

**ORDINANCE NO. 864
(AS AMENDED THROUGH 864.1)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE
NO. 864 ESTABLISHING A NINETY DAY MORATORIUM FOR THE
ACCEPTANCE OF APPLICATIONS FOR NEW SEPTIC TANK SYSTEMS FOR
CHERRY VALLEY**

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.** High levels of Nitrate in drinking water are implicated in a number of illnesses and health disorders. For that reason, both the USEPA and the State of California have established Maximum Contaminant Levels (MCLs) that may not be exceeded in water provided to the public; and
- C.** Rising nitrate levels have been observed in wells in the Cherry Valley Community of Interest (CVCOI) and recently nitrate concentrations in wells owned by the Beaumont Cherry Valley Water District (BCVWD) have approached the Maximum Contaminant level (MCL) for nitrates; and
- D.** Two water companies in the CVCOI, Bonita Vista Mutual Water Company and Cherry Valley Mutual Water Company, have requested to be annexed into BCVWD's service area, due in part to the high nitrate concentrations in their wells; and
- E.** On July 12, 2006, Wildermuth Environmental Inc. published a draft report entitled Water Quality Impacts from On-Site Waste Disposal Systems in the Cherry Valley Community of Interest. The report was prepared for the San Timeteo Watershed Management Authority and provides compelling evidence that groundwater in the CVCOI is becoming degraded by elevated nitrates and that local septic systems are a primary contributor to that degradation; and
- F.** In light of the above findings, a potential health hazard exists in the Cherry Valley area due to the effects of current wastewater treatment systems in the CVCOI; and
- G.** It is appropriate that the County initiate reasonable and prudent actions to prevent this potential public health hazard from becoming a public health emergency.
- H.** Due to the need for further analysis by staff and possible coordination with the Santa Ana Regional Water Quality Control Board for long term solutions the establishment of a ninety day moratorium on new septic systems in the area is an appropriate interim action.

SECTION 2. DEFINITIONS

A. “Department” shall mean the Riverside County Department of Environmental Health.

B. “Cherry Valley Community of Interest” shall mean the area generally located north of the City of Beaumont, east of the City of Calimesa, west of Bellflower Ave. and south of the San Bernardino County line, with the exception of the areas south and west of the Beaumont Ave. and Brook side Ave. intersection and the area north of Sylvania Lane and east of Taiga Rd.

SECTION 3. MORATORIUM

A. No application for a new septic system shall be accepted for any lot or parcel within the CVCOI during the period this Ordinance is effective unless that system is designed to remove no less than 50% of the nitrogen released in the effluent (Advanced Treatment, denitrifying systems).

B. No existing system in the 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

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.

SECTION 5. REQUIREMENT FOR COMPLIANCE

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

SECTION 6. 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 7. EFFECTIVE DATE

“This Ordinance shall take effect thirty (30) days after the date of its adoption and shall then remain in effect for a period of One Hundred and Twenty (120) days.”

Adopted: 864 Item 16.1 of 10/18/2006 (Eff: 11/16/2006)

Amended: 864.1 Item 9.2 of 02/27/2007 (Eff: 03/29/2007)