeks and waterways in an effort to collect debris that pollutes and contaminates our natural resources that serve local wildlife and contribute to the aesthetics of the environment. An extensive media campaign (see hardcopy attached media circulation) began six weeks prior to the date of the event in order to recruit volunteers and assign designated locations. Approximately \$8,000 was

spent on both advertising and site event expenses. This effort has been in place since 1998.

Illicit Discharge Detection and Elimination

The intent of illicit discharge detection and elimination is to have municipalities gain a thorough awareness of their systems in order to detect and eliminate illicit discharges from infiltrating into the storm sewer system. NPDES Phase II requires Solano County to:

1. Develop, implement, and enforce a program to detect and eliminate illicit discharges.
 - On January 1, 1997, Solano County's Department of Environmental Management, Environmental Health Division became a Certified Unified Program Agency (CUPA) to provide pollution control oversight countywide. Solano County sought certification to consolidate and establish a program to limit illicit discharges, inspect hazardous waste treatment facilities, establish business plan inspections, and perform risk management and prevention program inspections.
 - Solano County Transportation Department employees respond to illicit discharges onto County right-of-way areas. The Solano County Department of Transportation patrols County road rights-of-ways every two weeks to identify encroachment violations and illicit discharges. County road maintenance crews are provided with clean up kits to contain or retrieve certain identifiable illicit discharges. Unidentifiable illicit discharges are reported to the Department of Environmental Management, Environmental Health Division Hazardous Materials Unit for identification and disposal. The Transportation Department's crews will cleanup materials that are readily identifiable as safe, or are determined safe by the Hazardous Materials Unit. All other illicit discharges are disposed of as directed the Environmental Health Hazardous Materials Unit.
 - Public complaint calls are sent to our Environmental Health Division for response and inspection of illicit discharges.
2. Develop a storm sewer system map showing the location of all outfalls and the names and locations of all waters of the U.S. and the State that receive discharges from those outfalls.
 - Solano County does not own nor operate any storm drain systems other than roadside culverts and bridge piping. Unincorporated areas use a drainage system of grassy swales and intermittent streams to propel storm water. The Solano County Water Agency, through the efforts of the Solano County Flood Control Advisory Committee, is working on identifying and mapping the major watersheds. Through this work the County should be able to show the outfalls and discharge points into surface water ways, both natural and manmade.
3. Adopt, maintain, and enforce an ordinance, policy, or other regulatory mechanism to prohibit non-storm water discharges into the MS4.
 - County Ordinances used to provide regulation and enforcement for prohibiting non-storm water discharges can be found in Section 9.

- The CUPA Health and Safety Codes can be found at www.leginfo.ca.gov/calaw.html.
4. Develop and implement appropriate enforcement procedures and actions.
 - County Ordinances used to provide enforcement procedures for illicit discharges can be found in Section 9.
 - The Hazardous Material Section as the Certified Unified Program Agency has an enforcement policy that addresses hazardous material and hazardous waste program, the underground storage tank program and the California Accidental Release Prevention Program (risk management plans). This enforcement program addresses both informal and formal enforcement procedures. The informal enforcement procedures include giving an initial 30 day compliance deadline for minor violations. If the violations are not corrected within the 30 days period then two follow-up inspections will be conducted each giving another 15 day period for corrections. If compliance is not achieved then staff will discuss the compliance history with the supervisor and a district attorney referral or administrative enforcement action will be initiated that will result in penalties and a settlement agreement. For improper disposal and other serious violations the Hazardous Materials Section will initiate a district attorney referral or begin the administrative enforcement process. The Hazardous Material Section's legal authority is under California Health and Safety Code Division 20, Chapters 6.5, 6.7, 6.95, and 6.11 see policies A-96-02, HM-01-01 and HM-01-02A copy of Litter Control Program, Chapter 23.5 is attached
 - A full compilation, evaluation and further refinement of enforcement policies are listed as a measurable goal and will be provided in the future.
 5. Develop and implement a plan to detect and address non-storm water discharges that are not authorized by a separate NPDES permit.
 - Public complaint calls are sent to our Environmental Health Division for response and inspection of illicit hazardous material and hazardous waste discharges.
 - Solano County Transportation Department employees are trained to detect and deal with illicit discharges onto County right-of-way areas.
 - See discussion below regarding the CUPA program.
 - Agricultural tail water irrigation discharges are being addressed through a separate effort currently, but may be brought into the County program in the future.
 6. Inform public employees, businesses, and the general public of the hazards associated with illegal discharges and improper disposal of waste.
 - Solano County Transportation Department employees are trained to deal with illicit discharges onto County right-of-way areas.
 - Solano County is mandated by AB939 and through our Source Reduction and Recycling Element (Established May, 1992) to provide public education and outreach countywide for proper disposal of waste, recycling, and clean-up programs. The County has had an active program since 1993, which includes stenciling programs for storm drains, waste oil recycling, and household hazardous waste collection programs (See Education and Outreach discussions above).
 - Our Source Reduction and Recycling Element established a funding mechanism and system for public education on illicit discharges and proper waste disposal.

The CUPA program establishes the Hazardous Materials section as the lead division for inspection and detection of illicit discharges. The inspection frequency mandated by State Regulation and Law is an inspection frequency of each business being inspected once every three years for hazardous materials and hazardous wastes. However, the goal of the Hazardous Materials Section is to inspect businesses storing reportable quantities of hazardous materials and hazardous wastes once every 18 months. During fiscal year 2002/2003 the Hazardous Materials Section conducted 521 inspections at businesses storing using and managing hazardous materials and hazardous wastes.

The Hazardous Materials Section is mandated to inspect each underground storage tank facility once a year. While conducting underground storage tank facility inspections the staff of the Hazardous Material Section inspect the storm drains onsite to determine whether there is evidence of petroleum products being discharged to the storm drain. During fiscal year 2002/2003 the Hazardous Materials Section conducted 182 inspections at underground storage tanks facilities

The Hazardous Materials Section is also mandated to inspect each facility using acutely hazardous materials and is required to file a Risk Management Plan once every three years. While conducting these inspections, the staff of the Hazardous Materials Section inspects to verify that hazardous materials are not discharged into the storm drain. During fiscal year 2002/2003 the Hazardous Materials Section conducted 8 inspections at facilities subject to Risk Management Plan requirements.

Construction Site Storm Water Runoff Control

The Intent of construction site storm water runoff control is to reduce pollutants in storm water runoff to storm sewer systems from construction sites. NPDES Phase II requires Solano County to:

1. Adopt, maintain, and enforce an ordinance, policy, or other regulatory mechanism to require erosion and sediment controls at the construction sites, as well as sanctions to ensure compliance.
 - Solano County Ordinance, Chapter 9 “Drainage and Land Leveling”, requires permitting changes in drainage. A copy is attached in Section 9.
 - Solano County Ordinance, Chapter 31 “Grading and Erosion Control”, requires permitting for new development and redevelopment, with exemptions for small area projects (<5,000 square feet). A copy is attached in Section 9.
2. Develop and implement requirements for construction site operators to implement appropriate erosion and sediment control best management practices.
 - Sediment and erosion control BMPs are required as part of Chapter 31, Section 31-30, General Design Principles and Standards.
3. Develop and implement requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.

- A copy of Refuse and Garbage, Chapter 23 is attached.
 - A copy of Litter Control Program, Chapter 23.5 is attached.
 - Encroachment Permits and contract work through the Department of Transportation require constructors to maintain clean standards, meeting the California Storm Water Best Management Practices Handbook for Construction Activity, dated March, 1993, during construction.
4. Develop and implement procedures for site plan review, which incorporate consideration of potential water quality impacts.
 - County Ordinance Chapter 31, Section 31-40, Review and Approval, requires submittal of grading, drainage, and erosion control plans for full review, including for water quality.
 - Plan review includes checks for appropriate erosion and sediment controls, structural adequacy, storm water retention/detention, drainage, and setbacks.
 - Use Permits for subdivisions, commercial projects, and large private enterprises require conditions for clean construction sites with no impacts to neighboring properties or drainages. A copy of the Subdivision Ordinance, Chapter 26, is attached in Section 9.
 5. Develop and implement procedures for receipt of and response to information submitted by the public regarding storm water runoff impacts due to construction projects.
 - The Building Division currently implements a response system for citizen complaint regarding construction impacts and ongoing operation impacts. Enforcement mechanisms begin with the Building Division, can be forwarded to our Code Enforcement Division, and, if non-compliant actions still result, may be forwarded to the Solano County District Attorney's office.
 - If a complaint is received, code enforcement staff and/or building division inspectors go to the site within 48 hours of the complaint to see if any remedial action is required.
 - Construction sites which are found to be non-compliant are given an Order To Stop Work during the site inspection, as well as a follow-up Notice of Violation. The Order is enforceable by the Solano County Sheriff's Department. All work is to cease until the violation is remediated.
 6. Develop and implement procedures for site inspection and enforcement of control measures.
 - The Building Division collects fees during the permitting process to fund regular inspection of construction projects, with dedicated inspections for sediment and erosion control measures.
 - Each project requiring a grading permit is visited at least once prior to the October 15 grading moratorium to ensure proper erosion and sediment control placement per approved grading plans.
 - Construction sites which are found to be non-compliant are given an Order To Stop Work during the site inspection, as well as a follow-up Notice of Violation. All work is to cease until the violation is remediated. The Order is enforceable by the Solano County Sheriff's Department.

Post-Construction Storm Water Management in New Development and Redevelopment

The intent of new development and redevelopment post-construction storm water management is to reduce, long-term, the type and quantity of pollutants in storm water runoff, and the quantity of water delivered to water bodies during storms from new development and redevelopment sites post-construction. NPDES Phase II requires Solano County to:

1. Develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into Small MS4 by ensuring that controls are in place that would prevent or minimize water quality impacts. Program should include training of municipal planning, public works, and engineering staff who assist developers and applicants in treatment measures, source control, and site design development.
 - Permanent BMPs which maintain no increased rate of runoff, from pre- to post-construction condition are required as part of Chapter 31, Section 31-30, General Design Principles and Standards. This applies to all projects requiring a minor grading permit or larger.
 - County Ordinance Chapter 31, Section 31-40, Review and Approval, requires submittal of grading, drainage, and erosion control plans for full review, including for permanent BMPs.
 - Site inspections are performed as part of the grading permit/inspection process to ensure BMPs are built per approved plan.
2. Adopt and enforce an ordinance, policy, or other regulatory mechanism that requires projects to include long-term operation and maintenance of appropriate BMPs to address post-construction runoff.
 - Solano County Ordinance, Chapter 31 “Grading and Erosion Control”, requires permitting for new development and redevelopment projects requiring a grading permit.
 - Subdivision Requirements, Section 26-112.2 require mitigation of storm water impacts, from pre- to post-construction condition, for subdivision of land approval.
3. Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the community.
 - All of Solano County’s design standards recommend bioswale, retention, or detention structures be used to accommodate long-term storm water impacts.
 - Land Development Requirements, Section 1-5.5 require that no more than 400 feet of concreted drainage be allowed without retention/detention or bioswale treatment.
 - Land Development and Subdivision Requirements, Section 1-8.0, require tree replacement procedures when tree removal is required as part of a project. All development standards recommend limiting natural cover removal, and requires proper replacement of cover post-construction.
4. Ensure adequate long-term operation and maintenance of BMPs.

- As part of all discretionary permitting and long-term Use-Permitting, Solano County enforces long-term conditions on projects, specifically operation and maintenance of storm water facilities.
- Planning Division Staff perform annual to biannual inspections of Use permitted facilities, depending upon size of facility and permit conditions, to ensure that approved conditions are being satisfied.
- Violators of Use Permits receive Notices of Violation, which may result in revocation and or expiration of the Use permits. Continued violation results in a filing for injunction through the Courts or referral to the District Attorney's Office for further prosecution.

Pollution Prevention/Good Housekeeping for Municipal Operations

The intent of pollution prevention and good housekeeping for municipal operations is to improve or protect receiving water quality by altering municipal or facility operations. NPDES Phase II requires Solano County to:

1. Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.
 - Solano County Department of Transportation (DOT) maintains and operates the municipal facilities of Solano County, specifically the corporation yards. DOT keeps facilities clean, vehicles in good condition, and specifically does not allow polluted runoff from facilities. Written BMPs and a policy manual will be created as part of the County's measurable goals. Each corporation yard's area supervisor has a responsibility to maintain their yards and incorporate all necessary BMP's for Storm Water Management. The Department will establish a standard for all corporation yards, as a listed measurable goal. This standard will follow guidelines set forth in the Best Management Handbook for Industrial and Commercial uses.
 - DOT employees are trained on an annual basis to deal with readily identifiable pollutants and discharges to either County owned facilities or in the field while maintaining County roadways. Pollutants which are not readily identifiable are reported to Solano County Environmental Health for identification and disposal.
2. Develop and implement employee training programs, which addresses preventing and reducing storm water pollution from activities such as park and open space maintenance, fleet building maintenance, new construction and land disturbances, and storm water system maintenance.
 - DOT employees are trained to deal with small spills and field discharges with spill kits and the County's hazardous waste storage area.
 - Training programs include annual internal training by the County's Environmental Health personnel, as well as occasional instruction by the Department of Water Resources.

SECTION 6.

MONITORING AND EVALUATION

Solano County's SWMP will be annually reviewed and evaluated to determine and identify possible revisions needed, and to verify and document compliance and/or implementation of additional measures over the next 5 years. Annual reports of the County's progress will be sent to each Regional Board (2 & 5) to outline new goals and measure goal compliance.

For each minimum control measure, Solano County must identify appropriate measurable goals to address pollutants of concern. Each measurable goal must identify, as appropriate, the message(s)/pollutants addressed targeted audience(s), and implementer(s) (party or parties responsible for implementing the measurable goal). Measurable goals are defined as Best Management Practices (BMPs) design objectives or goals that quantify the progress of program implementation and the performance of BMPs. They are objective markers or milestones that are used to track the progress and effectiveness of BMPs in reducing pollutants to the maximum extent practicable (MEP). Measurable goals include the following three components: the activity or BMP to be completed, a schedule or date of completion, and a quantifiable target to measure progress toward achieving the activity or BMP.

The attached Microsoft Excel table of measurable goals identifies the steps Solano County will take to bring its existing program into compliance with NPDES Phase II.

SECTION 7.

GLOSSARY (to be expanded)

Civil Engineer means a professional engineer registered as a civil engineer by the State of California.

County means the County of Solano.

Director means the Director of the Environmental Management Department or Transportation Department of the County of Solano, or his/her authorized representative.

Erosion means detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

Erosion and Sediment Control Handbook means a handbook maintained by the county which serves as a guide to effective practices and structural measures for control of soil erosion and sedimentation.

Floodplain means the relatively flat area generally adjoining the channel of a natural stream which has been or may be hereafter covered by floodwater.

Grading means any excavation, stripping, cutting, filling, stockpiling, or any combination thereof which alters land or vegetation.

Land disturbance means any activity which results in the deposit or removal of any material or the alteration of either land or vegetation and which may result in increased potential for soil erosion or sedimentation.

Runoff means the surface water flow or rate of flow following precipitation.

Sedimentation means the process by which mineral or organic matter is removed from its site of origin, transported, and deposited by water, wind, or gravity.

Sediment Basin means a reservoir which retards flows sufficiently to cause or allow deposition of transported sediment.

Site means any lot or parcel of land or a series of lots or parcels of land adjoining or contiguous or joined together under one ownership where grading, excavating, or filling is, was, or will be performed.

Unincorporated means the areas of Solano County which have not been annexed into the cities.

Waterway means any natural or manmade channel for transporting water, including the streambed and the banks, whether continuously flowing or intermittent. (Ord. No. 1087, §1.)

SECTION 8.

ABBREVIATIONS

BMPs – Best Management Practices

BOS – Solano County Board of Supervisors

CUPA – Certified Unified Program Agency

CWA – Federal Clean Water Act of 1972

DOT – Solano County Department of Transportation

MEP – Maximum Extent Practicable

NPDES – National Pollutant Discharge Elimination System

RWQCB – Regional Water Quality Control Board

SWMP – Storm water management plan

SWRCB – State Water Resources Control Board of California

SECTION 9.

SOLANO COUNTY ORDINANCE ATTACHMENTS

CHAPTER 9

DRAINAGE AND LAND LEVELING.

- ' 9-1. Definitions
- ' 9-2. Interference with public drainage and flood control facilities.
- ' 9-3. Permits for change of drainage--Required.
- ' 9-4. Permits for change of drainage--Terms of Issuance.
- ' 9-4.1 Conformance with grading and erosion control standards.
- ' 9-5. Permits for change of drainage--Applications; processing procedures.
- ' 9-6. Permit for change of drainage--Time limit; renewal.
- ' 9-7. Liability of county; correction of errors.
- ' 9-8. Appeal from denial of permit.
- ' 9-9. Regulation of levee materials.
- ' 9-10. Penalties.

Sec. 9-1. Definitions.

For purposes of this chapter, the following words and phrases shall have the meanings ascribed to them by this section:

Adjacent area. A strip of land twenty-five feet wide extending laterally outward from the top of each bank of a normal channel.

Channel. Any natural stream bed or mechanically excavated open depression in which water may or does flow.

Conduit. A general term for a channel intended for the conveyance of water, whether opened or closed.

Canal. An artificial waterway for drainage or irrigation.

Director. The director of the environmental management department of the County of Solano or his/her authorized representative.

Ditch. An artificial channel, usually distinguished from a canal by its smaller size.

Land leveling. The redistribution of the surface cover of dirt by mechanical means to change the existing contours of the land.

Person. Individuals, partnerships, associations, corporations, special districts, and others, not including employees of the environmental management or transportation department or any other authorized representatives of the county.

Riparian habitat. The channel and adjacent area where plants and animals naturally live as a result of the presence of the channel.

Top of the bank. The upper elevation of land which defines the shape of a channel, conduit, canal or ditch. The top of the bank of a normal channel does not include, nor shall the adjacent area be measured from, swales or other low-lying lands contiguous to the normal channels which are subject to occasional inundation by rain waters or discharges of irrigation waters.

Transportation director. The director of the transportation department of the County of Solano, or his/her authorized representative. (Ord. No. 528, '1; Ord. No. 843, '1; Ord. No. 1166, '1; Ord. No. 1170, '1; Ord. No. 1511, '2.)

Sec. 9-2. Interference with public drainage and flood control facilities.

It shall be unlawful for any person to do any of the following acts within the county without first receiving a written permit from the director:

- (a) Destroy, remove, damage or interfere with the operation or maintenance of any levee, embankment, channel, dam, reservoir, canal, stream, protective work, access easement or other water delivery, drainage or flood control facility constructed, operated or maintained by any public agency.
- (b) Place, or cause to be placed in any channel, drainage ditch, water course, conduit, water delivery channel or upon any property over which the county or any public agency within the county has an easement for flood control, water delivery, drainage or access, any rubbish, trash or material of any kind that may interfere with the intended usage of the easement or facility. (Ord. No. 528, '2; Ord. No. 843, '1; Ord. No. 1511, '3.)

Sec. 9-3. Permits for change of drainage--Required.

It shall be unlawful for any person to do any of the following acts within the county without first receiving a written permit from the director:

- (a) Level or re-level agricultural land for irrigation purposes.
- (b) Change the topography of any land in such manner that alters or interferes with existing water drainage.
- (c) Fill, close or divert any storm water drainage channel or water course.
- (d) Use for any purpose or in any manner any levee, embankment, service road, channel, dam, reservoir, canal, protective work or facility constructed by any public agency for flood control, water delivery or drainage, unless permission for the use has been previously granted by the public agency involved.
- (e) Allow any water applied by any person for any purposes to drain or spill upon the right-of-way of any public street, road or highway, or any district canal or channel.
- (f) To encroach on any designated flood control easement or right-of-way by construction of any buildings, facilities, pipelines, fences, etc., or permit the installation of any restriction within the prism of any constructed channel which would reduce the designated hydraulic capacity, or in any natural channel which would restrict its flow characteristics.
- (g) To do any of the following activities within, or in areas adjacent to those channels flowing or which will flow into the Suisun Marsh as more fully shown on that diagram entitled AProtected Channels of the Suisun Marsh Watershed,@ on file at the environmental management department and which is incorporated herein as though set forth in full.
 - (1) Newly construct any structure, except that the repair, replacement, reconstruction, improvement or maintenance of any existing structure may be performed unless the director determines that such repair, replacement, reconstruction, improvement or maintenance will result in an increase in flood elevation, public flood hazard, or increase sedimentation to such an extent that adverse environmental impacts will occur in the Suisun Marsh.

- (2) Fill, grade, excavate, obstruct, close, divert, repair or reconstruct the channel or adjacent area of the channel. Emergency repairs may be commenced prior to obtaining a permit.
- (3) Cut or remove vegetation except for:
 - a. Grazing, cultivation of land, and other agriculturally related activities, including cutting or removing vegetation from channels or adjacent areas for agricultural or flood control purposes;
 - b. Gardening and landscape activities associated with an established use.
- (4) Store or handle toxic substances, excepting application of chemicals to land or crops in the course of agricultural practices or customary home landscaping activities. (Ord. No. 528, '3; Ord. No. 843, '1; Ord. No. 1166, '2; Ord. 1511, '3)

Sec. 9-4. Permits for change of drainage--Terms of issuance.

(a) The director or the applicable public agency having jurisdiction shall grant permits to do any of the things referred to in Section 9-3 if s/he finds that such acts will not prevent or obstruct water drainage, and will not cause damage to any property or any flood control, water delivery or drainage facility.

(1) The director shall not issue any permit for work to be performed under this chapter which may directly or indirectly impact any public road or right-of-way without having first obtained the approval of the transportation director.

(b) The director shall issue a permit for those activities set forth in Section 9-3(g) only if s/he finds, in addition to the findings required by Section 9-4(a), that riparian habitat will be protected and that the proposed activity will not increase sedimentation or runoff into the Suisun Marsh to such an extent that adverse environmental impacts will occur in the Suisun Marsh.

(c) Permits shall be subject to such terms and conditions as the director shall deem reasonably necessary to assure adequate storm water drainage and the prevention of injury or damage, including increased sedimentation, to any property, including county roads or flood control, water delivery or drainage facilities, or the Suisun Marsh. No permit shall be granted to fill, grade, excavate, obstruct, close, or divert a storm water drainage channel, watercourse or channel, unless a substitute or replacement facility which is approved by the director is provided. (Ord. No. 528, '4 Ord. No. 843, '1; Ord. No. 1166, '3; Ord. No. 1511, '5.)

Sec. 9-4.1. Conformance with grading and erosion control standards.

Development requiring a permit under this chapter shall be accomplished in a manner consistent with the general design principles and standards established by Section 31-30 of this code. (Ord. No. 1087, '3; Ord. No. 1511, '6;)

Sec. 9-5. Permits for change of drainage--Applications; processing procedures.

