

ORDINANCE NO.856
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
ESTABLISHING A SEPTIC TANK PROHIBITION FOR SPECIFIED AREAS OF QUAIL
VALLEY AND REQUIRING THE CONNECTION OF EXISTING SEPTIC SYSTEMS TO
SEWER

The Board of Supervisors of the County of Riverside do Ordain as Follows:

SECTION 1. FINDINGS

The Board of Supervisors hereby makes the following findings of fact:

- A.** The proper disposal of sewage waste as generated in homes and business is essential to protect the health and welfare of the residents and visitors to the County of Riverside; and
- B.** The Quail Valley area was developed initially in the 1920's with individual septic systems and now experiences an unacceptable number of on-site disposal system failures due to age of the systems, small lot sizes and existing soil and groundwater conditions.
- C.** The records of the Department show numerous and ongoing failures of septic systems within the Quail Valley area, many of which are affecting newer construction as well as older residences; and
- D.** A survey conducted by the Department of Environmental Health in March of 2005 found that 37% of those residents responding from the Quail Valley area had sewage or grey water discharges to the ground surface and on to the streets; and
- E.** These failures lead to the discharge of untreated sewage to the surface of the ground, mixing with other run-off water that directly impacts the residents of the community and can pollute the runoff water during rain events; and
- F.** Storm water runoff from this area drains almost directly into Canyon Lake which is listed by the USEPA as an impaired water body due to excessive concentrations of bacteria, nitrogen and phosphorus, all of which are present in septic wastes, and
- G.** Resolution No. R8-2004-0037 established by the SARWQCB and approved by the USEPA requires the County of Riverside to institute Regulations and Programs to reduce the level of the nitrogen and phosphorus going into Canyon Lake; and
- H.** Further requirements are being developed by the SARWQCB that will require the County of Riverside to institute regulations and programs to reduce the level of the pathogens going into Canyon Lake; and
- I.** The Department believes that, due to the small lot sizes, high population density, historical failure rates, poor soil conditions and variable groundwater levels that any new septic system being installed in the prohibited areas as defined in Section 3 of this Ordinance has an unacceptably high probability of either failing on-site or otherwise contributing to the pollution levels in and from the community; and
- J.** In light of the above findings a potential health hazard exists in the Quail Valley area due to the lack of an effective sewer system; and
- K.** The SARWQCB has drafted and is pursuing Basin Plan Amendment 2006-0024 to include a Waste Discharge Prohibition on the use of Onsite Septic Tank-Subsurface Disposal Systems in the Quail Valley area of Riverside County; and

- L. The Eastern Municipal Water District has completed a feasibility study for a sewer system that will transport the wastewater to an existing treatment facility and thereby address the potential health issues related to failing or inadequate septic systems; and
- M. The Uniform Plumbing Code, referenced as the County's standard for plumbing design and installation by Riverside County Ordinance No. 457, states in Appendix K, Section (g) "When there is insufficient lot area or improper soil conditions for adequate sewage disposal for the building or land use proposed, no building permit shall be issued and no private sewage disposal shall be permitted."

SECTION 2. DEFINITIONS

- A. "Department" shall mean the Riverside County Department of Environmental Health.
- B. "Feasibility study" shall mean the study prepared by PBS&J for the Eastern Municipal Water District, entitled "Quail Valley Sewer Improvements Alternatives Study", dated August 2005, regarding the feasibility of a sewer system in the Quail Valley Area.
- C. "Prohibited area" shall mean the areas located within sub areas four (4) and nine (9) as identified in the Quail Valley Boundary Map.
- D. "Quail Valley area" shall mean the areas north and east of the City of Canyon Lake on either side of Goetz Road described and depicted on the maps created for the Eastern Municipal Water District feasibility study.
- E. "Quail Valley Boundary Map" shall mean the map identified as Figure 4 of the Feasibility study as defined above and on file at the Department.
- F. "SARWQCB" shall mean the State of California Santa Ana Regional Water Quality Control Board.
- G. "USEPA" shall mean the United States Environmental Protection Agency.

SECTION 3. PROHIBITIONS

- A. No new septic systems shall be approved for any lot or parcel within the prohibited area after the date this Ordinance becomes effective.
- B. No existing system in the prohibited area shall be expanded or otherwise modified to accommodate new construction and/or additional wastewater generating fixtures or appliances.

SECTION 4. REPLACING OR REPAIRING EXISTING SYSTEM

- A. In the event that an existing system requires replacement or repair, such replacement may be approved and installed, subject to the existing requirements of Riverside County Ordinance No. 650.
- B. If and when a decision is formally made to provide sewer service to the area, a holding tank may be provided as a substitute for replacement of an existing system subject to the conditions in Riverside County Ordinance No. 650.

SECTION 5. MANDATORY CONNECTION TO SEWER

All existing septic tank-subsurface disposal systems within the Quail Valley area shall connect to the sewer designed to serve the lot within one year of sewer installation.

SECTION 6. REQUIREMENT FOR COMPLIANCE

Non-compliance with this Ordinance shall be deemed a violation of Riverside County Ordinance No. 650

SECTION 7. SEVERABILITY

If any clause, provision, sentence, or paragraph of this Ordinance or the application thereof, is deemed to be invalid as to any person, entity, establishment, or circumstance, such invalidity shall not affect the other provisions of the Ordinance which shall remain in effect.

SECTION 8. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after the date of its adoption or upon the effective date of Basin Plan Amendment 2006-0024 whichever is later.

Adopted: 856 Item 16.2 of 08/29/2006 (Eff: 09/28/2006)