Persons desiring a permit under this chapter shall file, with the director, a written application on forms provided by the director, together with a site location map and other information as required by the director. Procedure covering the processing of an application is as follows:

From personal knowledge of location or on-site investigation of proposed work, the director may either approve the application or require additional engineering information provided by a registered engineer. Such additional engineering information may include:

- (a) Plans, profile maps and other data as may be required to show the present and proposed work.
- (b) When land leveling is involved, it shall include a cut-and-fill map showing existing and finished grade, direction of irrigation flow, irrigation water source and drainage features--including off-site drainage provisions.

(c) The leveling map shall also show existing drainage and water courses, adjacent roads, highways, ditches, bridges, culverts and other such data as may be required by the director.

(d) A performance bond may be required by the director for all or a portion of the work proposed in the application. The amount of the performance bond shall be determined by the director. If a performance bond is required, it shall be posted before a permit is issued.

(e) A fee for processing a permit under this chapter may be established by the board of supervisors by resolution. (Ord. No. 528, '5; Ord. No. 843, '1; Ord. No. 1166, '4; Ord. No. 1511, '7.)

Sec. 9-6. Permits for change of drainage--Time limit; renewal.

The permittee shall begin the act or work authorized by a permit issued pursuant to this chapter within ninety (90) calendar days from date of issuance, unless another date is specifically indicated in the permit; and the permittee shall notify the director at least 48 hours prior to beginning work. Should the act or work not be commenced on or before the date indicated in the permit, then the permit shall become void unless, prior to the date of expiration, the permittee presents good and sufficient reason for an extension of time and the date is extended by the director in writing. A permit which has become void by reason of non-commencement of work prior to the stipulated date may be renewed at the discretion of the director. (Ord. No. 843, '1; Ord. No. 1511, '8.)

Sec. 9-7. Liability of county; correction of errors.

Nothing contained in this chapter shall impose any responsibility on the county, its agents, officers or employees for any errors or omissions of any kind or nature, in any plans or information submitted to and approved by the director; and no permit issued hereunder by the director shall be deemed a certification by the county or its agents, officers or employees as to the accuracy or correctness of any land-leveling document or documents submitted in support of applicant's request for such permit. If any permit is issued by error or otherwise, or if a violation of this chapter occurs after construction by the permittee, then in such event, the permittee must correct the error or work done under such permit to conform to the provisions of this chapter as soon as reasonably possible after the date of discovery of such mistake or error; otherwise, the permittee shall be deemed in violation of this chapter. (Ord. No. 528, '5B; Ord. No. 843, '1; Ord. No. 1511, '9.)

Sec. 9-8. Appeal from denial of permit.

If a person desiring a permit is denied a permit by the director, such person shall have a right to file a written notice of appeal with the board of supervisors of the county. (Ord. No. 1511, '10.)

Sec. 9-9. Regulation of Levee materials.

(a) Purpose. The board of supervisors of the county finds and declares that the people of the county have a primary interest in the construction and maintenance of levees so that materials used for these purposes do not endanger or constitute a threat to the health, safety and welfare of the public.

(b) Materials prohibited; exceptions. It shall be unlawful for any person to use junk or scrap metal, junked automobiles or parts, rubber tires, broken concrete with protruding reinforcing steel or other material of a similar nature for the purposes of erosion control or strengthening of any levee within the county; except that, such material may be used during periods of emergency to combat an immediate threat; provided, that materials used in an emergency are removed after the threatened danger has passed.

(c) AEmergency@ defined. AEmergency,@ for purposes of this section, is defined to mean the sudden, unexpected rising or swelling of streams or navigable waters where such rising or swelling has damaged a levee or constitutes an imminent danger thereto. (Ord. No. 744, '1, '2, '3; Ord. No. 843, '1.)

Sec. 9-10. Penalties.

Any person, firm, corporation or agency, whether as principal agent, employee or otherwise, failing to comply with the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a

fine of not more than five hundred (\$500) dollars for each separate offense, and shall be strictly liable for the cost of any work required by the county to abate any erosion, sediment, flood or runoff hazard. Every day any violation of this chapter shall continue shall constitute a separate offense. (Ord. No. 1511, ' 11.)

CHAPTER 11

FINANCES, FEES, TAXATION AND REVENUE.

ARTICLE VIII. FEES.

- ' 11-110. General.
- ' 11-110.1. Introduction and Authority.
- ' 11-110.2. Agriculture Department (Repealed).
- ' 11-110.3. Assessor/Recorder.
- ' 11-110.4. Environmental Management.
- ' 11-110.5. Health and Social Services--Public Guardian (Repealed).
- ' 11-110.6. Tax Collector/County Clerk.
- ' 11-110.7. Transportation.
- ' 11-110.8. Registrar of Voters.
- ' 11-110.9. Clerk of the Board of Supervisors.
- ' 11-110.10. County Administrator
- ' 11-110.11. County Counsel.
- ' 11-110.12. Miscellaneous Departments.
- ' 11-111. Fees--Environment Management.
- ' 11-112. Same--Department of health services.
- ' 11-113. Same --Sheriff's department.
- ' 11-114. Same-Tax Collector/County Clerk.
- ' 11-115. Same --Health and Social Services Department.
- ' 11-116. Fees--Court Appointed Counsel Fees.

ARTICLE XIII. SOLID WASTE DISPOSAL MITIGATION FEE.

- ' 11-200. Findings.
- ' 11-201. Mitigation fee imposed.
- ' 11-202. Purpose of fee.
- ' 11-203. Definitions.
- ' 11-204. Reporting of tonnage.
- ' 11-205. Payment of fees.
- ' 11-206. Penalty for delinquency.
- ' 11-207. Sunset provision.

ARTICLE VIII. FEES.

Sec. 11-110. General.

Unless otherwise required by statute, the county may adopt, by resolution, new fees or increase existing fees after a noticed public hearing. (Ord. No. 1520, 'I.)

Sec. 11-110.1. Introduction and authority.

Pursuant to the provisions of the Statutes of the State of California, the Board of Supervisors of the County of Solano, State of California, adopts and implements fees to recover the costs for providing services in the following departments: Agriculture, including its Animal Control and Weights and Measures divisions; Assessor/Recorder; Environmental Management, including the Local Agency Formation Commission and its Environmental Health, Hazardous Materials, Building and Planning divisions; the Public Guardian division of the Health and Social Services Department; Tax Collector/County Clerk; Transportation Department, including its Surveyor Division; and

Registrar of Voters, Clerk of the Board of Supervisors, County Administrator's office, and the County Counsel's office, as specifically provided in the following sections of this ordinance, and as supported in the documentation, including the User Fee Analysis Final Report, dated July 21, 1992, as prepared by Ralph Andersen & Associates, and the revisions to it dated August 10, 1992, and as updated and submitted to the Board of Supervisors on May 25, 1993, by the user fee computer model, available in the County Administrator's office, copies of which fee schedules are incorporated herein by reference. The master copy of this documentation is on file with the Clerk to the Board of Supervisors. (Ord. No. 1491, '1; Ord. No. 1520, '1.)

Sec. 11-110.2. Agriculture Department.

(a) The County Agricultural Commissioner, pursuant to the provisions of California Food and Agriculture Code ' 281, and taking into consideration the maximum fees permitted by provisions of the California Food and Agriculture Code, and pursuant to this ordinance, is empowered to establish those fees for specific services, including services related to predator trapping and control listed in attached Exhibit "I" and incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for services on behalf of the County Agricultural Commissioner.

(b) The County Agricultural Commissioner, on behalf of the Weights and Measures Division of the County Agricultural Commissioner's office, pursuant to the provisions of California Business and Professions Code ' 12240 et seq., and in consideration of the maximum fees permitted by provisions of the Business and Professions Code, and pursuant to this ordinance, is empowered to establish those fees for the specific services listed in attached Exhibit "I" and incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for services on behalf of the Weights and Measures division of the Agricultural Commissioner's office. (Ord. No. 1491, '1; Ord. No. 1520, '1.)

Sec. 11-110.3. Assessor/Recorder.

(a) The Assessor/Recorder, on behalf of the Assessor's office, pursuant to the provisions of California Revenue and Taxation Code ' 162.5 et seq., and to this ordinance, is empowered to establish those fees for specific services listed in attached Exhibit "II" which is incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for services on behalf of the Assessor's office.

(b) The Assessor/Recorder, on behalf of the Recorder's division of that office, pursuant to the provisions of California Government Code ' 27360 et seq., and in consideration of the maximum fee permitted by the Government Code, and to this ordinance, is empowered to establish those fees for specific services as listed in Exhibit "II" attached and incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for services on behalf of the Recorder's division of the Assessor's office. (Ord. No. 1491, '1; Ord. No. 1520, '1.)

Sec. 11-110.4. Environmental Management.

(a) The Environmental Management Director, on behalf of the Environmental Health division, pursuant to the provisions of California Health and Safety Code ' 510 and pursuant to this ordinance, is empowered to establish those fees for specific services listed in attached Exhibit "III" and incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for services on behalf of the Environmental Management Department. The Board further adopts the Environmental Health Fee, Regulations, attached as Exhibit "IIIA" and incorporated by this reference. These regulations repeal all prior environmental health fee regulations adopted by the Board of Supervisors.

(b) The Environmental Management Director, on behalf of the Planning division, pursuant to the provisions of California Government Code ' 65104, 65909.5 and 66014, and pursuant to this ordinance, is empowered to establish those fees for specific services listed in attached Exhibit "III" and incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for services on behalf of the Planning division of the Environmental Management Department. (Ord. 1532 amends exhibits to Ord. 1491 to include fee for telecommunications facilities study.)

(c) The Environmental Management Director, on behalf of the Hazardous Material Section of the Environmental Health division of the Environmental Management Department, pursuant to the provisions of California Health and Safety Code ' ' 25513 and 25280 et seq., and to this ordinance, is empowered to establish those fees for the specific services listed in attached Exhibit "III" and incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for on behalf of the Hazardous Materials section.

(d) The Environmental Management Director, on behalf of the Building and Safety division of the Environmental Management Department, pursuant to California Public Resources Code ' 2705 and pursuant to this ordinance, is empowered to establish those fees listed in attached Exhibit "III," and incorporated by this reference, and the following:

1. PERMIT FEES

(A) **Building Permits** - The fees shall be as set forth in Table No. 3-A of the currently adopted edition of the Uniform Building Code, except for hourly service rates, which are set forth in paragraph D.2. below. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment. Valuation shall be based upon the Building Valuation Data published in the most recent edition of Building Standards, a publication of the International Conference of Building Officials (ICBO).

(B) **Plan Review** - When plans or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan fee shall be as set forth in the currently adopted edition of the Uniform Building Code, Chapter 3, except for hourly service rates, which shall be as set forth in paragraph D.2. below.

(C) **Plumbing** - The fees shall be set forth in the currently adopted edition of the Uniform Plumbing Code, Chapter 3, under Table No. 3-A, except for hourly service rates, which shall be as set forth in paragraph D.2. below.

(D) **Electrical** - The fees shall be as set forth in the currently adopted edition of the Uniform Administrative Code provisions for the National Electrical Code, Chapter 3, Table No. 3-A, except for hourly service rates, which shall be as set forth in paragraph D.2. below.

(E) **Mechanical** - The fees shall be as set forth in the currently adopted edition of the Uniform Mechanical Code, Chapter 3, under Table No. 3-A, except for hourly service rates, which shall be as set forth in paragraph D.2. below.

2. SUPPLEMENTAL FEES

(A) In addition to fees charged in conformance with subsection 1 above, supplemental fees shall be charged for the permits indicated below. Solano County encompasses a large geographical area and a significantly higher percentage of Building Inspector time that is anticipated in the Uniform Building Code (UBC) schedule of fees is spent in travel between inspection stops.

(B) Supplemental fees are calculated on the average number of inspection visits per permit, the average time in travel (less that built into the UBC Fee Table), and the cost per hour of service. The hourly rates for services shall be computed based upon the approved budget of the Department of Environmental Management, Building and Safety Division, and not the hourly rates found in Table No. 3-A of the respective codes.

(C) Assuming travel time for Solano County Inspectors averages 45 minutes, and five minutes per trip are assumed by the UBC, the net travel time is 40 minutes, or .67 hours. The computed hourly cost derived from the approved departmental budget, times .67 hours, times the number of inspection visits yields the supplemental fee for the particular permit.

(D) Supplemental fees shall be amended each year upon the adoption by the Board of Supervisors of an approved County budget.

SUPPLEMENTAL FEES

HOURLY RATE: \$64.00

SUPPLEMENTAL FEE FACTOR: 0.67
NET PER TRIP RATE 42.88

<u>Activity</u>	<u>Inspection Visits</u>	<u>Supplemental Fee</u>
Residential Building	8	\$343
Minor Commercial or Industrial Building	8	\$343
Residential Addition	5	\$214
Residential Remodel	5	\$214
Barn, Garage, Carport & Similar Accessory Bldg.	3	\$129
Conversion of Accessory Building	3	\$129
Termite Repair > \$2,500	4	\$172
Termite Repair < \$2,500	3	\$129
Structures other than Buildings (loading platforms, retaining walls, towers, etc.)	2	\$86
Change of Electric Service or Power	1	\$43
Plumbing Change	1	\$43
Minor Code Compliance Inspection	1	\$129
Major Code Compliance Inspection	8	\$343

3. **ABANDONED VEHICLE ABATEMENT -- ADMINISTRATIVE COST RECOVERY**

(A) In conformance with Chapter 6.5 of the Solano County Code, administrative costs to be recovered as a result of Abandoned Vehicle Abatement activity shall consist of staff hours at the hourly service rate determined pursuant to paragraph D.2. above; all direct charges incurred by the County for towing services, vehicle impound facilities, property title search cost, and any other charges incurred directly related to the abatement of the vehicles in question, will be accounted for and their recovery sought at actual cost, in addition to the county's administrative costs.

(B) In adopting the hourly service fee upon approval of the County budget, administrative costs incurred in enforcing the provisions of Chapter 6.5 shall be revised to reflect the new rate. (Ord. No. 1491, ' 1; Ord. No. 1520, ' 1.)

Sec. 11-110.6. Tax Collector/County Clerk.

The Tax Collector/County Clerk, pursuant to provisions of California Government Code ' ' 26480 et seq., 17929(b), 10605, 4203 and 4213, and to this ordinance, is empowered to establish those fees for the specific services listed in Exhibit "V" and incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for services on behalf of the Tax Collector/County Clerk. (Ord. No. 1491, ' 1; Ord. No. 1520, ' 1.)

Sec. 11-110.7. Transportation.

The Director of the Transportation Department, on behalf of the Surveyor function, pursuant to provisions of California Government Code ' 27601 and 27360 et seq., and in consideration of the maximum fees permitted by

provisions of Government Code ' 27360 et seq., and to this ordinance is empowered to establish those fees for specific services listed in attached Exhibit "VI" and incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for services on behalf of the Transportation Department and its Surveyor=s function. (Ord. No. 1491, ' 1; Ord. No. 1520, ' 1.)

Sec. 11-110.8. Registrar of Voters.

The Registrar of Voters, pursuant to provisions of California Elections Code ' 2184 and Government Code ' ' 6257 and 81008 and to this ordinance, is empowered to establish those fees for the specific services listed in attached Exhibit "VII" and incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for services on behalf of the Registrar of Voters. (Ord. No. 1491, ' 1; Ord. No. 1520, ' 1.)

Sec. 11-110.9. Clerk of the Board of Supervisors.

The Clerk of the Board of Supervisors, pursuant to provisions of California Government Code ' 6257 and to this ordinance, is empowered to establish those fees for specific services listed in attached Exhibit "VIII" and incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for services on behalf of the Clerk of the Board of Supervisors. (Ord. No. 1491, ' 1; Ord. No. 1520, ' 1.)

Sec. 11-110.10. County Administrator.

The County Administrator, pursuant to provisions of California Government Code ' 6257 and to this ordinance, is empowered to establish those fees for specific services listed in attached Exhibit "X" and incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for services on behalf of the County Administrator's office. (Ord. 1491, ' 1; Ord. No. 1520, ' 1.)

Sec. 11-110.11. County Counsel.

The County Counsel, pursuant to provisions of California Government Code ' 65104 and to this ordinance, is empowered to establish those fees for specific services provided to Environmental Management listed in attached Exhibit "IX" and incorporated by this reference. This schedule of fees shall repeal all prior fee schedules adopted by the Board of Supervisors for reimbursement by fees for services on behalf of the County Counsel's office for services rendered to the Environmental Management Department only. (Ord. No. 1491, ' 1; Ord. No. 1520, ' 1.)

Sec. 11-110.12. Miscellaneous Departments.

Each county department not otherwise specifically granted photocopy cost recovery authority by this ordinance nor any other ordinance or resolution of the Board of Supervisors, nor miscellaneous authority, pursuant to the provisions of Government Code ' 6257 and to this ordinance, is empowered to establish and charge a fee for photocopies in the amount of \$0.75 for the first page of each document, and \$0.12 for each additional page of that document. The documentation supporting this charge is set forth in Exhibit "X."

Each county department not otherwise specifically granted authority to charge a fee for returned checks by this ordinance nor any other ordinance or resolution of the Board of Supervisors, pursuant to provisions of Government Code ' 6257 and to this ordinance, is empowered to establish and charge a fee for returned checks in the amount of \$20.00 per check so returned. The documentation supporting this charge is set forth in Exhibit "V."

Any county department granted specific authority by Board ordinance or resolution for either of the two above fees, shall charge the amount for such as established by that specific authority, and not the fees set forth in this general provision. (Ord. No. 1491, ' 1; Ord. No. 1520, ' 1.)

Sec. 11-111. Fees-- Environmental management.

The environmental management department shall collect fees for the performance of services relating to zoning, planning, environmental health, building inspection, subdivision review and approval, environmental review, agricultural preserves, and for such other functions performed in support of said services. The specific service for which a fee is charged, the amount of such fee, and the time and method of payment of such fee shall be determined

by the board of supervisors, by ordinance adopted upon a four-fifths vote of the board of supervisors. (Ord. No. 874, ' 10; Ord. No. 922, ' 1; Ord. No. 1035, ' 1; Ord. No 1078, ' 1.)

Sec. 11-112. Same-Department of Health Services.

The department of health services shall collect fees for performance of services in the areas of public health laboratory, public health nursing, emergency medical, and ambulatory medical service. The specific service for which a fee is charged, the amount of such fee, and the time and method of payment of such fee shall be determined and set by the board of supervisors by ordinance adopted by the board of supervisors. (Ord. No. 1043, ' 5; Ord. No. 1333, ' 1.)

Sec. 11-113. Same--Sheriff's department.

The sheriff's department shall collect fees for the performance of services in the area of records checks, weapons permits, and fingerprinting services. The specific services for which a fee is charged and the amount of such fee shall be determined and set by the board of supervisors, by ordinance adopted by a four-fifths vote.

Sec. 11-114. Same--Tax Collector/County Clerk.

Pursuant to Revenue and Taxation Code Section 4217, there is imposed a fee of TWENTY-FIVE DOLLARS (\$25.00) for processing applications to pay delinquent property taxes on an installment basis. This fee is applied per parcel to anyone electing to pay delinquent taxes on an installment plan. This fee is collected by the County Tax Collector/County Clerk upon initiation of the installment plan. (Ord. No. 1474, ' 1.)

Sec. 11-115. Fees--Health and Social Services Department.

The division of health services of the department of health and social services shall collect fees for performance of services in the dental clinic for services. The specific service for which a fee is charged, the amount of such fee, and the time and method of payment of such fee shall be determined and set by the board of supervisors by ordinance adopted by the board. The current fees authorized for dental clinic services shall be equal to those authorized under the Medi-Cal Dental Program, and are set forth in Exhibit "A" to this ordinance, which shall become Exhibit "A" to Chapter I 1 of the Solano County Code. (Ord. No. 1488, ' 1.)

Sec. 11-116. Court-Appointed Counsel Fees.

(a) This ordinance implements the provisions of Penal Code section 987.5 and Welfare and Institutions Code section 903.15. These sections provide that every defendant in an adult criminal court and the parent or other person liable for the support of a minor named in a 601 or 602 petition of the juvenile court, shall be assessed a registration fee not to exceed \$25.00 when represented by appointed counsel, unless s/he is unable to pay the fee.

(b) The courts in Solano County or the Public Defender, Conflict Public Defender or Other Public Defense offices are authorized to assess and collect a \$25.00 registration fee, or any portion of it, on behalf of the Public Defender, Conflict Public Defender or other appointed counsel. The funds shall be deposited in the appropriate revenue accounts of the Public Defender, Conflict Public Defender and Other Public Defense budgets.

(c) Any fees collected shall be credited against any other charges for legal representation assessed pursuant to Penal Code section 987.8 and Welfare and Institutions Code section 903.1 and 903.45. (Ord. No. 1533, ' 1.)

ARTICLE XIII. SOLID WASTE DISPOSAL MITIGATION FEE.

Sec. 11-200. Findings.

(a) Solid waste hauling and disposal is an issue that local governmental entities are being required to address more and more frequently, due to (1) the increasing difficulty in siting new solid waste landfills; (2) the increasing restrictions being placed on the types and quantities of materials that may be disposed of at licensed landfills by the State; (3) court decisions that have made it more difficult to restrict the importation of solid waste from outside the County; and (4) additional requirements for monitoring the closure of the licensed sites, once closure commences.

- (b) The State has imposed new statutory monitoring requirements on local enforcement agencies, under the provisions of Public Resources Code section 40000 and following, which require additional staff to properly enforce the provisions.
- (c) There is increased demand to prepare amendments to, and update existing siting elements of the local agencies General Plan.
- (d) There are more stringent requirements imposed in the environmental review process for Environmental Impact Reports (EIRs) for all new siting activities.
- (e) The transportation and disposal of solid waste within the County of Solano has and continues to impose litter problems on the roads and in the areas around the landfill sites in the unincorporated areas of the County.
- (f) These additional obligations imposed on the County have created a demand for services directly related to the acts of the hauling and disposal of solid waste, by both residents and non-residents of Solano County. (Ord. No. 1495, '1.)

Sec. 11-201. Mitigation fee imposed.

Pursuant to the authority granted by section 41900 et seq., and Section 43213 of the Public Resources Code and based upon the findings set forth in Section 11-200, above, there is hereby established and imposed, commencing on the effective date of the readoption of this amended Article, a solid waste disposal mitigation fee, at the rate of FIFTEEN CENTS (\$0.15) per ton of waste deposited at any permitted solid waste landfill. (Ord. No. 1495, '1.)

Sec. 11-202. Purpose of fee.

This fee is enacted to mitigate the costs of providing identified services which are required as a direct result of the hauling and disposal of solid waste within the unincorporated portions of Solano County. All of the funds derived from this fee shall be used to reimburse the direct costs of the affected departments of the county in (1) enforcing compliance with Public Resources Code section 40000 and following; (2) the preparation of the siting element, or the EIR for the siting element of the county general plan, including necessary consultant services, and (3) litter-control and roadside litter pick-up. (Ord. No. 1495, '1.)

Sec. 11-203. Definitions.

- (a) **Licensed solid waste disposal facility** shall be defined as set forth in Section 11-163 (d) of this chapter.
- (b) **Siting element** means the solid waste siting element of the Solano County Integrated Waste Management Plan, as required pursuant to the provisions of Sections 41700 et seq., of the Public Resources Code.
- (c) **Solid Waste** shall be defined as set forth in Sections 11-163 (f) 1 through 5 of this chapter.
- (d) **Tonnage** shall be defined as set forth in Section 11-163 (g) of this chapter. (Ord. No. 1495, '1.)

Sec. 11-204. Reporting of tonnage.

For purposes of determining the net tonnage deposited for computation of this fee, each licensed solid waste disposal facility shall make monthly reports of net tonnage to the Solano County Department of Environmental Management by the tenth day of the following month. Environmental Management shall verify the reports. This report can be the same report required under provisions of section 11-164, above. (Ord. No. 1495, '1.)

Sec. 11-205. Payment of fee.

The Department of Environmental Management shall issue a quarterly statement to each licensed solid waste facility, commencing with the quarter beginning July 1, 1993, which shall delineate the amount of the mitigation fee due hereunder to Environmental Management, and the fee is due and payable upon receipt of the statement, and shall be delinquent at the end of ninety (90) days after issuance of the statement. (Ord. No. 1495, '1.)

Sec. 11-206. Penalty for delinquency.

A penalty of ten (10%) percent shall be assessed on any fee not paid by the delinquent date. (Ord. No. 1495. ' 1.)

Sec. 11-207. Sunset provision.

It is provided that this solid waste disposal mitigation fee shall be effective for a period of two years, and will not longer be in effect on or after July 1, 1995, unless the Solano County Board of Supervisors has reenacted this measure after the required public hearings prior to that date. (Ord. 1469, ' 1.)

CHAPTER 23

REFUSE AND GARBAGE.

ARTICLE I. GENERAL PROVISIONS AND DEFINITIONS.

- ' 23-10. Authority and citation.
- ' 23-11. Definitions.
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ARTICLE II. SOLID WASTE STORAGE.

- ' 23-20. Limitations on time of storage.
- ' 23-21. Storage of containers.
- ' 23-22. Storage enclosures--Commercial and industrial.
- ' 23-23. Storage enclosures--Certain animals.

ARTICLE III. COLLECTIONS.

- ' 23-30. Congested area collection disposal.
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 - ' 23-31.1 Exclusive franchise.
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ARTICLE IV. REFUSE DISPOSAL SITES.

- ' 23-40. Permit required.
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- ' 23-50. Inspection fees.
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ARTICLE VI. APPEALS.

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- ' 23-70. Department of environmental management division of environmental health; enforcement agent.
- ' 23-71. Billing charges to be a lien.
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ARTICLE I. GENERAL PROVISIONS AND DEFINITIONS.

Sec. 23-10. Authority and citation.

This chapter is enacted pursuant to the California Integrated Waste Management Act of 1989 (Division 30 of the Public Resources Code, commencing with '40000), and is intended to supplement and implement that statute and regulations enacted pursuant thereto, and may be cited as the "Solano County Solid Waste Ordinance." (Ord. No. 1111, ' 2,)

Sec. 23-11. Definitions.

Except as herein expressly provided, the definitions contained in Part 1 Chapter 2 of Division 30 of the California Public Resources Code, ' ' 40100 et. seq., and applicable sections of the California Code of Regulations, shall govern the interpretation of this chapter. (Ord. No. 1111, ' 2; Ord. No. 1526, ' 1.)

Sec. 23-12. Definitions--Other.

Administrative fee means the fee charged by the County to administer the contractual agreement between the Contractor and County for the franchise to collect and transport municipal solid waste within Area E.

Approved disposal area means any site, location tract or land, area, building, structure or premises authorized by law as a place for the disposal of solid waste for which a permit has been issued by the department of environmental management, division of environmental health.

Bulky waste means large items of solid waste such as appliances, furniture, large auto parts, tree stumps, and other oversize wastes whose large size precludes handling by normal collection.

Collector means any person engaged in the business of collecting or transporting refuse in any part of the unincorporated area of the county.

Congested area means any area within the unincorporated area of the county where there are two or more contiguous parcels of three acres or less which are developed with buildings suitable for occupation by, or used by, human beings as a place of abode.

Contractor means an agent or employee or any person, firm, corporation or association, or the agents or employees thereof, with whom the County has contracted under the terms set out in this Chapter to collect, transport, and dispose of municipal refuse and recyclable materials in the unincorporated areas of the County near and within the City of Vallejo identified by map in Chapter 23 as Area E.

Department of Environmental Management, Division of Environmental Health means the Solano County department of environmental management, division of environmental health, also referred to herein as the division.

Franchise means an initial authorization, or renewal thereof, issued by the Board of Supervisors, whether such authorization is designated as a franchise, permit, license, resolution, contract, certificate, agreement, or otherwise, which authorizes the collection and disposal of municipal refuse and recyclable materials in Area E.

Franchise Administrator means the Solano County Department of General Services.

Franchise agreement means a franchise grant ordinance or a contractual agreement containing the specific provisions of the franchise granted, including references, specifications, requirements and other related matters.

Garbage means all kitchen and food waste and animal or vegetable waste that attends or results from the storage, preparation, cooking or handling of foodstuffs.

Greenwaste means any plant materials such as leaves, grass clippings, brush, tree cuttings, and other yard wastes. Greenwaste does not include wood waste, mixed demolition or construction debris.

Recyclables means any products which by means of salvaging become usable. (Ord. No. 1111, ' 2.)

Refuse means garbage and rubbish.

Refuse collection permit means the permit issued to collector by the Department of Environmental Management.

Rubbish means non-putrescible solid wastes such as ashes, paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, plastics, rubber byproducts or litter

Senior Citizen means a person who is at least 62 years of age. (Ord. No. 1526, ' 1.)

ARTICLE II. SOLID WASTE STORAGE.

Sec. 23-20. Limitations of time of storage.

Except as otherwise provided in this chapter, no person, owner, agent, or occupant of any lot or premises, whether vacant or otherwise, or upon which a building of any kind or character is located within the unincorporated area of the county, shall permit an accumulation of garbage or rubbish to remain on such lot or premises for a period exceeding seven days. The division of environmental health, after investigation, may require more frequent removal. (Ord. No. 1111, ' 2.)

Sec. 23-21. Storage containers.

(a) Garbage and rubbish shall be stored in sufficient containers with lids which are nonabsorbent, watertight, vector-resistant, durable, easily cleanable and designed for safe handling. Containers, when filled, shall not exceed reasonable lifting weights for an average physically fit individual except where mechanical loading systems are used. Containers shall be maintained in a clean, sound condition, free from putrescible residue.

(b) Within Area E greenwaste and recyclables are to be deposited in the appropriate containers provided by the contractor. Containers for garbage, greenwaste and recyclables shall be placed at curbside for collection by the authorized contractor. Empty containers must be removed by the customer out of public view by the day following collection. (Ord. No. 1111, ' 2; Ord. No. 1526, ' 1)

Sec. 23-22. Storage enclosures--Commercial and industrial.

All commercial and industrial enterprises shall be required to confine all of their refuse in refuse storage enclosures. Such storage enclosures shall be constructed with an impervious floor, and where appropriate, shall have drains and be provided with hot and cold water under pressure. The storage enclosures shall be maintained at all times in a sanitary condition, and shall be located, cleaned, and maintained in such a manner so as to not become odorous, vectorial, pestiferous, or in any other way offensive, or so as to constitute a public nuisance. (Ord. No. 1111, ' 2; Ord. 1526, ' 1.)

Sec. 23-23. Storage enclosure--Certain animals.

Any person responsible for the feeding to swine of garbage or swill which is produced at a location other than that premises on which such swine are located, shall construct and install sanitary feeding platforms which shall be maintained at all times in a sanitary manner. Any uneaten residue of garbage or swill shall be disposed of in a manner not inconsistent with this chapter and any applicable state law, within twenty-four hours of the original deposit of such refuse on the feeding platforms. (Ord. No. 1111, ' 2.)

ARTICLE III. COLLECTIONS.

Sec. 23-30. Congested area collection disposal.

All persons residing in, and all commercial or industrial establishments located in a congested area, shall be required to obtain the services of a collector who has obtained a refuse collection permit from the division of environmental health. (Ord. No. 1111, ' 2.)

Sec. 23-31. Refuse collection areas.

The board of supervisors has determined that, in order to facilitate the collection of commercial and residential refuse within the county, the unincorporated territory of the county shall be divided into the following described areas: A, B, C, D, and E as denoted on the map attached to the ordinance codified herein as Exhibit "A" (located at the end of this chapter) and incorporated as part of this chapter. Area boundaries may be changed by resolution of the board of supervisors. (Ord. No. 1111, ' 2.)

Sec. 23-31.1. Franchise--Authorized.

For the collection and disposal of refuse and recyclable material within the unincorporated area designated Area E, a contract may be entered into by the County in accordance with and subject to the terms and conditions of this chapter.

Sec. 23-31.2. Exclusive franchise.

(a) At such time as there is in force a contract entered into by the County with any person, firm or corporation for the collection and transport of municipal refuse and recyclable materials in the unincorporated area identified by map as Area E, it is unlawful for any person other than the persons in the employ of the contractor having such contract to collect or transport any refuse within Area E.

(b) Nothing contained in this chapter shall be construed to prevent or prohibit any resident in Area E from taking, hauling, transporting and disposing of any bulky waste or recyclable material created by him or his household or business provided disposal is in accordance with state and local law.

Sec. 23-31.3. Audit of contractor=s records.

The contractor shall maintain complete records of all services performed in the collection operations within the unincorporated Area E and of all monies owing and all monies collected. Such records shall be maintained at the contractor's office and the Department of General Services shall have the right to inspect and audit said records from time-to-time at all reasonable times. (Ord. No. 1526, ' 1.)

Sec. 23-32. Refuse collection permit required.

Except as otherwise provided in this chapter, it is unlawful for any collector, person, firm, corporation, municipality, public agency, or institution to collect or to transport, or cause to be transported for commercial purposes, any refuse within the unincorporated area of the county without first obtaining a permit to do so as provided for in this chapter. (Ord. No. 1111, ' 2.)

Sec. 23-33. Refuse collection permits--Authority to issue--Bond required.

In order to protect the public health and safety, the division of environmental health shall issue nonexclusive permits for the collection of residential and commercial refuse in the unincorporated designated area in the county. Such permits shall be issued only to established refuse collectors who are capable of transporting and disposing of both rubbish and garbage. Such permits may be limited in number by the division of environmental health and shall be subject to special conditions, which shall be specified by the division as being necessary for the purposes of assuring compliance with this chapter, or any other law, or to protect the public health and safety, and to provide for continuous and effective refuse collection services. Additional permits may be issued if a need is shown. The issuance of a permit pursuant to this chapter shall confer no property rights or vested interests on the permittee, and the permit shall be nontransferable. Prior to the issuance of any permit required herein, the applicant shall be required to post a corporate surety bond, a letter of credit, cash or any other security deemed acceptable by the division of environmental health, in the minimum amount of fifty thousand dollars. Said security shall be to insure faithful and continued service under the terms and conditions of the permit to be issued. (Ord. No. 1111, ' 2.)

Sec. 23-34. Territory described in the permit.

The division shall specify, in all permits or renewals, the territory as described in section 23-31 within which the permittee may collect within the county. A permittee shall provide refuse collection service to all residences and commercial or industrial establishments in congested areas within the area designated by the collector's permit. All collected refuse shall be disposed of in disposal areas approved by the division, or the California Integrated Waste Management Board. A permittee shall not collect outside the territorial limits fixed in the permit issued to the permittee. (Ord. No. 1111, '2; Ord. No. 1526 '1.)

Sec. 23-35. Application contents.

The application for any refuse collection permit shall be made in writing to the division. Every application for a permit shall specify as a minimum the following:

- (a) A statement to the effect that the applicant has arranged for the disposal of all refuse collected or transported by the applicant at a disposal site which is approved by the division or the California Integrated Waste Management Board;
- (b) The location of the disposal site;
- (c) Data showing that the applicant is qualified to render efficient refuse collection service;
- (d) A statement to the effect that the applicant owns, or has under the applicant's control, sufficient vehicles and equipment in good mechanical condition in order to adequately conduct the business of refuse collection; provided, the applicant is granted a permit. The number and types of trucks, or other vehicles to be used in providing the collection service, shall be specified;
- (e) A statement to the effect that the vehicles and equipment conform to all applicable provisions of this chapter and to the regulations of the division;
- (f) A statement that there is a need and necessity for the proposed service within the area which is sought to be served;
- (g) Evidence sufficient in the judgment of the division that the applicant has workers compensation as required by law, and general liability and vehicular insurance in the form and amounts prescribed by the county risk manager;
- (h) Evidence sufficient in the judgment of the division that the applicant maintains an office and telephone service during normal working hours;
- (i) In addition to any of the requirements enumerated in subsections (a) through (h) above, the division may require any reasonable additional information or documentation which it deems necessary to process the application.

After review of the application and careful consideration of all the circumstances, the department may issue a nonexclusive revocable annual permit for the conducting of the refuse collection service. Each permit shall be reviewed by December 31st of each year. If the division is satisfied that all provisions of the permit have been met, it may issue another annual permit. (Ord. No. 1111, '2.)

Sec. 23-36. Special purpose permits.

When, in the judgment of the division, it shall be necessary, the division may issue a permit for collection and disposal of rubbish, recyclables, or agricultural waste, exclusive of any areas in the unincorporated part of the county. The application for the permit shall be the same as for a refuse collection permit; however, such permit shall not conflict with any refuse collection permit issued for a specified area. (Ord. No. 1111, '2.)

Sec. 23-37. Collection of animal waste.

Any person who collects dead animals, bones or meat scraps for tallow plants to be used as raw material in manufacturing, to be disposed of at any location other than a disposal site operating under a permit required by this

chapter, shall comply with all sanitary requirements for the collection and transportation of refuse. The division may require the submission of monthly reports from such person, specifying the tonnage or yardage of refuse, the location and method of disposal of any animal waste. A permit for this collection shall be required by the division. (Ord. No. 1111, '2; Ord. No. 1526 '1.)

Sec. 23-38. Refuse collection vehicles.

(a) Commercial vehicles used in the business of transportation of garbage, rubbish, swill or refuse shall have painted on the outside of each side wall of the hauling body, in letters of not less than four inches in height and one inch wide, in a color contrasting to the body color:

- (1) The name of the collector, transporter or company;
 - (2) The number of the vehicle, if more than one is operated by the collector, transporter or company (Ord. No. 405, Art. 6, Para. 7).
- (b) A means of covering and containing garbage, rubbish, or swill securely within the hauling body of every vehicle shall be provided. No such materials shall be permitted to escape from the vehicle. (Ord. No. 1111, '2.)

Sec. 23-39. Exemption from residential collection service.

(a) Any owner or tenant occupying a single-family dwelling in a congested area may petition the Division of Environmental Health to be exempt from the collection service. The exemption shall be granted provided the person can satisfy one of the following conditions:

- (1) The person is a senior citizen or a disabled individual; and,
 - (A) No unsanitary condition or hazard to health exists or would develop if the exemption were to be granted,
 - (B) Written assurance is given that all refuse will be disposed of at an approved disposal site and transported in a satisfactory manner.
- (2) The occupant shall recycle all, or virtually all, garbage and refuse produced by the occupants on the premises pursuant to recycling procedures approved by the division.
- (3) The division may for good cause permit additional exemptions.

An exemption may be revoked by the division upon a finding that there is a threat to public health or safety. (Ord. No. 1111, '2.)

ARTICLE IV. REFUSE DISPOSAL SITES.

Sec. 23-40. Permit required.

Except as otherwise provided by this chapter or the laws and regulations which this chapter implements, it is unlawful for any person to operate a refuse disposal area in Solano County unless a permit for such operation is first obtained from the division according to the provisions of Article 1 of Chapter 3 of Part 4 of Division 30 of the Public Resources Code, Section 44001 et seq., and applicable sections of the California Code of Regulations. (Ord. No. 1111, '2.)

Sec. 23-41. Refuse disposal site standards.

The provisions of Division 30 of the Public Resources Code and the applicable sections of the Code of Regulations shall govern the operation of refuse disposal sites. (Ord. No. 1111, '2.)

ARTICLE V. FEES AND RATES.

Sec. 23-50. Inspection fees.

A fee for periodic inspection by the Department of Environmental Management shall be required from the operators of all refuse collection or transportation enterprises and for the operation of any disposal site permitted with the county. The amount, time and method of payment of said fees shall be fixed by the board of supervisors by ordinance and may be altered or modified from time to time, by the board of supervisors. (Ord. No. 1111, ' 2.)

Sec. 23-51. Administrative fee.

An administrative fee may be charged by the County as determined by resolution by the Board of Supervisors. The fee shall be paid by the contractor on a quarterly basis to the Department of General Services. (Ord. No. 1526 ' 1.)

ARTICLE VI. APPEALS.

Sec. 23-60. Appeals--Procedure.

Any person who is dissatisfied with a decision or ruling of the division of environmental health as regards application for permits or department division regulations, directives or decisions may appeal to the board of supervisors, sitting as a hearing panel pursuant to section 44300 et seq. of the Public Resources Code. An appeal shall be made by filing a notice of appeal with the clerk of the board of supervisors within ten days after the date of the decision or ruling being appealed. The notice of appeal shall be signed by the appellant or the appellant's attorney and shall set forth in detail the facts surrounding the decision of the department of public health division and, in substance, the specific decision or ruling being appealed. No later than thirty days after receipt of such notice of appeal, the board of supervisors shall set the matter for hearing. At such hearing, the appellant shall present a statement and evidence in such form as the board of supervisors may require. (Ord. No. 1111, '2.)

ARTICLE VII. ENFORCEMENT.

Sec. 23-70. Department of Environmental Management Division of Environmental Health; enforcement agent.

The department of environmental management, division of environmental health, shall be the enforcement agent of this chapter and all state laws and regulations related thereto unless otherwise started herein. The division is empowered to withhold issuance of a permit or, revoke a permit issued under this chapter if it determines that vehicles, area or other facilities for establishment, maintenance, conduct or operation of a refuse collection or transportation service, or the operation of a disposal site, are insufficient or unfit for use, or is established or operating in violation of this chapter, or the provision of any other ordinance of the county or state law, a regulation relating to solid waste disposal. (Ord. No. 1111, '2.)

Sec. 23-71. Department of General Services, franchise administrator.

The Department of General Services, as the franchise administrator, shall have the responsibility to administer the contractual agreement, review unresolved customer complaints, conduct annual audits of contractor's records, and initiate lien proceedings when required. The contractor shall comply with the standards established in the franchise agreement for the collection and disposal of municipal refuse and recyclable materials within the area designated by map as Area E. A verified and continuing pattern of non-compliance by the contractor may be deemed a material breach of the franchise.

Sec. 23-72. Billing charges to be a lien.

(a) All billing for waste collection shall be made by the contractor; all charges shall become delinquent ninety days after the billing date.

(b) If the bill remains unpaid after the date of delinquency, the contractor shall be entitled to a delinquency fee. However, said delinquency fee shall not be assessed until fifteen days after notification of the delinquency to the owner and recipient of service. The form and content of the delinquency notice sent by the contractor shall be approved by the Department of General Services. The garbage collector shall simultaneously file with the

Department of General Services a formal written notice stating that such delinquency notice has been sent to such recipient and owner and the date upon which notice was sent. Delinquency fees shall be set by the Board of Supervisor's resolution.

(c) Should the bill remain unpaid at the expiration of the fifteen days, the contractor may assign said bill to the County for lien proceedings.

(d) Upon the County's receipt of the assignment from the contractor and at the convenience of the County (once per year during the month of May), the Department of General Services shall initiate proceedings complying with Government Code sections 25831 and 38790.1 to create a lien on the real property to which the garbage collection has been rendered. (Ord. No.1598, '46)

(e) The lien will be officially recorded in the County Recorder's office. The lien may carry such additional administrative charges as set forth by Board of Supervisors resolution. The owner shall be notified by the Department of General Services that the delinquency charges and administrative charges are due the County and that such lien has been recorded. (Ord. No. 1525, '1.)

Sec. 23-73. Penalties.

Any person, firm, corporation, whether as principal, agent, employee, or otherwise, failing to comply with the provisions of this chapter, shall be guilty of an infraction, and upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars for each day of violation. Each day of violation shall be deemed to be a separate offense. (Ord. No. 1111, '2.)

CHAPTER 23.5.

LITTER CONTROL PROGRAM.

' 23.5-10.	Policy.
' 23.5-11.	Definitions.
' 23.5-12.	Regulations.
' 23.5-13.	Pedestrians and motorists.
' 23.5-14.	Vehicles transporting loose material.
' 23.5-15.	Loading and unloading operations.
' 23.5-16.	Construction or demolition projects.
' 23.5-17.	Commercial solid waste removal.
' 23.5-18.	New construction solid waste removal.
' 23.5-19.	Enforcement.
' 23.5-20.	Citations.
' 23.5-21.	Penalties.
' 23.5-22.	Severability.

Sec. 23.5-10. Policy.

The Solano County board of supervisors declares that the protection of the public health and safety, the maintenance of the economic productivity and environmental quality of Solano County, and the conservation of natural resources require the implementation of a comprehensive litter and waste removal program throughout the county.

Sec. 23.5-11. Definitions.

Whenever in this chapter the following terms are used, they shall have the meanings respectively ascribed to them in this section:

Containers mean locally-approved metal or heavy-duty plastic receptacles with lids or covers used for the disposal and storage of solid waste.

Litter means any quantity of uncontainerized paper, metal, plastic, glass or miscellaneous solid waste which may be classes as trash, debris, rubbish, refuse, garbage or junk.

Public property includes, but is not limited to, the following exterior locations: streets, street medians, roads, road medians, catchbasins, sidewalks, strips between streets and sidewalks, lanes, alleys, public rights-of-way, public parking lots, school grounds, county vacant property, parks, benches, playgrounds, other publicly-owned recreation facilities, and county waterways and bodies of water. (Ord. No. 1055, ' 1.)

Sec. 23.5-12. Regulations.

The regulations herein shall apply to the unincorporated portions of Solano County. (Ord. No. 1055, ' 1.)

Sec. 23.5-13. Pedestrians and motorists.

The following regulations apply to pedestrians and motorists on either public or private property within Solano County:

(a) It shall be unlawful for any person to throw, discard, place or deposit litter in any manner or amount on any public or private property in the unincorporated portions of the county, except in containers or areas lawfully provided.

(b) In the prosecution charging a violation of section 23.5.13(a) from a motor vehicle, proof that the particular vehicle described in the complaint was the origin of the litter, together with proof that the defendant named in the

complaint was, at the time of such violation, the registered owner of such vehicle, shall constitute in evidence a presumption that the registered owner was the person who committed the violation.

(c) It shall be the duty of every person distributing commercial handbills, leaflets, flyers or any other advertising and information material to take whatever measures that may be necessary to keep such materials from littering public or private property.

(d) To facilitate proper disposal of litter by pedestrians and motorists, such publicly-patronized or used establishments and institutions, as may be designated by the department of environmental management, division of environmental health of the county shall provide adequate containers that meet standards prescribed by this chapter. This requirement shall be applicable, but not limited to, fast-food outlets, shopping centers, convenience stores, supermarkets, service stations, commercial parking lots, mobile canteens, motels, schools and colleges. Ord. No. 1055, ' 1.)

Sec. 23.5-14. Vehicles transporting loose material.

The following regulations apply to all motor vehicles operated in the unincorporated portions of the county:

(a) It shall be unlawful for any person, firm, corporation, institution or organization to transport any loose cargo by truck or other motor vehicle in the unincorporated portions of the county, unless such cargo is converted and/or secured in such manner as to prevent depositing of litter on public and/or private property.

(b) The duty and responsibility imposed by section 23.5-14(a) shall be applicable alike to the owner of the truck or other vehicle and the operator thereof.

(c) In the prosecution charging a violation of section 23.5-14(a) a lack of adequate covering and securing shall in itself constitute proof a violation has been committed. (Ord. No. 1055, ' 1.)

Sec. 23.5-15. Loading and unloading operations.

The following regulations apply to all commercial vehicular loading and unloading operations in the unincorporated areas of the county:

(a) Any owner or occupant of an establishment or institution at which litter is attendant to the packing and unpacking, and loading and unloading of materials at exterior locations, shall provide suitable containers there for the disposal and storage of such litter and shall make appropriate arrangements for the collection thereof.

(b) It shall be the duty of the owner or occupant of such locations to remove, at the end of each working day, any litter that has not been containerized. (Ord. No. 1055, ' 1.)

Sec. 23.5-16. Construction or demolition projects.

The following regulations apply to all construction or demolition projects in the unincorporated areas of the county:

(a) It shall be unlawful for the owner, agent or contractor in charge of any construction or demolition site to cause, maintain, permit or allow to be caused, maintained or permitted, the accumulation of any litter on the site before, during or after completion of the construction or demolition project.

(b) It shall be the duty of the owner, agent or contractor to have on the site adequate containers for the disposal of litter, and to make appropriate arrangements for the collection thereof, or for transport by himself or herself to any authorized facility for final disposition.

(c) The owner, agent or contractor may be required, at any time, to show proof of appropriate collection or, if transported by himself or herself, of final disposition at any authorized facility. (Ord. No. 1055, ' 1.)

Sec. 23.5-17. Commercial solid waste removal.

The following regulations apply to all commercial activities and enterprises in the county:

- (a) All establishments and institutions which generate solid waste for collection by an approved independent contractor shall abide by the following container requirements: Container bins in an adequate size and number to hold all waste products generated between regularly established collections shall be maintained on the premises.
- (b) Containers shall be kept covered at all times. Any container which does not conform to prescribed standards or which has defects likely to hamper collection or injure the person collecting the contents thereof, or the public generally, shall be replaced promptly by the owner or user of the container upon receipt of written notice of such defects from the department of environmental management, division of environmental health or independent contractor. Failure to do so within five days of such notification shall constitute a violation of this section.
- (c) It shall be unlawful for any owner, manager or employee of a commercial establishment or institution to deposit solid waste from that establishment or institution in any receptacle maintained on a sidewalk, or at any other location for disposal of litter by pedestrians. (Ord. No. 1055, ' 1.)

Sec. 23.5-18. New construction solid waste removal.

The following regulations apply to all multiple-residential or commercial construction in the county:

- (a) Before building permits shall be issued for construction of commercial buildings and multiple-dwelling units, plans for the adequacy, location and accessibility of solid waste containerization and storage facilities must be approved by the department of environmental management, division of environmental health.
- (b) No certificate of occupancy shall be issued for such premises until the department's approval of these facilities has been obtained. (Ord. No. 1055, ' 1.)

Sec. 23.5-19. Enforcement.

Any regulations of this chapter, as set forth under section 23.5-12 et seq., may be enforced by deputy sheriffs and by those persons in the Solano county transportation department, and the Solano county department of environmental management, division of environmental health specifically delegated with such authority by the director of the transportation department and the director of the department of environmental management, respectively. Additionally, the following departments are authorized to enforce the specific sections of this chapter, as specified:

- (a) Building-zoning inspectors or technicians--Sections 23.5-16 and 23.5-18;
- (b) County park rangers--Sections 23.5-13(a) and (c) at facilities wherein such rangers have jurisdiction. (Ord. No. 1055, ' 1.)

Sec. 23.5-20. Citations.

Any violation of the provisions of this chapter shall result in the issuance of a notice to appear, pursuant to Penal Code Sections 853.5 and 853.6, by either the agency witnessing the violation or one of the agencies charged with the responsibility of enforcing that section of this chapter which has been violated. (Ord. No. 1055, ' 1)

Sec. 23.5-21. Penalties.

- (a) Any person, firm or corporation violating the provisions of this chapter shall be guilty of an infraction, except that a violation of this chapter after a conviction of Section 5652 of the Fish and Game Code or of Section 13001 or 13002 of the Health and Safety Code, or of Section 23111, 23112 or 23113 of the Vehicle Code, shall be a misdemeanor.

(b) No portion of this chapter shall be construed to restrict a private owner in the use of his the owner's own private property, except that the placing, depositing, or dumping of such waste matter on such property shall not create a public health and safety hazard, a public nuisance, or a fire hazard, as determined by a the local environmental health division of the environmental management department, local fire department or fire protection district, or the State Division of Forestry in which case the provisions of this section shall apply.

(c) Every person convicted of a violation of this section shall be punished by a mandatory fine of ten dollars.

(d) The court may, in addition to the fine imposed upon a second or subsequent conviction, require, in addition to any other condition of probation, that any person convicted of a violation of this chapter pick up litter at a time and place within the jurisdiction of the court for not less than four hours upon a second conviction and for not less than eight hours upon a third or subsequent conviction. (Ord. No. 1067, ' 1.)

Sec. 23.5-22. Severability.

If any provision of this chapter, or any section thereof in any circumstances is held invalid, the validity of the remainder of this chapter and of the application of any of the other provisions or sections shall not be affected. (Ord. No. 1055, ' 1.)

CHAPTER 24.

ROADS, STREETS AND OTHER PUBLIC PROPERTY.¹

ARTICLE I. ENCROACHMENTS

- ' 24-10. Definitions.
- ' 24-11. Acts requiring permits.
- ' 24-12. Permits.
- ' 24-13. Bonds or deposits.
- ' 24-14. Regulations.

ARTICLE II. TERMINAL ACCESS ROUTES

- ' 24-20. Definitions.
- ' 24-21. Application, fees and identification of terminal connection routes.
- ' 24-22. Revocation of route.

ARTICLE III. WORKING OF PRISONERS ON PUBLIC WORKS

- ' 24-30. Working of prisoners on public works.

ARTICLE I. ENCROACHMENTS.

Sec. 24-10. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

¹ As to prohibition against allowing water to drain onto public street, see ' 9-2 of this Code.
As to motor vehicles and traffic generally, see Ch. 17.

County road means all or any part of the entire width of any road or street, including the width of any right-of-way dedicated to, reserved for, used by or for the general public, when those roads or streets have been accepted as and declared to be a part of the county road system.

Director means the director of the transportation department of the county or the director's designees.

Encroachment means any tower, pole, pole line, pipe, pipeline, driveway, private road, curb and gutter, sidewalk, fence, wall, billboard, stand, building, structure, tree, shrub or object of any kind or character not particularly mentioned herein which is placed in, under or over any portion of the county road, or as further defined by provisions of Streets and Highways Code ' ' 1450 and 1480(b).

Encroachment shall also mean a driveway from a county public road to an abutting property. The location, construction, maintenance and use of the driveway requires an encroachment permit to provide for public safety.

Permittee means any person as herein defined that has been issued a permit for an encroachment. The permit may be for the actual work performed or for the encroachment itself or for both the work and the encroachment. The permit for the work alone is normally issued to a contractor. The owner of the encroachment must in all events obtain a permit for the encroachment itself, and alternatively, the owner may obtain a permit both for the work and the encroachment itself. The director may specify the procedure to be used.

Person means any individual, firm, company, corporation, association, public district, political subdivision or organization. (Ord. No. 913, ' 2.)

Sec. 24-11. Acts requiring permits.

(a) It shall be unlawful for any person to construct, maintain, make, place or install any encroachment along or on any county road without first obtaining a permit to do so in the manner herein provided.

(b) This article shall not prevent any person from performing emergency maintenance on any pipe, conduit, pole, line or appurtenance thereto lawfully on or under any county road, or from making immediate installation of utility service, or from making an emergency use, or encroachment as may be necessary for the preservation of life or property when an urgent necessity arises; except, that the person making an emergency use or encroachment of a county road shall apply for a written permit within a reasonable time thereafter. (Ord. No. 913, ' 2.)

Sec. 24-12. Permits.

(a) Any person desiring to construct, make, place or install an encroachment shall make application to the director for a permit. Each application shall be made on a form furnished by the director and shall include the following information:

(1) The name and address of the person desiring to make the encroachment.

(2) The type of encroachment proposed and the purpose thereof.

(3) The location of the proposed encroachment.

(4) The time when the encroachment is proposed to be made and the duration thereof.

(5) Such other information in the form of exhibits, including, but not limited to, plans, specifications, maps, plats or sketches as may be required by the director to adequately describe the encroachment and the manner in which it is proposed to be done.

(b) The director shall receive applications to construct, make, place or install encroachments, and may issue written permits, subject to the terms and conditions provided herein, and such additional terms and conditions as he may deem necessary.

- (c) Any permit issued under the provisions of this article shall require that the permittee will pay the entire expense of replacing the county road in as good condition as existed prior to the start of work on the encroachment.
- (d) A fee may be charged for any permit issued under the provisions of this article. The amount of the fee shall be as established in a fee schedule adopted by ordinance by the board of supervisors. The applicant shall deposit the required fee with the director prior to the issuance of the permit.
- (e) Any permit issued to a public agency or a public utility having lawful authority to occupy the county road shall contain a provision that in the event the future improvement of the county road necessitates the relocation of such encroachment, the permittee or the permittee's successor shall relocate the same at the permittee's sole expense.
- (f) All permits, other than those issued to public agencies or a public utility having lawful authority to occupy the county road, are revocable on five days notice, and the encroachment must be removed or relocated as may be specified by the director.
- (g) Any permit issued to public agencies or utilities having the lawful authority to occupy the county road shall require that such of their facilities as interfere with an enlarged use of the county road shall be relocated upon thirty days notice by the director.
- (h) All permits issued hereunder shall be transferable only to successors in interest, and the work authorized by the permit must be completed within six months of the date of issuance thereof. The director of the department of transportation may grant a reasonable time extension when warranted. In the event the work authorized by the permit is not completed within six months of the date of issuance of the permit, or within the time extension if any granted by the director, the permit shall be void and the permittee shall restore the road to its original condition prior to start of work on the encroachment.
- (i) The issuance of a permit hereunder shall not be construed as imposing any liability upon the county or upon any of its officers or employees by reason of damage or injury to persons or property resulting from any excavation or obstruction authorized by such permit.
- (j) No changes may be made in the location, dimensions, character or duration of the encroachment, except on written authority of the director. (Ord. No. 913, ' 2.)

Sec. 24-13. Bonds or deposits.

- (a) If required by the director of the transportation department, the applicant shall deposit with the director a cash deposit, certified check or approved surety bond in an amount determined by the director to be sufficient to restore the road to its original condition prior to start of work on the encroachment in the event that the permittee fails to complete the work in accordance with the provisions of the permit and to the satisfaction of the director.
- (b) The condition of any bond or deposit made pursuant to this part shall be that the permittee will diligently, and in good faith, comply with all the terms of this article and conditions of the permit.
- (c) Within ninety days after satisfactory completion of all work authorized in the permit, the bond or deposit will be released.
- (d) No deposit or bond, except as hereinafter provided in this subsection, shall be required of any public district or political subdivision which is authorized by law to establish or maintain works or facilities in, under or over the county road, nor shall the application of any such governmental unit be denied. Every such applicant shall be entitled as a matter of right to a permit, but shall otherwise be subject to the provisions of this article. The director shall have the right to require a bond from such applicant where the applicant has failed to comply with the provisions of this article under any previous permit. (Ord. No. 913, ' 2.)

Sec. 24-14. Regulations.

- (a) The permittee shall perform the work to be done in accordance with the standard plans and specifications of the department of transportation of the county, and in accordance with the requirements of the permit, unless an alternative design is required or agreed upon by the director.
- (b) The permittee, in the conduct of the work, use or maintenance of an encroachment authorized by a permit issued pursuant to this article, shall provide, erect or maintain such lights, barriers, warning signs, patrols, watchmen, flagmen and other safeguards as are necessary for public safety. Any omission on the part of the director to specify in the permit what lights, barriers or other protective measures or devices, or the fact that the director may not specify sufficient lights, barriers or other protective measures or devices, shall not excuse the permittee from complying with all requirements of law, and appropriate regulations and ordinances for adequately protecting the safety of those using the county road. If at any time the director finds that suitable safeguards are not being provided after having informed permittee, as well as having specified what corrective measures shall be taken, the county may provide, erect, maintain or relocate such safeguards as are deemed necessary, or may cancel the permit and restore the right-of-way to its former condition, all at the expense of the permittee.
- (c) The permittee shall notify the transportation director at the time of beginning work, and at the time of completion of work authorized by the permit.
- (d) All work or use shall be planned and executed in a manner that will cause the least interference with the safe and convenient travel of the general public at the place where the work or use is authorized, and at no time shall a county road be closed or the use thereof denied the general public without the written permission of the director.
- (e) Upon completion of the work, act or things for which the encroachment permit was issued, the permittee shall restore the county road as nearly as possible to its original condition. Maintenance and repair or replacement of the encroachment shall be the responsibility of the permittee.
- (f) Construction materials or material removed from excavation shall not be placed or stockpiled upon the traveled way or shoulder of the county road unless specifically allowed in writing on the permit.
- (g) The permittee shall properly provide for the passage of storm drainage water through the area of work. (Ord. No. 913, ' 2.)

ARTICLE II. TERMINAL ACCESS ROUTES.

Sec. 24-20. Definitions.

Director means the transportation director of the county of Solano.

FHWA designated route means the National System of Interstate and Defense Highways and those portions of federal-aid-primary highways that have been qualified by the United States Secretary of Transportation pursuant to Section 35401.5(a) of the California Vehicle Code. In Solano County these routes are: I-80, I-505, I-680, and I-780.

Interstate truck means a truck, tractor and trailer, or doubles with unlimited length pursuant to Vehicle Code Section 35401.5(a)(1) and (2).

Terminal means a facility at which freight is consolidated to be shipped and where full load consignments may be off-loaded or at which vehicle combinations are regularly maintained, stored or manufactured pursuant to California Vehicle Code Section 35401.5(b).

Terminal access route means a route between a FHWA designated route and terminal approved by the agencies having jurisdiction over the terminal access route. In Solano County these routes are: State Routes 12, 29, 37 and portions of 113. (Ord. No. 1251, ' 1.)

Sec. 24-21. Application, fees and identification of terminal access routes.

- (a) Applications for terminal access routes shall be submitted to the director on a form provided by the director.
- (b) Application fees or other costs shall be determined by separate ordinance and shall be paid upon submittal of applications or at such other time as is determined by the director of transportation with respect to signs necessary for terminal access routes.
- (c) A proposed route shall be identified as a terminal access route when an application and a fee have been received and the director finds that the following additional conditions are met:
 - (1) The application is accurate and complete;
 - (2) The proposed route is a connection between a FHWA designated route and a terminal;
 - (3) The proposed route is adequate to accommodate interstate trucks;
 - (4) Other agencies traversed by the proposed route have identified and signed the route through their jurisdiction as a terminal access route;
 - (5) The proposed route has been approved by the California Department of Transportation.
 - (6) The proposed route has been posted with signs identifying the route as a terminal access route. (Ord. No. 1251, ' 1.)

Sec. 24-22. Revocation of route.

The director is authorized to revoke any approved route if such route proves to be a safety hazard for any vehicular and/or pedestrian traffic. A safety hazard is defined as inability of the interstate truck to safely negotiate the route and/or such trucks causing unsafe driving conditions for other vehicular traffic and/or pedestrians. (Ord. No. 1251, ' 1.)

ARTICLE III. WORKING OF PRISONERS ON PUBLIC WORKS.

Sec. 24-30. Working of prisoners on public works.

- (a) For the purpose of this section, the following words and phrases shall have the meanings respectively ascribed to them by this section.
 - (1) **Labor** means any physical or mental activity or work directed toward the production of services or goods.
 - (2) **Prisoner** means any person confined in the county jail, industrial farm, road camp or similar restrictive county facility under a final judgment of imprisonment rendered in a criminal action or proceeding or as a condition of probation after suspension of execution of a sentence.
 - (3) **Public works or ways** means any project or improvement constructed or maintained by the county, including, but not limited to, parks, buildings, paths, roads, streets, expressways, reservoirs, canals and sewers.
- (b) **Prisoners compelled to labor.** Any or all prisoners may be compelled to labor upon the public works or ways of the county, subject to the conditions provided in this section.
- (c) **Direction of labor.** The board of supervisors, through the sheriff, shall direct the projects, locations and times for performance of the labor provided for by this section.
- (d) **Good physical condition.** No prisoner who is physically unable to labor or who is in a state of health where labor would pose a damage to the prisoner's well-being may be compelled to labor. Any question of the exemption from labor of a prisoner shall be determined by the sheriff after consultation with available medical personnel.

(e) **Prisoners under guard.** The labor provided for by this section shall be performed under security and guard regulations as shall be enacted by the sheriff. The regulations shall include provision for the keeping of time books which will show daily the names of the prisoners required to work under this section and the exact hours of their labor. (Ord. No. 763, ' ' 1 to 3.)

CHAPTER 25
CHEMICAL TOILETS, SEWAGE PUMPING TRUCKS, DOMESTIC SEPTAGE LAND
APPLICATION, AND BIOSOLIDS LAND APPLICATION.

ARTICLE I. IN GENERAL.

- ' 25-100. Purpose.
- ' 25-101. Applicability.
- ' 25-102. Definitions.

ARTICLE II. CHEMICAL TOILET.

- ' 25-200. Chemical Toilets.

ARTICLE III. SEPTIC TANK, CHEMICAL TOILET,
AND GREASE TRAP PUMPING TRUCKS.

- ' 25-300. Septic Tank, Chemical Toilet, and Grease Trap Pumping Trucks.

ARTICLE IV. DOMESTIC SEPTAGE LAND APPLICATION AND
BIOSOLIDS LAND APPLICATION.

- ' 25-400. Prohibitions.
- ' 25-401. Requirements for Land Application of Domestic Septage.
- ' 25-402. Requirements for Land Application of Biosolids.
- ' 25-403. Requirement for Bonds.
- ' 25-404. Right of Entry.

ARTICLE V. PERMIT FEES.

- ' 25-500. Generally.

ARTICLE VI. ABATEMENT.

- ' 25-600. Enforcement.
- ' 25-601. Appeals.
- ' 25-602. Penalties.

ARTICLE I. IN GENERAL.

Sec. 25-100. Purpose.

The declared purpose of this chapter is to provide for the regulation of chemical toilets; septic tank, chemical toilet, and grease trap pumping trucks; and domestic septage and biosolids land application as well as providing for the issuance, suspension, and revocation of permits in the county.

Sec. 25-101. Applicability.

This chapter shall apply to all unincorporated territory within the county. The requirements and restrictions of this chapter that apply to the application of biosolids onto land shall no longer be in effect after October 15, 2007.

Sec. 25-102. Definitions.

Whenever the following terms are used in this Article, they shall have the meanings respectively ascribed to them in this section.

Administrative Authority is Director of the Department of Environmental Management or the Director=s designee.

Agricultural Land is land on which a food crop, a feed crop, or a fiber crop is grown. This includes range land and land used as pasture.

Agronomic Rate is the whole domestic septage or biosolids application rate (dry weight basis) designed:

- (1) To provide the amount of nitrogen needed by the food crop, feed crop, fiber crop, cover crop, or vegetation grown on the land; and
- (2) To minimize the amount of nitrogen that passes below the root zone of the crop or vegetation grown on the lands to the ground water.

Application is a distribution of domestic septage or biosolids to a site, as described in the Landspreading Notification Report for biosolids or the permit for septage, at a rate, determined prior to landspreading, not to exceed either the agronomic rate or the annual pollutant loading rate, based on the intended use of the field. An application shall be limited to once per crop and shall be considered complete when biosolids or septage has been applied at the agronomic rate to each field listed in the Landspreading Notification Report or the permit.

Applicator is any person, company organization, or other legal entity engaged, or about to become engaged in the placement of domestic septage or biosolids on land at a controlled rate for the purpose of enhancing the growth of plants in accordance with the provisions of this chapter. The applicator shall be the same entity which the Regional Water Quality Control Board identifies as the discharger and may include land owner, operator, or lessee.

Annual Pollutant Loading Rate is the maximum amount of pollutant that can be applied to a unit area of land during a 365 day period.

Biosolids (a.k.a., sewage sludge) are the solid, semi-solid, or liquid residues generated during the treatment of domestic sewage and industrial wastewater in a wastewater treatment plant or publicly owned treatment works. Includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes, and material derived from sewage sludge.

Chemical Toilet is a portable toilet facility which contains a chemical material and a tank to receive human wastes pending removal by a chemical toilet pumping vehicle.

Class A Biosolids are biosolids which meet the pathogen requirements in section 503.32(a) of Title 40, Code of Federal Regulations, or revisions thereof.

Class B Biosolids are biosolids which meet the pathogen requirements in section 503.32(b) of Title 40, Code of Federal Regulations, or revisions thereof.

Cumulative Pollutant Loading Rate is the maximum amount of an inorganic pollutant that can be applied to an area of land.

Domestic Septage is liquid or solid material removed from septic tanks and cesspools. Domestic septage does not include liquid or solid material removed from a septic tank, cesspool, or similar treatment works that receives either commercial wastewater or industrial wastewater and does not include grease removed from a grease trap at a restaurant.

Domestic Sewage is waste and wastewater from humans or household operations that is discharged to or otherwise enters a treatment works.

Field means a discrete, discernable, and identifiable individual piece of land used for crop production, designated or under consideration for domestic septage or biosolids use.

Industrial Wastewater is wastewater generated in a commercial or industrial process.

Land Application or Landspreading is the placement of domestic septage on agricultural land or biosolids on agricultural land or reclamation sites intended to support vegetative growth.

Operator is any person or group of persons who control or are responsible for the maintenance of a parcel of land, including but not limited to the owner, farmer, lessee, etc.

Parcel means a discrete piece of land identifiable by an individual number (Assessor's Parcel Number or APN) assigned by the Assessor of the County of Solano.

Person is any person, firm, business, city, county, district, special district, including a water district, sole proprietorship, partnership, joint venture, trust, association, or corporation whether for profit or non-profit.

Pollutant is an organic substance, an inorganic substance, a combination of organic and inorganic substances, or a pathogenic organism that, after discharge and upon exposure, ingestion, inhalation, or assimilation into an organism either directly from the environment or indirectly by ingestion through the food chain, could, on the basis of information available to the Administrator of United States Environmental Protection Agency, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunction in reproduction), or physical deformations in either organisms or offspring of the organisms.

Pollutant Limit is a numerical value that describes the amount of a pollutant allowed per unit amount of biosolids (e.g., milligrams per kilogram of total solids); the amount of a pollutant that can be applied to a unit area of land (e.g., kilograms per hectare); or the volume of a material that can be applied to a unit area of land (e.g., gallons per acre).

Saturated is the point at which soil will no longer absorb water and continued wetting of the soil will result in runoff or standing water.

Site is one or more parcels or fields of land with a single or multiple owners or operators, as described in a Project Description, Site Specific Information Report, Report Of Waste Discharge, or other documents submitted to the Regional Water Quality Control Board.

Staging Area is the location on a site where biosolids or septage is deposited on the ground for loading onto a vehicle for landspreading on the same or nearby sites which have been registered with the Administrative Authority and approved or exempted by the appropriate Regional Water Quality Control Board.

Treatment is a process, approved by the Administrative Authority, which alters, modifies, or changes the biological, physical, and/or chemical characteristics of domestic septage.

USEPA is the United States Environmental Protection Agency.

40 CFR 503 is Title 40, Code of Federal Regulations, Part 503 and revisions thereof.

ARTICLE II. CHEMICAL TOILETS.

Sec. 25-200. Chemical Toilets.

(a) It shall be unlawful for any person, whether as principal, servant, agent, or employee to clean, install or replace a chemical toilet or dispose of cleanings thereof without having first obtained a permit to do so from the administrative authority. In agricultural areas where chemical toilets are temporarily required for use by farm laborers and are supplied by a commercial operator, permits for a particular location are not required. However, the commercial operator shall obtain an annual operating permit from the administrative authority.

(b) Criteria for toilet facilities shall be as follows:

(1) Toilet facilities shall provide sufficient space for comfortable use. A minimum area for approximately eight (8) square feet, with a minimum width of two and one-half (2 & 2) feet, shall be provided for each toilet seat. A minimum area of ten (10) square feet, with a minimum width of two and one-half (2 & 2) feet shall be required when a urinal is included. Sufficient additional space shall be included if hand-washing fixtures are within the facility.

- (2) Toilets shall be designed, constructed, and maintained so as to prevent the access of flies to the excreta.
- (3) Buildings housing toilet and hand-washing facilities shall be rigidly constructed and shall provide privacy.
- (4) The interior walls of units shall be constructed of durable nonabsorbent material, smooth, readily cleanable, and finished in a light color.
- (5) Units shall be ventilated and provided with self-closing doors which can be fastened from the inside.
- (c) Servicing of Chemical Toilet Units. Suitable chemicals effective at all times in controlling odors and liquefying solids shall be used for the chemical toilets. It is recommended that such chemicals have the following characteristics:
 - (1) Contain a bacteriostatic agent to prevent decomposition of the sewage;
 - (2) Contain an effective deodorant material to mask objectionable odors;
 - (3) Contain a suitable emulsifying agent, in addition to water, to help break down solid matter.
 - (4) Have sufficient strength to remain effective between changing of the chemicals.
- (d) Disposal of Contents of Chemical Toilets. The contents of chemical toilets shall be disposed of at a designated receiving station which discharges to a publicly owned sewage treatment works.
- (e) Cleansing. Each facility shall be thoroughly cleaned and washed down weekly, or as often as necessary, and at least after each emptying of the chemical toilet.
- (f) Toilets. It shall be the responsibility of the chemical toilet servicing firm to insure that toilets are serviced and maintained in a clean, sanitary condition and kept in good repair at all times.
- (g) Identification of Chemical Toilets. The business name shall be evident, on at least one (1) side of the chemical toilet, in letters of three inches (3") in height.

ARTICLE III. SEPTIC TANK, CHEMICAL TOILET AND GREASE TRAP PUMPING TRUCKS.

Sec. 25-300. Septic tank, chemical toilet, and grease trap pumping trucks.

- (a) It shall be unlawful for any person or firm to carry on, solicit, or engage in the business of the cleansing of septic tanks, chemical toilets, or grease traps or to dispose of the cleaning in the County of Solano without a valid permit issued by the administrative authority for the carrying on of said business.
- (b) Criteria for septic tank, chemical toilet, and grease trap pumping trucks.
- (c) Upon each side of every vehicle, for which registration is required, there shall be printed or affixed in permanent plain legible letters and numbers at least four inches (4") high, the permanent name and address of the registrant or establishment. The certified gallonage capacity of the tanks shall appear on the tank on both sides in numerals of a minimum of four inches (4") high in height and shall be fully legible and visible at all times. Such capacity as shown shall be that approved and certified by the Sealer of Weights and Measures of the County of Solano, or other approved Sealer of Weights and Measures. There shall be at least three (3) tanks for waste, water, and disinfectant except for vehicles used exclusively for septic tank pumping which shall have at least two (2) tanks. All pumping hoses must be cleaned out into the truck tank or into the septic tank, or chemical toilet being pumped, and not on the surface of the ground. There shall be carried on each unit at all times, a sufficient quantity of chlorinated lime or other product approved by the permitting authority for disinfection of hoses and areas where accidental spillage of sewage might occur.
- (2) It is unlawful for any person or firm to park sewage effluent pumping trucks at the close of a working day on a public street or thoroughfare.

- (3) All pumping trucks shall have the sewage effluent removed from the tanks at the close of each work day. The sewage shall be disposed of at an approved location.
- (4) All discharge lines and valves shall have screw type caps, or other devices approved by the administrative authority.

ARTICLE IV - DOMESTIC SEPTAGE AND BIOSOLIDS LAND APPLICATION.

Sec. 25-400. Prohibitions.

- (a) Disposal or land application of sewage, septage, biosolids, or any other sewage waste, or the effluent of treated sewage or other waste, in any manner which will result in contamination, pollution, or a nuisance is prohibited.
- (b) The land application or landspreading of untreated domestic septage is prohibited.
- (c) Land application or landspreading of biosolids which do not meet the requirements of this Article, the requirements of the Regional Water Quality Control Board, the requirements of any other responsible agency and/or the requirements set forth in 40 CFR 503 is prohibited. Land application of biosolids is restricted to Class A or Class B as previously defined.
- (d) Land application or land spreading of septage originating from commercial and industrial facilities, treated or untreated, is prohibited. Only treated septage from domestic sources may be applied to land.
- (e) Operation of a domestic septage treatment facility, conducting business in the sale, distribution, and marketing of domestic septage, or the disposal of domestic septage without first securing all required permits, including those issued by the Regional Water Quality Control Board and the Administrative Authority, is prohibited.
- (f) Marketing, distribution, or disposal to land of any biosolids from any source other than a treatment facility which has met all requirements of and secured a permit and/or Waste Discharge Requirements from the appropriate Regional Water Quality Control Board and complies with all federal requirements is prohibited.
- (g) Landspreading of domestic septage on agricultural land or a reclamation site during a 365 day period if the annual application rate in section 25-402 D has been exceeded during that period is prohibited.
- (h) Land application of biosolids which exceeds the Pollutant Limits, Cumulative Pollutant Loading Rate, or the Annual Pollutant Loading Rate, as described in Section 503.13 of 40 CFR 503, is prohibited.
- (i) Land application of biosolids or treated domestic septage in the Primary Area of the Suisun Marsh (as defined in Solano County General Plan) is inconsistent with Solano County Policies and Regulations Governing the Suisun Marsh, the Suisun Marsh Protections Plan, and the Suisun Marsh Preservation Act of 1977, and is prohibited.
- (j) Land application of biosolids or treated domestic septage in the area of the Primary Zone of the Sacramento-San Joaquin Delta (as defined in section 29728 of the Public Resources Code) which is inconsistent with the Delta Protection Commission's Land Use and Resource Management Plan for the Primary Zone of the Delta is prohibited.
- (k) Placement of biosolids in staging and storage areas:
- (1) Biosolids shall not be placed in a staging area more than 6 hours prior to application.
- (2) All biosolids placed in a staging area must be land applied before the end of land spreading on the day of placement, unless otherwise prevented by the requirements of this Chapter or as ordered by the Administrative Authority. If the Administrative Authority orders the biosolids not to be land spread or if inclement weather or high winds prevents landspreading of the biosolids in a staging area, then the applicator shall provide a protective barrier and secure the biosolids as approved by the Administrative Authority.
- (3) Biosolids stored in a staging area due to inclement weather or high winds shall be removed from the site, or if conditions allow, be land applied within 48 hours of storage.

- (l)(1) The application of biosolids to land that is water saturated, frozen or during periods of rainfall is prohibited.
 - (2)(A) Adding biosolids to a staging or storage area during periods of rainfall is prohibited.
 - (B) Staging or storage areas shall be maintained and operated to prevent the generation of leachate.
 - (m)(1) Trucks or other vehicles used to transport or apply biosolids to the field shall not track mud or debris onto a County or State roadway, as determined by the Solano County Transportation Department. The applicator shall make every effort to coordinate deliveries of biosolids so that delivery trucks are not on Highway 12 or 113 during peak commute hours.
 - (2) County roadways used to access the fields shall not be used when the road subgrade is Awet@ as determined by the Solano County Transportation Department.
 - (3) The applicator shall be responsible to repair road damage caused by the hauling of biosolids, to the satisfaction of the Solano County Transportation Department. Such damage does not include normal wear and maintenance of the road. Prior to submission of the Landspreading Notification Report to the Administrative Authority, the applicator shall submit information on the estimated number and weight of trucks, and truck routes to the Solano County Transportation Department. If the Solano County Transportation Department determines that increased maintenance is likely to be required as a result of the truck traffic hauling biosolids, the Solano County Transportation Department may request that the applicator to enter into a road maintenance agreement to reimburse cost to Solano County for such increased maintenance.
 - (n) Land application of biosolids or septage from October 15 to April 15 (the rainy season) is prohibited.
 - (o) The applicator shall not start receiving, landspreading, or incorporating biosolids at the beginning of the day's field operations if wind speed exceeds 25 mph. Once started, the applicator shall cease receiving, landspreading and/or incorporating biosolids if wind speed exceeds 25 mph for 90 minutes. Receiving, landspreading, and/or incorporation of biosolids shall not occur again until wind speed drops below 25 mph for 90 minutes. The applicator shall provide monitoring devices to measure the wind speed at the biosolids application site at all times. In addition, at least one wind sock calibrated for a 25 mph wind speed shall be provided in a location visible from a public road and within 500 feet of the application site, and/or an alternative device for measuring wind speed. The applicator shall provide a contingency plan for securing biosolids in staging areas and for diversion of biosolids in route to the application sites during periods of wind speeds above 25 mph for approval by the Administrative Authority.
- (Ord. 1618; ' 1)

Sec. 25-401. Requirements For Land Application of Domestic Septage.

Domestic septage applied to the land shall meet all of the following standards:

(a) General Requirements

- (1) Staging areas and domestic septage application shall be at least:
 - (A) 50 feet from property lines.
 - (B) 500 feet from all domestic water supply wells.
 - (C) 100 feet from non-domestic water wells..
 - (D) 50 feet from public roads.
 - (E) 100 feet from surface waters, including intermittent or perennial streams, surface waterways, ponds, lakes, and marshes.
- (2) Domestic septage shall not be applied on slopes exceeding 10 percent.

- (3) The land application of treated domestic septage shall not be made where the depth to ground water is less than five (5) feet from the soil surface.
- (4) Domestic septage shall not be applied to land that is water saturated, frozen, during periods of rainfall, or when wind speeds exceed 20 m.p.h.
- (5) The land application of domestic septage shall be restricted to Agricultural Lands identified in the County General Plan.
- (6) Domestic septage shall not be stored at the application site for more than 24 hours.
- (7) All of the requirements of the appropriate Regional Water Quality Control Board and applicable sections of 40 CFR 503 shall be met.

(b) **Operational Standards --**
Requirements for Pathogen Reduction and Vector Attraction Reduction.

(1) **Pathogen Reduction** The pH of domestic septage applied to land shall be raised to 12 or higher by alkali addition and, without the addition of more alkali, shall remain at 12 or higher for 30 minutes and the following site restrictions shall be met:

- (A) Food crops with harvested parts that touch the treated domestic septage/soil mixture and are totally above the land surface shall not be harvested for at least 14 months after application of domestic septage.
- (B) Food crops with harvested parts below the surface of the land shall not be harvested for at least 38 months after application of treated domestic septage.
- (C) Food crops, feed crops, and fiber crops shall not be harvested for at least 30 days after application of treated domestic septage.
- (D) Public access to the site shall be restricted for at least 30 days after application of domestic septage.

(2) **Vector Attraction Reduction Requirements**

- (A) The pH of domestic septage shall be raised to 12 or higher by alkali addition and, without the addition of more alkali, shall remain at 12 or higher for 30 minutes.
- (B)(i) Treated domestic septage shall be injected below the surface of the land and no significant amount of the septage shall be present within one hour after the septage is injected or;
- (ii) Treated domestic septage applied to the land surface shall be incorporated into the soil within six hours after application to or placement on the land.

(c) **Monitoring.** Each container of domestic septage applied to land shall be monitored for compliance with these requirements. Records shall be maintained and are subject to review during the normal hours of business by the Administrative Authority and shall be retained for at least five years.

(d) **Pollutant Limits.** The annual application rate for treated domestic septage applied to land shall not exceed the annual application rate calculated using the following equation:

$$AAR = \frac{N}{0.0026}$$

Where:

AAR = Annual application rate in gallons per acre per 365 day period.

N = Amount of nitrogen in pounds per acre per 365 day period needed by the crop or vegetation grown on the land.

(e) **Record Keeping** When treated domestic septage is applied to land, the person who applies the septage shall develop the following information and shall submit it annually to the Administrative Authority. In addition, the information shall be retained for five years for review by the Administrative Authority.

- (1) The location, by either street address or assessor's parcel number of each site on which treated domestic septage is applied.
- (2) The number of acres in each site on which treated domestic septage is applied.
- (3) The date and time treated domestic septage is applied to each site.
- (4) The nitrogen requirement for the crop or vegetation grown on each site during a 365 day period.
- (5) The rate, in gallons per acre per 365 day period, at which treated domestic septage is applied to each site.
- (6) The following certification statement:

"I certify under penalty of law, that the pathogen reduction vector attraction reduction requirements listed above have been met. This determination has been made under my direction and supervision in accordance with the system designed to assure that qualified personnel properly gather and evaluate the information used to determine that the pathogen reduction and vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

- (7) A description of how the pathogen reduction requirements are met.
- (8) A description of how the vector attraction reduction requirements are met.

(f) **Permit Requirements** A permit to apply treated domestic septage to land pursuant to this Article shall be obtained from the Administrative Authority. A fee, as established by the Board of Supervisors, shall be submitted along with the following information and/or documents:

- (1) General Information
 - (A) Name, address, and phone number of the applicant
 - (B) Name, address, phone number and type of business.
 - (C) Identification of the local manager and responsible office personnel.
 - (D) A statement setting forth facts demonstrating that the applicant owns or has access to suitable facilities for equipment cleaning, maintenance and storage. The location of all such facilities shall be provided in the application. Included with this statement shall be documentation indicating these facilities are properly zoned and constructed consistent with appropriate local ordinances.
 - (E) A statement regarding the applicant's experience and capability in the collection, transportation, treatment and application of domestic septage.
 - (F) A list of vehicles to be used for the transportation and/or application of domestic septage.
 - (G) A description of the process used to treat the domestic septage and the method used to apply the septage to land.
 - (H) Application Rate Design. A detailed plan of operation which shall include:
 - (i) Annual application rate of domestic septage
 - (ii) Description of equipment to be used

- (iii) Special procedures for equipment breakdown
- (iv) Spill prevention and response plans
- (v) Crop selection
- (vi) Site operation
- (vii) Surface water protection measures
- (viii) Buffer zones
- (ix) Soil incorporation methods
- (x) Inclement weather plan
- (xi) Slope of ground
- (xii) Staging areas
- (xiii) Soil pH control plan
- (xiv) Soil testing
- (xv) Treated domestic septage application rate per crop
- (xvi) Tail water control plans
- (xvii) Transportation plans including: (i) proposed delivery truck route(s) to site; (ii) proposed frequency and hours of delivery; (iii) local traffic conditions; (iv) proposed methods to or septage upon the roadways.
- (xviii) Nuisance avoidance measures.
- (aa) Name of water delivery and/or drainage agency in whose jurisdiction the septage is applied.

(2) Site Application Information

- (A) The location, by street address and Assessor=s Parcel Number, of each application site.
- (B) Name, address and phone number of the lessee and/or land owner with written proof of lessee and land owner agreeing to the application of domestic septage, allowable crops, right of entry, site restrictions and any other conditions deemed necessary by the Administrative Authority.
- (C) Assessor parcel number of site location.
- (D) A list of predominate soils on the site
- (E) The land use designation of the site.
- (F) The net acreage, depth to ground water, annual septage application rate, lifetime application rate, buffer zones for occupied dwellings, property lines, roads and wells.
- (G) A detailed site plan prepared at a scale acceptable to the Administrative Authority depicting the site boundary, limits of septage application, drainage courses, homes, wells, irrigation structures and canals within 500 feet of the site.

(H) A statement by an individual certified by the American Registry of Certified Professionals in Agronomy, Crops and Soils indicating the recommended agronomic rates for application of the intended material. Such recommendation must be site and crop specific.

(I) Any other relevant information requested by the Administrative Authority.

Sec. 25-402. Requirements For Land Application of Biosolids.

Biosolids applied to land shall meet the following requirements:

(a) General Requirements

(1) A description of the project shall be submitted to and Waste Discharge Requirements or other written approval or exemption shall be obtained from the appropriate Regional Water Quality Control Board. Neither Class A nor Exceptional Quality biosolids shall be exempted from any of the requirements of this chapter.

(2) The applicator and the operator shall comply with any and all regulations and/or requirements of any and all other agencies having jurisdiction in Solano County.

(3) The applicator shall be primarily responsible for compliance with this chapter. If the applicator fails to meet the requirements of this chapter, the Administrative Authority shall immediately notify the operator. The operator shall be responsible for compliance when and if the applicator fails to meet requirements of this chapter.

(4) Staging areas and biosolids land application shall be at least:

(A) 100 feet from property lines. This requirement may be waived by the Department of Environmental Management when property lines are adjacent to properties using biosolids as a soil amendment;

(B) 500 feet from any type of water supply wells;

(C) One-quarter mile (1,320 feet) from any residence located off sites registered for biosolids application.² This distance shall be increased to two miles from city limits or employment centers on Travis Air Force Base;

(D) One-quarter mile (1,320 feet) from residence located on sites registered for biosolids application unless waived by owner occupied residence;

(E) 100 feet from public roads'

(F) 200 feet from surface waters, including intermittent and perennial streams, surface waterways, primary drainages, ponds, lakes and marshes;

(G) 2,500 feet from any domestic surface water supply intake.

(5) Sanitary facilities for biosolids application personnel. The biosolids permit applicant shall ensure that adequate sanitary facilities, including a toilet and hand wash sink equipped with soap, water, and single use disposable towels shall be available within three hundred feet of an active biosolids application site during landspreading operations.

(6) Incorporation shall be performed in conjunction with the land application of all biosolids. All biosolids applied to land shall be incorporated within 24 hours unless high winds or inclement weather conditions prohibit incorporation activities from occurring or as otherwise directed by the Administrative Authority.

(7) Land spreading and incorporation activities shall only occur between 6:00 a.m. and 6:00 p.m. Land spreading of biosolids on weekends and holidays is prohibited.

(8) The applicator shall contribute a fee for each acre that is applied with biosolids into a fund designated for the continuing study of odors, pathogen transmissions, environmental effects and other concerns relating to land

² May be reduced to not less than 100' if approved by owner occupied residences.

application of biosolids, and/or establishment of educational information pertaining to the land application of biosolids. The fee shall be set by the Board of Supervisors pursuant to Chapter 11, Section 11-110 of this Code.

(9) Annually, after the close of the application season, there shall be a report prepared for the Board of Supervisors on the results of the past application season.

(Ord. 1618; '2. Ord. 1628)

(b) **Requirements for Site Registration**

(1) Each intended biosolids land application site shall be registered with the Administrative Authority prior to the application of biosolids.

(A) New sites shall be registered prior to application of any biosolids to the site.

(B) Sites under permit with the Regional Water Quality Control Board or under contract, already receiving biosolids at the time of adoption of this chapter, shall be registered prior to any subsequent application of biosolids.

(2) The description of the site to be registered with the Administrative Authority shall be consistent with the description of the site submitted to or permitted by the Regional Water Quality Control Board. (i.e., owner=s name, location of site, number of fields per site, site acreage, etc.)

(3) Site Registration shall remain in effect for a period not to exceed five years. The Site Registration may be renewed after five years, if additional applications are intended, by payment of the Site Registration Fee prior to January 1 of the sixth year.

(4) Site Registration renewal shall also occur if substantial changes occur or changes to the biosolids reuse locations (such as addition of fields) occur such that the Regional Water Quality Control Board requires submittal of a new Report of Waste Discharge and/or adoption of new Waste Discharge Requirements.

(5) To register a site for land application of biosolids, the following information and/or documents shall be submitted to the Administrative Authority and additional requirements met:

(A) General Information

(i) Name and Mailing Address of the Applicator

(ii) Name and Mailing Address of Property Owner/Operator

(iii) If the property is leased, a written proof of knowledge of and agreement by the property owner to the application, restrictions on allowable crops, right of entry, site restrictions, and any other conditions deemed necessary by the Administrative Authority

(iv) Name and Mailing Address of Person to whom billings for fee payments should be sent

(v) A statement setting forth facts demonstrating that the applicator owns or has access to suitable facilities for equipment cleaning, maintenance and storage. The location of and information pertaining to all such facilities shall be provided to the Administrative Authority upon request.

(vi) A statement regarding the applicator=s experience and capability in the collection, transportation, treatment and land application of biosolids

(B) Site Information

(i) Site location including address and Assessor=s Parcel Number(s), (or Assessor=s Parcel Number if no address has been assigned,) size of parcel(s), a map of the site prepared at a scale acceptable to the Administrative Authority showing drainage courses, runoff controls, surface waterways, wells, irrigation structures and canals, residences within 500 feet, and copies of Assessor=s Parcel Maps showing all fields on the site as well as parcels and numbers adjacent to the site and cities located within two miles or less from the closest portion of the site.

- (ii) A list of predominate soils on the site and location maps of soil types (i.e., USDA Soil Maps), ground slope and depth to groundwater at the time of application
- (iii) The land use designation of the site
- (iv) Any results obtained from background soil sampling and analyses conducted at the application site within 12 months of submittal of information.
- (v) Wind direction and speeds expected in the area of landspreading during landspreading operations. This may be based upon previous year=s data.
- (C) Any and all reports submitted to the appropriate Regional Water Quality Control Board, including but not limited to a Report Of Waste Discharge, Application For Facility Permit/Waste Discharge, Site Specific Information Report, or Project Description. The General Information and/or Site Information may be submitted to the Administrative Authority as part of the reports submitted to the Regional Water Quality Control Board.
- (D) Approval of the project by the appropriate Regional Water Quality Control Board in the form of Waste Discharge Requirements, Waiver Approval, Letter of Approval, Exemption, or any other formal approval indicating project compliance with applicable Regional Water Quality Control Board standards and/or 40 CFR 503.
- (E) Copies of any and all reports submitted to the USEPA, in complying with 40 CFR 503.
- (F) Site Inspection
 - (i) A Site Inspection may be conducted by the Administrative Authority .
 - (ii) Other appropriate responsible agencies shall be notified by the inspector if any concerns arise from this inspection.
- (G) A Site Registration Fee, as established by the Board of Supervisors, shall be submitted prior to registration of the site.

(c) **Requirements for Landspreading Notification**

- (1) After Site Registration is completed and the applicator has received written notification of the registration from the Administrative Authority, the applicator shall submit a Landspreading Notification Report to the administrative Authority each year for sites (fields) on which the applicator intends to landspread biosolids.
- (2) The applicator shall provide a Landspreading Notification Report to the Administrative at least 10 working days prior to initiation of the land application. Land application may not begin prior to receipt of written notification from the Administrative Authority that the Landspreading Notification Report is complete and meets the requirements of this chapter. Landspreading operations shall adhere to and be consistent with all information submitted to the Administrative Authority including, but not limited to, the Landspreading Notification Report. The applicator shall contact the Administrative Authority 24 hours prior to initiating or placing biosolids upon the field.
- (3) The applicator shall also notify the Administrative Authority at least 24 hours prior to when the applicator intends to move the operation from one field to another, one site to another. This notification may be brief including the field number, location, owner, and intended date of change, and may be submitted via facsimile.
- (4) The applicator shall provide written notification to all residents adjacent to the fields listed in the Landspreading Notification Report. In addition, if land application activities are to occur within two miles of a city or urban center, then the applicator shall publish in the public notification section in at least one daily, and if applicable, weekly, newspaper(s) distributed within the city or urban center a notice of proposed landspreading activity, and notify the mayor or manager of that city or urban center, Written notice of impending biosolids land applications shall be provided and published at least 14 calendar days prior to any and all biosolids applications. The Administrative Authority shall be provided with a copy of all written notifications. Any notification shall include:

- (A) The name of the applicator;
- (B) A phone number of a responsible contact for the applicator;
- (C) The name, telephone number and address of the Administrative Authority;
- (D) The tentative date or range of dates, of the biosolids application;
- (E) A statement that if questions or concerns are not adequately addressed by the applicator, the recipient of the notice should contact the Administrative Authority.
- (F) The location that biosolids are to be applied. This shall include Assessor=s Parcel Numbers, addresses (if any), and directions and distance from nearest roads;
- (G) A statement that biosolids are sewage sludge that have been treated and tested and shown to be capable of beneficial and legal use as a soil amendment for agriculture, silviculture, horticulture, and land reclamation activities as specified under 40 CFR Part 503.
- (5) Person(s) residing on property immediately adjacent to the field intended for application of biosolids or within a city or urban center within two miles of a field intended for application of biosolids may file a protest with the Administrative Authority. The protest shall be in writing, stating the reasons for the objection, and shall be filed with the Administrative Authority at least five (5) days prior to the date of the biosolids application. The administrative Authority shall immediately notify the applicator or protests received from persons residing immediately adjacent to the application site, or in a city or urban center within two miles of the application site. All impending biosolids applications at that site may be suspended pending the decision of the Administrative Authority. The Administrative Authority may consolidate protests that are similar and render one decision that applies to all such protests. The Administrative Authority shall render a decision on the protests within fourteen days of receipt of the written protest. The applicator and protestor shall be notified of the decision within five working days of the decision being rendered by the Administrative Authority. The decision of the Administrative Authority may be appealed to the Board of Supervisors as provided for in section 25-601.
- (6) The applicator shall submit the following information and/or documents to the Administrative Authority as a Landspreading Notification Report:
 - (A) Name, mailing address and phone number of the property owner/operator.
 - (B) Name, mailing address and phone number of the Applicator.
 - (C) Biosolids source and hauler along with address, phone number, and contact person, level of pathogen treatment, description of treatment, and vector attraction reduction description.
 - (D) Site location and field name or number.
 - (E) Storage and staging areas.
 - (F) Application Rate and Annual Pollutant Loading Rate information including quantity of material, application area size, ammonia concentration, organic nitrogen concentration, proposed nitrogen loading, residual nitrogen loading from previous applications, proposed crop/land use, crop nitrogen usage, and date of application.
 - (G) Pollutant Loading Rate and concentration of each pollutant listed in Table 3 of Section 503.13, 40 CFR 503.
 - (H) Site controls including, but not limited to, crops to be planted and intended land use during the next 3 years, public access control procedures, storage procedures if material is stored near the fields before land application, existence of potential for any tailwater or stormwater runoff within 30 days and control measures to be taken, nuisance avoidance measures and statement of compliance with all setback and buffer zone requirements and site restrictions.
 - (I) Transportation plans including:

- (i) Name and address of hauler;
- (ii) Proposed delivery truck route(s) to site;
- (iii) Proposed number of trucks and frequency and hours of delivery;
- (iv) Local traffic conditions;
- (v) Proposed methods to prevent tracking of mud, biosolids, or septage upon the roadways.
- (vi) Determination by the Solano County Transportation Department regarding impact on maintenance to roads.
- (J) A list of names and addresses of the residents notified and the date of notification.
- (K) Copy of the approval of the Pre-application Report by the Regional Water Quality Control Board.
- (L) Certificate of Pollution Liability Insurance indicating insurance in an amount no less than \$1,000,000 (One Million Dollars).
- (M) Copy of an Indemnification Agreement existing between the applicator and the operator.
- (N) Contingency plan for securing biosolids in staging areas and for diversion of biosolids in route to the application site(s) during periods of wind speeds above 25 mph for approval by the Administrative Authority.
- (O) An odor control mitigation plan that details the action taken by the generator(s) of the biosolids to decrease the likelihood of a highly odorous load from leaving the treatment plant, and action, including diversion, that the applicator will take if an odorous load is delivered, or odor complaints are received. The Administrative Authority may require additional measures beyond those listed in the approved odor control mitigation plan to be implemented in order to mitigate site specific conditions at the time of staging and landspreading.
- (7) The Administrative Authority shall conduct inspections to assure compliance with this Chapter. The inspections may include sampling. Inspections may occur at sites that are currently proposed for land application of biosolids, and/or are in the process of land application, and/or were locations of past land application(s).
- (8) Samples of the material being landspread shall be collected during inspection.
- (A) Samples of biosolids collected shall be kept separate for each site and source.
- (B) Samples of biosolids may be composited from several locations on the same field or registered site.
- (C) The number of samples of biosolids taken and analyzed shall be determined by the Administrative Authority at the time of landspreading notification, during field inspections, complaint investigations, or from requests by other permitting authorities. This determination shall take into consideration the source of the material, the variability of the pollutants within the material, the frequency of sampling and analysis conducted by the generator of the material, and the quantity of the material being landspread. The intent of the sampling program is to verify that the biosolid material which is being applied to land is consistent with the reports which have been submitted to the Administrative Authority, that the product is in compliance with this Code and any other Federal or State requirements. In no case shall the frequency of analysis be less than once each year for each source of biosolid material which is applied to land within the county.
- (D) Additional analysis may be conducted if, in the opinion of the Administrative Authority, conditions exist during the applications which may promulgate public concern or where there is potential for a public health hazard.
- (E) The Administrative Authority shall at no time be limited as to sampling location or number of samples obtained.
- (F) Collection of samples shall not be limited to biosolids but may also include soil and/or water samples. Collection of samples may occur on proposed, presently active or past biosolids application sites.

(G) Analysis of samples collected by the Administrative Authority shall not be limited as to the constituents analyzed for and may include analysis for heavy metals concentrations (consistent with the limits set forth in 40 CFR 503), pathogens (consistent with 40 CFR 503), and other constituents which may be of concern in protection of the public health and/or the environment.

(9) A Landspreading Notification Fee, as established by the Board of Supervisors, shall be submitted to the Administrative Authority at the time of submittal of the information required for the Landspreading Notification.

(d) **Requirements for Reporting.** In addition to submittal of the general information required for the Site Registration and the Landspreading Notification, the following reporting requirements shall be met:

(1) Within 60 days after each land application of biosolids, a Post-application Report shall be submitted to the Administrative Authority with the following information:

(A) Site number and/or location including a map clearly showing each field.

(B) Date and time of the application.

(C) Total volume of material applied.

(D) Any variations from the information provided in the pre-application report.

(2) Any other reports required by a) the Regional Water Quality Control Board, as part of the Waste Discharge Requirements or otherwise, b) the USEPA, or c) any other regulatory agency, shall be submitted to the Administrative Authority.

(3) The applicator shall retain copies of all registrations and notifications for a minimum of five years after Site Registration expiration and copies of all reports for a minimum of five years after issuance of the report.

(4) The applicator shall provide, upon request from the Administrative Authority, copies of results of any laboratory analysis conducted for use by the applicator on material applied in Solano County.

(Ord. 1618; '6, Ord. 1628)

Sec. 25-403. Requirement for Bonds.

The applicator shall furnish a corporate surety bond as security for performance under the site registration or permit. A separate bond shall be posted for each concurrent landspreading operation. The amount of the bond shall be no less than \$50,000. The County of Solano shall be named as the obligee. The purpose of the bond is to cover costs should nuisance abatement by the Administrative Authority be necessary and the applicator or operator not take responsibility for the abatement.

Sec. 25-404. Right of Entry.

As a requirement of the issuance of a permit, Site Registration, or Landspreading Notification under this article, the applicator, farm operator, land owner and/or lessee shall agree to allow the representatives of the Administrative Authority or other regulatory agencies at reasonable times and upon presentation of credentials to:

(a) Enter upon the applicator's premises or location where any records are required to be kept under the terms and conditions of this chapter;

(b) Have access to and copy any records required to be kept under the terms and conditions of this chapter;

(c) Inspect any monitoring equipment or observe any monitoring method;

(d) Inspect any collection, transport vehicles, treatment, pollution management, or control facilities required by this chapter;

(e) Enter any site, during reasonable hours, where biosolids or septage is proposed to be used or has been applied or stored and sample any ground or surface waters, soils, vegetation, biosolids, septage, or other materials on the site; and,

- (f) Obtain any photographic documentation or evidence.

ARTICLE V. FEES.

Sec. 25-500. Generally.

(a) The fee for each permit issued and the fees for Site Registration and Landspreading Notification, pursuant to the provisions of this chapter, shall be determined in the amount and payable at the time and method set by the board of supervisors, pursuant to Chapter 11, Section 11-110 of this Code.

(b) All reasonable costs of laboratory analysis of biosolids, septage, soil, water and/or vegetation samples collected by the Administrative Authority shall be paid by the applicator.

ARTICLE VI. ABATEMENT.

Sec. 25-600. Enforcement of Chapter.

(a) The Department of Environmental Management shall be empowered to ensure the enforcement of the provisions of this chapter.

(b) A violation of this chapter, or any state or federal regulations, may be cause for revocation of a permit or site registration by the Administrative Authority and notification to the appropriate Regional Water Quality Control Board and the USEPA for enforcement action.

(c) Any violation of this chapter may be declared to be a public nuisance, as determined by the Administrative Authority, and may be abated or enjoined by the Administrative Authority through civil action, in addition to any other remedy herein provided. The Administrative Authority shall have the authority to order the applicator to modify or abate existing land application processes or field conditions, or to immediately cease any and all landspreading operations pending the investigation and decision of the Administrative Authority. The Administrative Authority reserves the right to reject shipments of biosolids loads destined for field application if it is determined that such loads do not comply with this Chapter.

Sec. 25-601. Appeals.

Any decisions by the Administrative Authority to revoke a permit or biosolids site registration or to order the cessation of land application activities or to deny a protest and allow application of biosolids onto land may be appealed to the Board of Supervisors by filing a written Notice of Appeal with the Clerk of the Board, on a form as may be prescribed by the County, within 10 days of the Administrative Authority's decision. Activities authorized by the permit or registration shall be suspended while the appeal is pending.

Sec. 25-602. Penalty for Violation of Chapter.

Any violation of the provisions of this chapter is a misdemeanor punishable by a fine of not more than one-thousand (\$1,000) dollars for the first offense; each continuing or subsequent offense shall be punishable by a fine of not more than one-thousand (\$1000) dollars or imprisonment in the county jail for not more than six months, or by both such fine and imprisonment. Such persons shall be deemed to be guilty of a separate offense for each and every day during any portion of which a violation of this chapter is committed, continued, or permitted by such person. (Ord. 1502, '1; Ord. 1536; Ord. 1558, '1; Ord. 1628)

CHAPTER 26 SUBDIVISIONS.

ARTICLE VII. DESIGN REQUIREMENTS.

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ARTICLE VII. DESIGN REQUIREMENTS.

Sec. 26-71. General.

The provisions of this Article apply only to subdivisions for which a final map or parcel map is required. All tentative maps must be consistent with the Solano County General Plan and satisfy all applicable planning, zoning, design and improvement requirements specified or incorporated in this Code.

Sec. 26-72. Lot Design.

The design of proposed lots is regulated in the following ways in order to obtain the optimal usability of each lot, preserve on- and off-site resources, including existing contours and trees, minimize the potential for adverse impacts on adjacent property, minimize the need for additional infrastructure, and maintain consistency with appropriate General Plan policies and zoning regulations.

Sec. 26-72.1. Lot Lines.

Each sideline of a proposed lot shall be as close to perpendicular to the centerline of the road as is practicable at the point at which the lot sideline terminates.

Sec. 26-72.2. Lot Width.

All proposed lots shall conform to the minimum lot width requirements of the zone in which the property is located. No lot, other than a flag lot, shall have less than 40 feet of frontage, unless the minimum lot width of the zone is less than 40 feet. No flag lot shall have an access strip less than 30 feet or more than 40 feet in width.

Sec. 26-72.3. Lot Depth.

For all proposed lots, the average lot depth shall not be greater than three times the average lot width unless the Director of Environmental Management, upon information presented by the applicant, determines that a greater depth is justified. The applicant shall use the following criteria to justify the modification of this requirement.

- (a) Potential Amount of Grading - The amount and impact of on-site grading may be less with the provision of a greater lot depth.
- (b) Usable Lot Area - The steepness of the topography of proposed lots, the configuration of the parent parcel, and the location of on-site natural features may necessitate a greater depth to provide usable lot areas.
- (c) Flood Hazards - On-site and off-site flood hazards such as streams, tributaries and inundation areas subject to 100-year flood may create a need for a greater depth to provide usable lot areas and buildable sites.
- (d) Sun and Wind Orientation - A greater lot depth may be necessary to provide for passive and active solar heating and natural cooling opportunities.
- (e) Other - Other criteria relevant to unique or uncommon physical features of the property may necessitate a greater depth to provide usable lot areas and buildable sites or to mitigate adverse environmental effects.

Sec. 26-72.4. Lot Area.

All proposed lots, except lots to be dedicated or offered for dedication or reserved by recorded restrictions for flood control, natural resource preservation, common open space or other similar purpose, shall conform to the minimum lot area requirements of the General Plan Designation and Zoning District in which the property is located. In determining whether a proposed lot conforms to such minimum area requirements, only the net area of the lot shall be considered unless the General Plan or Zoning ordinance provides otherwise.

Sec. 26-72.5. Access.

All proposed lots shall have legal access to public rights-of-way or approved private roads. Road layout shall be designed to provide for future access to, and not impose undue hardship upon, property adjoining the subdivision.

Sec. 26-72.6. Buildable Area.

Each proposed lot shall have at least one buildable area. Within the Watershed and Conservation, Exclusive Agricultural and Rural Residential Zone Districts, the minimum buildable area shall be 4000 square feet unless waived by the Director of Environmental Management. Buildable areas are not required for:

- (a) Those parcels dedicated or offered for dedication to the County or some other public entity or reserved by recorded restrictions for flood control purposes, natural resource preservation, common open space, environmental subdivision, or other similar purposes; and
- (b) Those lots created for such purposes as landfills, mining operations, or other similar, long-term uses which do not normally require a permanent, on-site, primary structure and which lots are or will be subject to a discretionary permit issued by the County regulating their proposed use.

Sec. 26-72.7. Setbacks.

Each proposed lot shall, at all designated buildable areas and at all existing buildings, comply with all setback requirements of the zone. Whenever a subdivision results in a lot for which the only means of access is by way of an easement, that easement shall be considered as a public road or street for purposes of determining setbacks for all lots over which the easement passes.

Sec. 26-72.8. Energy Conservation.

The design of a subdivision shall provide, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

(a) Examples of passive or natural heating opportunities in subdivision design include design of a lot size and configuration to permit orientation of a structure in an east-west alignment for southern exposure and solar easements.

(b) Examples of passive or natural cooling opportunities in subdivision design include design of lot size and configuration to permit orientation of a structure to take advantage of shade or prevailing breezes.

Sec. 26-72.9. Agricultural Preserves.

Each proposed lot which is subject, in whole or in part, to a contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7, commencing with Section 51200 of Part 1, of Division 1 of Title 5 of the Government Code) shall be consistent with the policy and uniform regulations governing administration of agricultural preserves in Solano County.

Sec. 26-73. Hillside and Visually-Sensitive Areas.

In areas where General Plan policies, Specific Plan policies or action of the Board of Supervisors provide that ridge lines, natural land formations, stands of native vegetation, open space and view shed corridors, or other visually-sensitive site characteristics should be maintained while integrating residential development, and in hillside areas having such characteristics, subdivision applications shall include and conform to the following provisions:

(a) The designation of building areas shall be shown on the tentative map;

(b) The designation of areas subject to grading, including the amount of excavation, fill, and/or export or import material shall be shown on the tentative map;

(c) The identification of all trees exceeding six inches in diameter measured three feet above the ground shall be shown on the tentative map for buildable area, road easements, driveway access and cut and fill areas;

(d) Elevation drawings, photographs, or other graphic illustration method showing each building area in the project setting as viewed from adjacent primary roads in the area, shall be provided.

Sec. 26-73.1. Design Guidelines.

The design of proposed subdivisions shall be evaluated under this section relative to the following guidelines:

(a) SITE GRADING

(1) Building pads should not be situated on slopes exceeding 25% grade.

(2) Stepped building pads should be utilized to reduce the grading of hillside areas and to reduce the mass and bulk of structures to be built thereon.

(3) Bare, exposed soils should be avoided and graded areas should be reseeded with natural grasses or should be planted, subject to a comprehensive landscaping plan which includes predominately native, drought tolerant and fire resistant species.

(4) Building pads atop ridge lines and knolls should be avoided.

(5) Grading to achieve flat areas atop ridge lines and knolls or other alteration of the existing topography including removal of native landscaping should be avoided.

(6) Retaining walls should be faced with materials and color compatible with the natural setting of the site such as natural stone or wood. Where it is physically feasible, retaining walls should be stepped to reduce the visual bulk and mass of such structures. Further, landscaping should be incorporated to minimize visual impacts of the walls, including plantings in front of or within the stepped structures.

(7) Contouring of graded areas to provide visual compatibility with existing terrain characteristics should be encouraged.

(b) **DESIGN ELEMENTS**

(1) The configuration of proposed parcels should be sensitive to existing landform and characteristics, particularly regarding building pad and access locations.

(2) Parcels should be designed and building pads and access driveways sited to allow, to the maximum extent feasible, the retention of open space and view corridors without intrusion.

Sec. 26-74. Road Rights-of-Way.

The road layout of a proposed subdivision shall be consistent with all road right-of-way designations and general alignment shown on the Circulation Element of the Solano County General Plan. As a condition of approval of tentative maps, subdividers may be required to dedicate, or to make irrevocable offers of dedication, or to obtain offers of dedication of real property for roads, alleys, flood control, drainage, public utility purposes or other public purposes, together with such access rights and abutment rights as may be required for public purposes. All roads that are to be offered for dedication and used for vehicular traffic shall conform to the Road Improvement Standards and Land Division and Subdivision Requirements for public roads, and all other roads that are to be used for access shall conform to the Road Improvement Standards and Land Division and Subdivision Requirements for private roads.

Sec. 26-75. Road Improvement Requirements.

The required improvement of existing roads and construction of new roads to provide access for subdivided land is contained in this section. Details and standards for construction of road improvements are contained in the Road Improvement Standards and Land Division and Subdivision Requirements.

Sec. 26-75.1. Provisions for Circulation and Access.

All proposed lots shall have, as a minimum, adequate access (as defined in the Road Improvement Standards and Land Division and Subdivision Requirements) to public rights-of-way or approved private roads. The design of the subdivision shall provide for the following:

(a) The circulation plan for a proposed subdivision shall provide public or private road frontage to each lot, shall conform to the circulation element of the county general plan and any other applicable circulation plan as may be adopted by the County, and shall extend proposed roads to contiguous property to facilitate through roads.

(b) Where lots abut a public or private road and road improvements are required to be made as a condition of approval of a tentative map, the standard of improvements required shall be reasonable for the parcels being created and shall conform to the Road Improvement Standards and Land Division and Subdivision Requirements.

(c) Where the Board of Supervisors has adopted plans for the establishment of bike lanes, but turnouts, equestrian trails, and other similar facilities, the design of the subdivision shall incorporate and allow for the establishment of such facilities.

Sec. 26-75.2. Additional Conditions for Properties Zoned RR-2, R-E, R-S, R-D and R-M.

In addition to the design standards set forth in this Chapter, the Advisory Agency may approve, or conditionally approve, a tentative final map or tentative parcel map affecting properties zoned RR 2, R-E, R-S, R-D and R-M, pursuant to Chapter 28 of the Solano County Code, only when the following minimum conditions are met:

(a) Each proposed lot shall abut a maintained public road, except where the road meets the requirements of Section 26-75.2(d), below.

(b) The proposed subdivision shall provide that each proposed lot shall abut an existing or proposed county road within the maintained mileage system or abut a state highway which affords access to the subdivision. If a subdivider proposes a public road to be constructed and dedicated it shall have direct access to an existing county road within the maintained mileage system or to a state highway. All proposed county roads shall be dedicated and offered for acceptance by the subdivider to the County of Solano. As a condition precedent to the acceptance of any such proposed county road, the Advisory Agency shall require reasonable off-site and on-site improvements to the standards required by the Road Improvement Standards and Land Division and Subdivision Requirements. If the road improvements are not completed prior to the filing of the final map or parcel map, the subdivider shall enter into a secured agreement or contract as described in Article XI of this Chapter, and in the case of a subdivision which creates four or fewer lots, a statement shall be placed on the parcel map stating the nature, extent and requirements for the construction of such improvements.

(c) If any proposed lot abuts or is provided access by a county road within the maintained mileage system, reasonable improvements limited to the dedication of rights-of-way and/or easements, and the construction of offsite and onsite improvements, or the payment of a road impact fee may be required by the Advisory Agency.

(d) If, in the judgment of the Advisory Agency, a proposed road cannot serve more than four potential lots, based on the existing General Plan, the proposed road may be a private road that is not maintained by the public. The road shall be improved to conform to the Road Improvement Standards and Land Division and Subdivision Requirements for private roads.

Sec. 26-75.3. Additional Conditions for Properties Zoned RR-5 and 55-10.

In addition to the design standards set forth in this Chapter, the Advisory Agency may approve, or conditionally approve, a tentative final map or tentative parcel map affecting properties zoned RR-5 and RR-10 pursuant to Chapter 28 of the Solano County Code, only when the following minimum conditions are met:

(a) Each proposed lot shall abut a maintained public road or private road.

(b) The proposed subdivision shall provide that each proposed lot shall abut an existing or proposed county road within the maintained mileage system, abut a state highway which affords access to each lot, or abut an existing or proposed private road. All proposed roads shall have a direct connection to an existing county road within the maintained mileage system or state highway. All public road improvements shall conform to the Road Improvement Standards and Land Division and Subdivision Requirements for public roads. All private roads shall be no less than deeded private easements improved to conform to the Road Improvement Standards and Land Division and Subdivision Requirements for private roads. If the road improvements are not completed prior to the filing of the final map or parcel map, the subdivider shall enter into a secured agreement or contract as described in Article XI of this Chapter, and in the case of a subdivision which creates four or fewer lots, a statement shall be placed on the parcel map stating the nature, extent and requirements for the construction of such improvements.

(c) If any proposed lot abuts or is provided access by an existing county road or private road, reasonable improvements limited to the dedication of rights-of-way and/or easements, and the construction of offsite and onsite improvements, or payment of a road impact fee may be required by the Advisory Agency.

Sec. 26-75.4. Additional Conditions for Properties Zoned T, A, A-L, P, C-H, C-N, C-G, C-S, C-O, M-L, M-G, I-WD, W, and MP.

In addition to the design standards set forth in this Chapter, the Advisory Agency may approve, or conditionally approve, a tentative final map or tentative parcel map affecting properties zoned T, A, A-L, P, C-H, C-N, C-G, C-S, C-O, M-L, M-G, I-WD, W, and MP established pursuant to Chapter 28 of the Solano County Code, only when the following minimum conditions are met:

(a) Adequate access as defined in the Road Improvement Standards and Land Division and Subdivision Requirements shall be provided to all lots.

(b) If the proposed subdivision abuts a county road, the standard of improvements, including dedication, shall be reasonable for the parcel being created and shall conform with the Road Improvement Standards and Land Division and Subdivision Requirements.

Sec. 26-75.5. Time of Construction.

If the subdivision does not create five or more lots, any construction requirements established pursuant to Section 26-75.2 through Section 26-75.4 shall be completed as a prerequisite to the issuance of any building permit, or at such other time as may be determined by the Advisory Agency pursuant to Section 66411.1 of the Subdivision Map Act. In such case, the Advisory Agency shall require a notation on the parcel map to the effect that said construction shall be completed as provided above unless, at the time of filing of the parcel map, the Advisory Agency requires the subdivider to complete said construction within a reasonable time following the approval of the parcel map because the same are necessary for reasons of public health and safety, or are required as a necessary prerequisite to the orderly development of the surrounding area.

Sec. 26-76. Utility Easements.

Whenever overhead utilities are allowed in a proposed subdivision by this Code, utility easements of sufficient width shall be provided along the rear or side lot lines. Whenever possible, such easements shall extend an equal distance into each of two abutting lots. This requirement may be modified or recommended for modification by the Advisory Agency if warranted by unusual circumstances in a particular proposed subdivision. To the extent practicable, underground utility easements, whenever necessary, shall be abutting and parallel to lot lines.

Sec. 26-77. Drainage Facilities and Rights-of-Way.

The design of a subdivision shall conform to good engineering practices, conform to Section 12.2-52, Standards for Subdivisions, Flood Damage Prevention of the Solano County Code, and shall provide for the proper drainage of the subdivision and all lots and improvements therein based on the runoff that can be anticipated from ultimate development of the watershed. The subdivision shall contain no undrained depressions. The subdivision and all lots and improvements therein shall be protected from off-site drainage or flood damage. All public facilities such as sewer, gas, electrical and water systems shall be located, elevated and constructed to minimize or eliminate potential flood damage. Any concentrations or increases of surface water resulting from the development of the subdivision must be conveyed by means of adequate facilities to a suitable natural watercourse in the area. If channels need to be constructed or improved to facilitate surface water removal, reasonable dedications to the appropriate public agency may be required. The design shall depict all those channels and all rights-of-way reasonably necessary for their improvements and maintenance. Such rights-of-way shall include, in addition to the channels themselves, and access right-of-way alongside the entire length of the channels.

Sec. 26-78. State Highways.

If an existing or proposed State highway abuts or crosses a proposed subdivision, the subdivider shall secure all pertinent road data and specifications, and shall make the design of the proposed subdivision compatible with such State highway.

Sec. 26-79. Public Water Agency.

Whenever a proposed subdivision is located within the boundaries of a public water agency willing and able to provide water service to the lots, the public water agency shall be chosen as the water purveyor for the proposed subdivision. At the time of tentative map approval, the Advisory Agency may waive the requirements of this section for good cause shown.

Sec. 26-80. On-site Water Supply System.

When the proposed subdivision contains lots that are not served by a public water agency, each lot shall have a water supply provided by a private, individual well or spring and the subdivider shall submit to the Environmental Health Services Division the water source quantity information which complies the criteria listed as follows:

- (a) All proposed lots within water yield zones >A= and >B= as designated on the USGS Water Bearing Rock Map dated 1972 (on file with the Department of Environmental Management) shall submit water quantity test results prior to recordation of the final map or parcel map which demonstrate that ample water for domestic purposes is available on each lot. The test shall conform to methods specified in the Solano County Water Supply Standards.
- (b) All proposed lots within water yield zones >C= and >D= shall be presumed to have an adequate water source for domestic purposes.
- (c) All well yield tests shall be conducted by a professional with proper training and knowledge relating to water quantity testing and who is licensed well-driller, a registered civil engineer, hydrologist or registered geologist.

(d) The results of water source production testing for subdivisions shall be reported on forms developed by the Environmental Health Services Division and shall include data relative to static water level, draw-down rates, pumping rates, and well recovery rates and test duration information.

(e) A minimum yield of 3 gallons per minute shall be deemed acceptable for domestic use provided that a note is included on the final map or parcel map that at least 500 gallons of water storage capacity will be required at the time of lot development. A yield of five gallons per minute shall be deemed acceptable for residential development with no additional storage requirements for drinking water supplies; however, additional storage may be required to meet the current fire code.

Sec. 26-81. Public Sewer Agency.

Whenever a proposed subdivision is located within the boundaries of a public sewer agency willing and able to provide sewer services to the lots, the public sewer agency shall be chosen to provide sewer service to the proposed subdivision. At the time of tentative map approval, the Advisory Agency may waive the requirements of the first sentence of this section for good cause shown.

Sec. 26-82. On-site Sewage Disposal Systems.

(a) In all cases where sewage disposal is not to be by means of a sewer operated by public sewer agency, it shall be by means of an individual sewage disposal system located entirely on the lot generating the sewage. Each proposed lot within a subdivision that is not served by a public sewer system shall meet minimum site and design criteria in this Section and Chapter 6.4 of the Solano County Code.

(b) Minimum Parcel Size.

(1) Parcels which are served by on-site sewage disposal systems and individual, on-site water supplies shall not be less than 5 acres.

(2) Parcels, which are served by on-site sewage disposal systems and community water supplies, operated by a public agency or utility district shall be no less than 2.5 acres. Where a planned unit development process is proposed where parcels may vary in size, the overall density of the project shall not be greater than one dwelling unit per 2.5 acres with a community water supply and no individual parcel development parcel shall be less than one acre in area.

(3) Parcels which meet the above-noted minimums, but are otherwise limited by conditions such as steep slopes, watercourses, easements, wetlands or other site constraints shall be sufficient size to accommodate conventional development (considering buildable area, driveways, parking areas and etc.) without the need to waive required setbacks, leach field area, or reserve areas.

Sec. 26-83. Street Lighting.

Prior to recordation of the final map or parcel map, the subdivider shall cause the area within the subdivision to be included in a County Service Area or other special district providing street lighting. At the time of tentative map approval, the Advisory Agency may waive this requirement if it finds that inclusion within such a service area or other special district is unnecessary because of the size or location of the proposed lots.

Sec. 26-84. Supplemental Facilities.

The Advisory Agency may require that improvements to be constructed or installed by the subdivider for the benefit of the subdivision contain supplemental size, capacity, number or length for the benefit of property not within the subdivision, and that some or all of those improvements be dedicated to public whenever the Advisory Agency determines that such supplemental size, capacity, number, length is necessary to ensure orderly development or otherwise protect the public health, safety or welfare. Any such requirement shall be subject to the condition precedent that the County enters into a reimbursement agreement with the subdivider pursuant to Article 6 (commencing with Section 66485) of Chapter 4 of the Subdivision Map Act.

CHAPTER 31

GRADING AND EROSION CONTROL.

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ARTICLE I. TITLE, PURPOSE AND GENERAL PROVISIONS.

Sec. 31-10. Title.

This chapter shall be known as the Solano County Grading and Erosion Control ordinance. (Ord. No. 1087, '1.)

Sec. 31-11. Purpose.

The purpose of this chapter, in conjunction with Chapter 70 of the Uniform Building Code, is to provide the means for controlling soil erosion, sedimentation, increased rates of water runoff and related environmental damage by establishing minimum standards and providing regulations for the construction and maintenance of fills, excavations, cuts and clearing of vegetation, revegetation of cleared areas, drainage control, and the protection of exposed soil surfaces in order to protect downstream waterways and wetlands and to promote the safety, public health, convenience and general welfare of the community. (Ord. No. 1087, '1; Ord. No. 1512, '1.)

Sec. 31-12. Definitions.

For the purpose of this chapter, the following definitions shall apply:

Applicant means a person, partnership, corporation or public agency requesting permission to engage in any clearing of vegetation or grading activity.

Civil engineer means a professional engineer registered as a civil engineer by the state of California.

Director means the director of the environmental management department of the County of Solano, or his/her authorized representative..

Diversion means a temporary or permanent structure consisting of a channel, ditch or ridge constructed across a sloping land surface to intercept and divert surface runoff.

Erosion means detachment and movement of soil or rock fragments by water, wind, ice or gravity.

Erosion and sediment control handbook means a handbook maintained by the county which serves as a guide to effective practices and structural measures for control of soil erosion and sedimentation.

Excavation or cut means any act by which soil, rock, earth, sand, gravel or any similar material is cut into, dug, quarried, uncovered, removed, displaced or relocated, and shall include the resulting conditions.

Fill means a deposit of earth or other material placed by artificial means.

Floodplain means the relatively flat area generally adjoining the channel of a natural stream which has been or may be hereafter covered by floodwater.

Grading means any excavation, stripping, cutting, filling, stockpiling, or any combination thereof which alters land or vegetation.

Land disturbance means any activity which results in the deposit or removal of any material or the alteration of either land or vegetation and which may result in increased potential for soil erosion or sedimentation.

Mulching means the application of plant residue or other suitable materials to the land surface to conserve moisture, hold soil in place, and aid in establishing plant cover.

Runoff means the surface water flow or rate of flow following precipitation.

Sedimentation means the process by which mineral or organic matter is removed from its site of origin, transported, and deposited by water, wind, or gravity.

Sediment basin means a reservoir which retards flows sufficiently to cause or allow deposition of transported sediment.

Site means any lot or parcel of land or a series of lots or parcels of land adjoining or contiguous or joined together under one ownership where grading, excavating or filling is, was or will be performed.

Watercourse means any natural or manmade channel for transporting water, including the streambed and the banks, whether continuously flowing or intermittent. (Ord. No. 1087, ' 1.)

Sec. 31-13. Appeals.

Appeals from decisions under this chapter shall be made to the board of supervisors in writing within ten days from the date of such decision. (Ord. No. 1087, ' 1.)

Sec. 31-14. Validity and severability.

Should any section, subsection, subdivision, sentence, clause, or phrase of this chapter be held unconstitutional, such section shall be deleted and shall not affect the validity or enforceability of the remaining sections of this chapter. (Ord. No. 1087, ' 1.)

Sec. 31-15. Fees.

A schedule of fees may be established by resolution of the board of supervisors for all costs incurred in the processing of any grading application. Such fees shall cover the full costs of review, approvals, inspections,

certification of compliance, or other determinations or actions necessitated by the permit application. A separate and distinct fee may be set by the board of supervisors by resolution for the cost of appeals filed pursuant to this chapter. (Ord. No. 1087, ' 1.)

ARTICLE II. PROCEDURE

Sec. 31-20. Grading permit requirement.

Except as exempted in sections 31-22 and 31-23 of this article, no person shall commence or perform any grading, filling, excavation, or clearing of vegetation for any purpose without having first obtained a grading permit from the environmental management department. A separate permit shall be required for each site and may cover both excavations and fills. (Ord. No. 1087, ' 1; Ord. No. 1512, ' 3)

Sec. 31-21. Requirements to qualify for exemption.

Before grading activities may qualify for one of the exemptions listed under Section 31-22 below, the following conditions and requirements must apply:

- (a) The activities must not endanger adjacent property, cause increased erosion, sedimentation or rate of water runoff, divert or impair the flow of water within a watercourse or cause a public nuisance.
- (b) All development activities exempted from the grading permit requirement shall be carried out in a manner consistent with the design principles and standards set out in this chapter to assure that the potential for erosion of any project is minimized.

Sec. 31-22. Exemptions.

When the conditions and requirements of Section 31-21, above, are met a grading permit shall not be required when the director has determined that the proposed work consists of the following activities:

- (a) Gardening primarily for home use and landscaping activity which involves land disturbance of less than ten thousand square feet of surface area.
- (b) An excavation below finished grade for swimming pools, septic tanks, leaching systems, basements and footings of a building, retaining wall or other structure authorized by a valid building or encroachment permit. This shall not exempt lot grading or filling for a construction site unless otherwise provided for by this section.
- (c) An excavation which (1) does not result in the movement of more than one hundred fifty cubic yards of material on any one site, (2) is less than eight thousand square feet of surface area, (3) is less than four feet in vertical depth at its deepest point measured from the natural ground surface, (4) does not create a cut slope steeper than two horizontal to one vertical (2:1), and (5) which is promptly stabilized or revegetated where needed to prevent erosion.
- (d) A fill which (1) does not exceed one hundred cubic yards of material on any one site, (2) is less than five thousand square feet of surface area, (3) is less than four feet in vertical depth at its deepest point measured from the natural ground surface, (4) is placed on a surface having a slope not steeper than seven horizontal to one vertical (7:1), (5) does not create a slope steeper than two horizontal to one vertical (2:1), (6) does not change the existing off-site drainage pattern above or below the grading site, (7) will not be used for structural support, and (8) is promptly stabilized or revegetated where needed to prevent erosion.
- (e) Accepted agricultural or managed wetland activities including routine mowing, plowing, harrowing, disking, ridging, leveling, riprapping and similar operations necessary to prepare an existing field for a crop or flooding with the exception of grading or leveling of land not previously graded or leveled for production.
- (f) Cemetery graves, well drilling, tunnels and trenches for utilities and exploratory excavations under the direction of soil engineers or engineering geologists.
- (g) Refuse disposal areas, sanitary landfills, mining, quarrying, excavating processing, stockpiling of rock, sand, gravel aggregate or clay, as authorized in the zoning ordinance, for which a use permit has been granted by Solano County where the operation and conduct thereof is being carried out in accordance with an approved plan for grading and erosion and sediment control and the project does not block or divert any natural drainage way or unduly increase runoff upon any adjacent or contiguous property.

- (h) Grading or development performed by Solano County or special districts which have incorporated grading standards as set forth in this chapter as part of their operating policies.
- (I) Land leveling activities for which a permit has been issued pursuant to chapter 9 of this code, drainage and flood control.
- (j) Development and maintenance of roads used primarily for fire access, fire breaks and stock trails.
- (k) Grading activities in the Suisun Primary Marsh as defined under the Suisun Marsh Protection Act.
- (l) Projects on state and/or federally owned and operated property. (Ord. 1087, '1; 1512, '5.)

Sec. 31-23. Grading provisions for major subdivisions.

The director is authorized and directed to enforce the provisions of this chapter for all grading done within subdivisions. A separate grading permit is not required for land disturbance activities associated with major subdivisions administered by the director where the control of grading and erosion is incorporated into the subdivision plans. A separate grading permit may be required, however, for minor subdivisions requiring grading activities associated with conditions of approval. No grading shall be done for subdivisions until a grading plan has received final approval by the director. (Ord. No. 1087, '1; 1512, '5.)

Sec. 31-24. Minor grading.

A minor grading permit may be issued by the transportation director for proposed projects of a minor nature. Factors used by the director in determining if a project is of a minor nature include, but are not limited to, the following:

- (a) The development will disturb an area of land less than thirty thousand square feet and result in less than one thousand cubic yards of earth movement.
- (b) The project will limit the establishment of impervious surfaces to a maximum of fifteen thousand square feet and will provide for the control of runoff from such surfaces.
- (c) There is an absence of steep slopes defined as fifteen percent or greater, highly erodible soils or unstable slopes defined as Type A lands in the health and safety element of the Solano County general plan.
- (d) The project will not damage structures on or adjacent to the site.
- (e) The project will not obstruct or block the drainage of waterways and channels.
- (f) The project will not impair significant natural vegetation, biological habitats, public views, or other sensitive natural resources.

Such a permit shall require the applicant to adhere to the provisions of the approved site map, grading plan and erosion control plan and to any additional conditions as required by the director in order for the project to conform to the standards set forth in this chapter. Such conditions may include but are not limited to drainage provisions, revegetation requirements and erosion and sediment control measures. (Ord. No. 1087, '1.)

Sec. 31-25. Permit procedure for a minor grading permit.

The application for a minor grading permit shall be made in writing on a form prescribed by the director and shall include all information, plans and maps deemed necessary for a comprehensive review of the project by the county. the application must be signed and certified by the owner of the property, or by an authorized agent. The application shall be accompanied by scale drawings, the permit application fee, and, if required, a bond. The director may waive portions of the application requirements or require additional information as needed. The application for a minor grading permit shall include but not be limited to the following:

- (a) A vicinity map showing the relationship of the site to the surrounding area roads, streams and important geographic features.

- (b) A site map to include the exterior boundaries of the property, adjacent roads, existing structures, major landmarks, stream alignments, contour intervals, soils description and all appropriate geologic information.
- (c) A grading plan indicating elevations, dimensions, quantity, location and the extent of the proposed grading and a schedule for construction activities. The grading plan shall also include a report showing the extent and manner of tree cutting and vegetation clearing and disposal, provisions for stockpiling topsoil used in revegetation of the site and plans for temporary and final revegetation of the site.
- (d) An erosion control plan which indicates necessary land treatment, structural measures and timing requirements which will effectively minimize soil erosion and sedimentation. (Ord. No. 1087, ' 1.)

Sec. 31-26. Major grading permit.

A proposed project which does not qualify for a minor grading permit as set forth in section 31-24, or as determined by the director, shall require a major grading permit. (Ord. No. 1087, ' 1.)

Sec. 31-27. Application procedure for a major grading permit.

(a) The application for a major grading permit shall be made in writing on a form prescribed by the director and shall include all information, plans and maps deemed necessary for a comprehensive review of the project by the county. The application for a major grading permit shall include the vicinity map, site map and grading plan as required for a minor grading permit under section 31-25. In addition, the director shall require that the application include an engineered erosion, sediment and runoff control plan which indicates necessary land treatment, structural measures and timing requirements which will effectively minimize soil erosion, sedimentation and the rate of water runoff. The erosion, and sediment and runoff control plan shall contain appropriate information required by this section and as deemed necessary by the director. The plan shall be prepared under the direction of a registered civil engineer and signed and sealed by the engineer unless this requirement is waived by the director. Following submittal of the application, the county shall determine the adequacy of the plan and may require the submission of further information when necessary to judge the adequacy of the planned erosion, sediment and runoff control measures. The proposed measures shall incorporate recommendations contained in the county's Erosion and Sediment Control Handbook. The plan shall contain a description of the following:

- (1) Vegetative measures.
- (2) Drainage protection and control measures.
- (3) Erosion and sediment control measures.
- (4) Runoff control measures.
- (5) Cut and fill construction.
- (6) Disposal of excess materials.
- (7) Stockpiling of materials.
- (8) Dust control measures.
- (9) A construction schedule.

(b) The director may also require additional information to be supplied by the applicant including but not limited to the following:

- (1) A soil engineering report including data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures when necessary, and opinions and recommendations covering adequacy of sites to be developed by the proposed grading.
- (2) An engineering geology report including an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinions and recommendations covering the adequacy of sites to be developed by the proposed grading. (Ord. No. 1087, ' 1; Ord. No. 1121, ' 1; Ord. No. 1512, ' 6.)

ARTICLE III. DESIGN PRINCIPLES AND STANDARDS.

Sec. 31-30. General design principles and standards.

The purpose of the general design principles and standards is to assure that development be accomplished so as to minimize adverse effects upon the existing terrain and to minimize the potential for erosion. Control measures are to apply to all aspects of the proposed grading and are intended to be operational during all stages of development. The following basic design principles and standards shall serve as minimum guidelines for grading plans and erosion, sediment and runoff control plans.

- (a) Stripping or burning of vegetation, grading, or other soil disturbance shall be done in a manner which will minimize soil erosion.
- (b) Existing natural vegetation shall be retained, protected and supplemented wherever feasible. Site development shall be accomplished so that existing trees are preserved whenever possible and practical.
- (c) Exposure of soil to erosion by removal of vegetation shall be limited to the smallest area practical and for the shortest time practical. Soil exposure shall not exceed an area in which development will be completed during a single construction season to insure that soils are stabilized and vegetation is established in advance of the rainy season (October 15--April 15); when necessary, extensions or restrictions of this time period may be established by the director on a case-by-case basis).
- (d) Facilities shall be constructed to retain sediment produced on site.
- (e) Sediment basins, sediment traps, diversions or similar required measures shall be installed well in advance of any clearing or grading and maintained throughout any such operations until removal is authorized by the director. The design of such structures should account for abating potential mosquito problems.
- (f) Temporary and final seeding, mulching, or other suitable stabilization measures shall be used to protect exposed erodible areas during development and in advance of the rainy season (October 15--April 15; when necessary, extensions to this time period may be granted by the director on a case-by-case basis).
- (g) Permanent control structures and final vegetation should be installed as soon as practical in the development and a long-range maintenance plan developed and adhered to.
- (h) Provisions shall be made to accommodate the increased runoff caused by altered soil surface conditions during and after development.
- (i) Surface runoff rates in excess of predevelopment levels shall be retarded by appropriate structural and vegetative measures.
- (j) Slopes, both cut and fill, shall not be steeper than two horizontal to one vertical (2:1) unless a thorough geological and engineering analysis indicates that steeper slopes are safe and appropriate erosion control measures are specified.
- (k) Cuts and fills shall not encroach upon natural watercourses, their floodplains, or constructed channels in a manner so as to adversely affect other properties.
- (l) Disposal of cleared vegetation and excavated materials shall be done in a manner which reduces the risk of erosion and shall strictly conform to the provisions of the approved grading permit. Topsoil shall be conserved for reuse in revegetation of disturbed areas whenever possible.
- (m) Proposed development and roadway alignments shall be fitted to the topography and soils to minimize erosion.
- (n) Waterways shall be designed to avoid erosion as much as practical. Wide channels should be constructed with flat side slopes and the channel and slopes should be lined with grass or other appropriate vegetation. Every effort must be made to preserve natural channels and drainage ways.

(o) Except as limited by section 28-37 of this code, Watershed and Conservation (W) Districts, filling, grading, excavating or obstructing the bed or banks of a watercourse and removal of the riparian vegetation shall be allowed only where no reasonable alternative is available and where allowed, shall be limited to the minimum amount necessary. (Ord. No. 1087, '1; Ord. 1121, ' ' 2, 3; Ord. No. 1512, ' ' 4, 5, 6, 7.)

ARTICLE IV. IMPLEMENTATION AND ENFORCEMENT.

Sec. 31-40. Review and approval.

Grading permit applications and accompanying maps and plans shall be reviewed by the county and approved when found to be in compliance with the provisions of this chapter, and conformance with acceptable grading and erosion control techniques. Permits required as a condition of a building permit, use permit or other land development permit will be issued only in conjunction with, or subsequent to, approval of such a permit and not in anticipation of such a permit. Permit applications which include the construction of a private or public roadway shall be reviewed and approved by the director of the transportation department prior to issuance. Any subsequent inspections and final acceptance of such roadway construction shall be performed by the director of the transportation department. In addition, the director shall not issue any permit for work to be performed under this chapter which may directly or indirectly impact any public road or right-of-way without having first obtained the approval of the transportation director. (Ord. No. 1087, ' 1; Ord. No. 1512, '8.)

Sec. 31-41. Inspection and enforcement.

The provisions of this chapter shall be enforced by the director who shall require inspection of all work and require compliance with all the provisions of the chapter. Whenever necessary to make an inspection to enforce any provision of this chapter, or whenever the director or the director has reasonable cause to believe that there exists on any private property a condition or activity which requires a permit as specified by this chapter, the director may enter such property at all reasonable times to inspect the same or to perform any duty imposed upon the director by this chapter. (Ord. No. 1087, ' 1; Ord. No. 1121, ' 4; Ord. No. 1512, '9.)

Sec. 31-42. Applicant's responsibilities.

(a) The applicant shall install all soil erosion and sediment control measures in strict compliance with the ordinance and in accordance with the approved erosion control plan.

(b) The director shall issue a "Notice of Permit" form or forms which shall be posted on the property at a place which can be easily seen any time that grading activity is occurring. A copy of the approved permit and plans must also be retained on site for review at any time.

(c) All soil erosion and sediment control measures shall be adequately maintained by the applicant for a period of one year or until such measures are permanently stabilized as determined by the director.

(d) An order to stop work may be issued and further work shall be prohibited if it is determined that the work does not comply with the provisions of the approved erosion control plan or with the provisions of this chapter until such time as compliance with the chapter is assured.

(e) A new or modified erosion and sediment control technique may be allowed to be used provided there is mutual agreement between the director and the applicant that the technique meets the intent of the erosion control plan.

(f) The director may require modifications to grading plans and operations if delays occur as a result of weather generated or other natural phenomena not considered at the time a permit was issued.

(g) The director may cause remedial work to be done at the applicant's expense if it is determined that it is necessary to protect completed work or to prevent damage. (Ord. No. 1087, '1.)

Sec. 31-43. Abatement of hazards.

If it is determined by the board of supervisors or by the director as the board's authorized representative that any existing excavation or embankment or fill on private property has become a hazard to life and limb or endangers property or adversely affects the safety, use or stability of a public way, watercourse, wetland or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the county shall, within the period specified therein, repair or

eliminate such excavation or embankment so as to eliminate the hazard and be in conformance with the requirements of this code. If the requirements of the notice are not complied with in the time period specified, the county may seek injunctive and/or other relief by a civil action against any person or persons participating in the violation. (Ord. No. 1087, '1; Ord. 1121, '5; Ord. 1512, '11.)

Sec. 31-44. Performance bond.

A performance bond, cash bond, instrument of credit or other form of security acceptable to the director may be required to be posted by the applicant. The amount of the bond or security shall be the full cost of the installed erosion and sediment control measures and for the maintenance of such facilities. At the discretion of the director, the bond may be held until the erosion and sediment control measures have been performed satisfactorily for a period of one year following completion of development or until such measures are permanently stabilized as provided for in this chapter. The bond may be used to provide for the installation and maintenance of the control measures if not done by the applicant and sediment runoff is occurring as a result. (Ord. No. 1087, '1.)

Sec. 31-45. Penalties.

Any person, firm, corporation or agency whether as principal agent, employee, or otherwise failing to comply with the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars for each separate offense and shall be strictly liable for the cost of any work required by the county to abate any erosion, sediment or runoff hazard. Every day any violation of this chapter shall continue shall constitute a separate offense. (Ord. No. 1087, '1.)

SECTION 10.

PUBLIC EDUCATION AND OUTREACH ATTACHMENTS

Administration, Planning, and Funding

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
A1.	Assess existing program elements	x					Review existing program structure and elements	List made of apparent deficiencies		Implementers	Department of Environmental Management
A2.a	Evaluate storm water program ordinance	x	x				Use existing workgroups to Identify needed changes to County Ordinance	Workgroup report on needed changes		Implementers	
A2.b			x	x			Get public input on proposed ordinance changes	Propose to Water Agency and Ag Advisory Committees, receive minutes		Public	
A2.c			x	x			Draft new Ordinance language	Ordinance created			
A2.d				x	x		Adopt new County Ordinance if recommended	Board of Supervisors approval of new ordinance		Board of Supervisors	
A2.e					x	x	Create final draft of the SWMP	Reproduce and distribute SWMP		Implementers	
A3.a	Evaluate existing maps of land uses and watersheds in urbanized areas, revise if necessary	x					Collect all available maps on land uses and watersheds.	Information compiled		Implementers	
A3.b			x				Identify holes.	Holes identified			
A3.c			x	x			Collect data to fill in data gaps	Data gaps filled			
A3.d					x		Draw final map.	Final maps of watersheds and current land uses completed			
A4.a	Assess pollutants of concern for urbanized areas	x	x				Compile existing studies on waterways/waterbodies in/around urbanized areas beyond those identified in the 303d list	Listing of waterways/waterbodies with their corresponding pollutants of concern in addition to the 303d list		Implementers	
A4.b			x	x			Determine additional pollutants of concern as current land uses are confirmed	Listing of land uses with their corresponding pollutants of concern			

Administration, Planning, and Funding

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
A4.c				x	x	x	Determine actions needed to reduce targetted pollutants from sources	Listing of recommended actions to reduce target pollutants		Implementers and Public/Business	
A4.d			x	x	x		Map pollutants of concern	Current maps depicting pollutants of concern		Implementers	
A5.	Assess potential for staffing and possible storm water coordinator position		x	x			DEM discussion of SWMP, funding, and existing positions with Board of Supervisors	Board of Supervisors decision on position, and hire if approved			
A6.	Expand Glossary	x					Expand glossary with terms	SWMP updated with new glossary		Implementers	Department of Environmental Management
A7.	Assess appropriate effectiveness measure	x	x				Need to assess and define some goals with effectiveness measures.	SWMP measurable goals updated with some noted effectiveness measures		Implementers	Department of Environmental Management
A8.	Develop an Enforcement Response Plan		x	x			Create a list of staff from D3 and detail policy and procedure for enforcement response	Enforcement Response Plan provided to all responsible staff		Implementers	Department of Environmental Management
A9.	Review all existing ordinances	x	x				Review existing ordinances in Section 9 involved with storm water pollution and revise if necessary (See A2)	Revisions (if necessary) approved through Board of Supervisors		Implementers	Department of Environmental Management

Public Education

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience(s)	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
B1.a	Outreach to local government officials.	x	x	x			Develop presentation to inform local government officials of the importance of reducing storm water pollution, the regulatory requirements, and the local Storm Water Pollution Prevention Plan	Completed PowerPoint presentation (See existing Phase II presentations for possible use)	Only rain down the storm drain	Local government officials and committees	Planning Division
B1.b		x	x	x	x	x	Give presentation at local BOS meetings and management meetings	Annual presentations given to local BOS members, and managers			
B1.c			x	x	x		Invite local government officials to be part of the Citizens' Advisory Committee that will be providing input to the Stormwater Management Plan	At least one local government official or a recommendation from a local government official who will be part of the Citizens' Advisory			
B2.	Outreach at public events and to local children	x	x	x	x	x	Continue to provide information at public events and to local children of the importance of reducing storm water pollution	Track number of events	Only rain down the storm drain	Public and children	
B3.	Outreach to permittees		x	x	x	x	Create a handout for building, grading, and encroachment permit applicants which describes the storm water program and goals	Track number of handouts		Permittees & Contractors	
B4.	Assess outreach possibilities		x	x	x	x	Public input and discussion with other Phase I and Phase II entities regarding shared/potential outreach avenues	Meeting minutes providing recommendations		Public	

Public Participation/Involvement

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience(s)	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
C1.	Assess the value/purpose of a Citizens' Advisory Committee	x	x				Solicit BOS for potential of a Citizens Advisory Committee, proceed if reasonable	Report of meeting minutes	Help control the discharge of pollutants into the storm drain	Public	Department of Environmental Management
C2.a	Public review of Storm Water Management Plan	x	x	x	x		Solicit written comments on Storm Water Management Plan from BOS, public advisory	Comments provided in writing and meeting minutes	Help control the discharge of pollutants into the storm drain	Public	
C2.b		x	x	x	x		Invite public to comment on Stormwater Management Plan as required by State and local public notice requirements	SWMP noticed for public review			
C2.c		x	x	x	x		Respond to comments	Response to comments			
C2.d			x	x	x	x	Revise Storm Water Management Plan based on comments	Final Storm Water Management Plan			
C3.	Public Clean-up days	x	x	x	x	x	Continue trash cleanup of local creeks and waterways	Track participation and determine pounds of trash collected	Keep creeks and waterways clean		

Illicit Discharge Detection and Elimination

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience(s)	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
D1.	Assess existing system to effectively conduct illicit discharge screenings and investigations	x					Review protocols used to investigate illicit discharges	Review complete with report of data entered and deficiencies	Only rain down the storm drain	Inspection staff	Environmental Health
D2.	Assess existing data base used to track illicit discharge reports and follow-up actions		x				Review existing data base and other agencies' data bases - Discussion of related data in text of SWMP	Review complete with report of data entered and deficiencies			
D3.a	Identify staff needs to implement illicit discharges' program	x	x				Identify existing staff who conduct follow-up, elimination, and clean-up of illicit discharges	Staff identified, needs outlined (if any)			
D3.b			x				Establish a contact list of staff dedicated to receiving information about non-storm water discharge	Phone number, email address, and staff identified			
D4.a	Evaluate need for adoption of new policy, proceed if necessary	x	x				Review existing policy and other agencies' ordinances	Review complete with report of deficiencies			
D4.b			x	x			Revise and adapt existing policy	Internal Department policy enacted			
D5.	Upgrade data base reporting system			x			Upgrade database system based on deficiencies found in D2	Data base updated and accessible by staff			

Illicit Discharge Detection and Elimination

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience(s)	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
D6.a	Staff training		x	x	x	x	Train agency staff on the administrative process for the illicit discharge screening and investigations program	Annual training records - Use a pre- and post-training survey to develop effectiveness reference	Following the administrative process will help control the discharge of pollutants to the storm drain	Environmental Health & Dept. of Transportation	Environmental Health & Dept. of Transportation
D6.b			x	x	x	x	Annually train appropriate staff to recognize illicit discharges and the procedures for responding to these discharges	Annual training records - Use a pre- and post-training survey to develop effectiveness reference	Only rain down the storm drain	Environmental Health & Dept. of Transportation	Environmental Health & Dept. of Transportation
D7.a	Develop maps of outfalls in urbanized areas and document existing dischargers		x				Collect all existing information on outfalls and map it	Information compiled	Final outfall map will assist in locating all the outfalls	Dept. of Transportation	Dept. of Transportation
D7.b			x				Identify holes	Holes identified			
D7.c				x			Collect data to fill in data gaps	Data gaps filled			
D7.d				x	x		Draw final map	Final outfall map completed			

Construction Site Runoff Control

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience(s)	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
E1.a	Evaluate existing ordinance for needed changes, update as needed	x					Assess Chapter 9 and Chapter 31 for compliance with Phase 2	Assessment completed with recommendations.	Sediment	Implementers	Planning & Building Division
E1.b		x	x				Review other agencies' ordinances	Assessment completed with recommendations.		Implementers	
E1.c			x	x			Use existing workgroups to Identify needed changes to County Ordinance	Workgroups reports on needed changes		Implementers	
E1.d			x	x			Get public input on proposed ordinance changes	Propose to Water Agency and Ag Advisory Committees, receive minutes		Public	
E1.e				x			Draft new ordinance language	Working draft of proposed ordinance		Implementers	
E1.f				x	x		Adopt Ordinance changes, if needed	Board of Supervisors approval of ordinance changes		Board of Supervisors	
E2.	Draft training materials		x				Develop training material for inspectors and plan checkers	Completed training material ready for use	Sediment	Implementers	Planning & Building Division
E3.	Train Inspectors & Plan Checkers		x	x	x	x	Provide background/overview for Inspectors regarding the new SWMP	Annual Training with the last year providing them a final draft of the SWMP		Inspectors & plan checkers	
E4.	Field Inspection of BMPs	x	x	x	x	x	Include inspections for erosion and sediment controls	Add erosion control sign off's on Building permit inspection cards		Permittees	
E5.	Plan review for BMPs	x	x	x	x	x	Continue plan review on new development and redevelopment projects for erosion and sediment controls	Plan check comments provided, permit issued	Installation and maintenance of erosion and sediment controls are necessary to significant reduce erosion	Permittees	

Construction Site Runoff Control

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience(s)	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
E6.	Draft contractor/public informational materials		x				Create a handout for building/grading permit applicants which details need for erosion controls	Flyer created	Sediment	Permittees	
E7.	Contractor/public informational materials distributed		x	x	x	x	Flyer included in permit application package	Package given to each applicant			

Post Construction Runoff Control

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience(s)	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
F1.a	Evaluate existing ordinance for needed changes, update as needed	x					Assess Chapter 26 and Chapter 31 for compliance with Phase 2	Assessment completed with recommendations	Sediment or other pollutants of concern	Implementers	Planning and Building Division
F1.b			x				Review other agencies' ordinances	Provide a report on recommended additions used by other agencies			
F1.c		x	x	x			Use existing workgroups to Identify needed changes to County Ordinance	Workgroups report on needed changes			
F1.d			x	x	x		Get public input on proposed ordinance changes	Propose to Water Agency and Ag Advisory Committees, receive minutes		Public	
F1.e			x	x	x		Draft new ordinance language	Working draft of proposed ordinance		Implementers	
F1.f			x	x	x	x	Adopt Ordinance changes	Board of Supervisors approval of ordinance changes		Board of Supervisors	
F2.	Re-train Inspectors & Plan Checkers		x	x	x	x	Provide annual training program on proper inspection, plan checking, and maintenance of structural controls, BMPs, and record keeping, including overview program	Annual Training records, with final SWMP provided in 2007-2008		Inspectors	Building Division
F3.	Field Inspection of BMPs	x	x	x	x	x	Continue inspections for post construction BMPs	Add sign off's on building permit inspection cards		Permittees	

Post Construction Runoff Control

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience(s)	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
F4.	Plan review for BMPs	x	x	x	x	x	Continue plan review on new development and redevelopment projects for post construction BMPs	Provide plan comments, permit issued	Installation and maintenance of erosion and sediment controls are necessary to significant reduce erosion	Permittees	
F5.	Evaluate reduction of impervious surfaces in new developments and redevelopments			x	x	x	Promote swales or filter strips to be installed to drainages	Include impervious surface reduction discussion in the County's Flood Hazard Awareness Program. Ordinance changes (if needed) may provide builder incentive for limited imp. surfaces (no imp. surf. = no permit)	Sediments, oil and grease, trash, fertilizer and pesticides. Reduce polluted discharge into the storm drain system	Developers and architects.	Building Division and Dept of Transportation
F6.	Provide roadside vegetative buffers	x	x	x	x	x	Require shoulder buffers between road and roadside drainage in new roads	All new roads constructed with shoulder buffers, documented		Developers and Implementers	
F7.a	Compile list of BMPs		x				Assess current list of BMPs in Solano County Erosion Control Handbook	Report on list current BMPs	Prompt inspection and maintainance of structural controls will reduce discharge of polluted water into the storm drain system and help comply with SWMP	Implementers	
F7.b			x				Review other agencies' BMPs	Report on list of agency BMPs			
F7.c			x	x			Use workgroup to recommend BMP types, including networking with other Phase I/II municipalities	Workgroup report on needed changes			
F7.d				x			Update Solano County Erosion Control Handbook	List of approved BMPs goes into the handbook			
F7.e				x			Create public handout regarding post construction BMPs	Handout to new permittees		Public	

Post Construction Runoff Control

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience(s)	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
F8.	Identify all storm water controls operated by the County		x	x			Locate, map, photograph and describe the site conditions of the structural controls. Group the different storm water controls with their respective BMPs in a final report	Completed report	Prompt inspection and maintenance of structural controls will reduce discharge of polluted water into the storm drain system and help comply with SWMP	Implementers	

Post Construction Runoff Control

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience(s)	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
F9.	Develop inspection and maintenance schedule		x				Develop an inspection and maintenance schedule to maximize efficiency and minimize labor requirements	Completed inspection and maintenance schedule			
F10.	Implement schedule			x	x	x	Inspect and maintain structural controls according to implementation schedule	Check records quarterly to ensure compliance	Prompt inspection and maintenance of structural controls will reduce discharge of polluted water into the storm drain system and help comply with SWMP	Implementers	Building Division and Dept of Transportation

Pollution Prevention/Good Housekeeping

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience(s)	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
G1.	Assess existing program for adequacy	x					Review existing operations and maintenance programs for adequacy	Assessment completed with list of recommendations for improvement	Oil and grease, metals garbage, fertilizer, dirt, and leaves.	Implementers	Department of Transportation
G2.	Create a street road cleaning plan		x				Determine street sweeping needs and create a plan to address when its appropriate	Plan created with G1 guidance		DOT Maintenance Crews	
G3.	Clean streets/roads	x	x	x	x	x	Continue street/road cleaning with guidance from G2.	Intermittent supervisory inspection		DOT Maintenance Crews	
G4.	Create an erosion control plan for drainage maintenance		x				Determine appropriate BMPs used to control erosion for drainage maintenance work, create a plan	Plan created with G1 guidance		DOT Maintenance Crews	
G5.	Provide erosion control maintenance	x	x	x	x	x	Continue erosion control maintenance with guidance from G4.	Intermittent supervisory inspection		DOT Maintenance Crews	Department of Transportation & Environmental Health
G6.	Assess the spill response plan for the Corp Yards, update as needed		x				Create a plan to respond and clean up spills	Plan created with G1 guidance		DOT Maintenance Crews	
G7.	Abate abandoned and inoperable vehicles	x	x	x	x	x	Continue existing abatement program	Tally number of vehicles abated each year		Implementers	Code Enforcement
G6.a	Keep records		x	x	x	x	Develop and use forms to report drainages maintained, areas swept, and vehicles abated	Review records quarterly to ensure the information is recorded		DOT Maintenance Crews and Code Enforcement	DoT and Code Enforcement
G6.b			x	x	x	x	Develop and use form to track areas where spills are reported.	Review records quarterly to ensure the information is recorded			Department of Transportation & Environmental

Pollution Prevention/Good Housekeeping

Activity/Best Management Practices		Begin Implementation					Implementation Plan	Quantifiable Target/Evaluation Tool	Message(s)/Pollutants Addressed	Targeted Audience(s)	Implementer(s)
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008					
G7.	Provide education and training		x	x	x	x	Train maintenance staff on erosion control, how to report illicit discharges, and maintain records	Annual training records		DOT Maintenance Crews	Department of Transportation