

Chapter 7.42 SEPTIC TANKS

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Article I. Septic Tank Sludge Removal

7.42.001 Findings and purpose.

The Board of Supervisors finds that proper removal and transport of septic tank sludge is essential for septic system maintenance and protection of public health. It is the intent of this article to provide for the proper removal and transport of sludge by setting forth performance criteria and permit requirements for persons to clean septic tanks and transport sludge. [Ord. 3818 § 2, 1987].

7.42.010 Permit—Required.

It is unlawful for any person, firm or corporation to engage in the business of cleaning, evacuating or removing sludge or sewage from septic tanks, cesspools, pit privies, chemical toilets or other privately owned sewage disposal receptacles, all called “sewage receptacles” in this chapter, in the County without first obtaining a permit as provided in this chapter. [Ord. 3818 § 2, 1987].

7.42.020 Permit—Application, fees, expiration and delinquency penalty.

- (A) Application. Application for a permit and for renewal thereof shall be filed with the Health Officer upon such forms as the Health Officer may prescribe.
- (B) Fees. The permit fee for the calendar year or any part thereof during which the permitted activity is carried on and for renewal thereof shall be that established by resolution of the Board of Supervisors.
- (C) Expiration. Each permit shall expire on December 31st of the current year; provided, that such permit may be renewed without penalty on or before February 15th next following the expiration date.
- (D) Delinquent Permits. Permittees who do not renew the permit on or before February 15th shall pay the extra amount established by resolution of the Board. [Ord. 3818 § 2, 1987].

7.42.030 Permit—Issuance conditions.

The Health Officer shall issue a permit to such applicant after inspecting the tank, compartment or other container to be used by the applicant in his business and determining that:

- (A) The pumping equipment is in good and proper working order and adequate, and the proposed dumping site is acceptable and has been approved;
- (B) A valid certificate as to the capacity of the tank has been secured from the County Sealer of Weights and Measures;
- (C) The name and address or phone number of the owner appear on each side of the truck in letters at least four inches high. All lettering shall be permanent;
- (D) The tank has at least a 1,500-gallon capacity and the capacity of the tank in gallons appears on each side of the tank in letters at least four inches high. Tanks must be watertight and have tight manholes. Discharge valves shall shut tight. All valves shall be operated from the valve itself and not at the driver's seat or by remote control;
- (E) The pump is leakproof and spillproof;
- (F) A special hose for cleaning purposes is carried. All hose and pipe used in cleaning shall be flushed back into the tank being cleaned and not on the ground or premises. The hose shall be equipped with a dual check valve to prevent backflow of contaminated water into the customer's water system. A customer's hose shall not be used;
- (G) The vehicle and equipment shall be maintained in a clean condition, and in good repair;
- (H) The applicant demonstrates to the Health Officer that the applicant is knowledgeable of the operation of the equipment and of the proper procedures for cleaning and inspecting a septic tank, as set forth by the Health Officer. [Ord. 3818 § 2, 1987].

7.42.040 Permit—Not transferable.

No permit issued under this chapter shall be assignable or transferable, nor shall it authorize any person, firm or corporation other than the one named in the permit to engage in the business mentioned therein. [Ord. 3818 § 2, 1987].

7.42.042 Performance.

- (A) Procedures for cleaning and inspecting a septic tank system shall be established by policy of the Health Officer.

(B) The permittee must comply with the requirements of this chapter and with the procedures set forth by the Health Officer for cleaning and inspecting a septic tank system. Each permittee shall be responsible for ensuring that the permittee's employees comply with the requirements of this chapter and with the procedures set forth by the Health Officer for cleaning and inspecting a septic tank system. [Ord. 3818 § 2, 1987].

7.42.050 Disposal of sludge.

(A) Septic tank cleanings shall be disposed of only in one of the following manners:

- (1) By disposal at a site which has been approved for such sludge disposal through the issuance of a permit by the Health Officer, pursuant to provisions of this chapter;
- (2) By disposal into a public septage-receiving facility if a permit is first secured from the officials in charge of the facility. Pumpings from chemical toilets shall only be discharged at a septage-receiving facility.

(B) If a significant spill of septic tank sludge occurs, or if sludge is discharged to an unapproved site, the operator shall immediately notify the Health Officer and shall take steps to clean up the spill, disinfect the area, and prevent any discharge to a waterway. A "significant spill" is any spill that occurs in a public right-of-way, that enters a waterway, that leaves the property where the spill occurs, or that exceeds 15 gallons in volume. [Ord. 3818 § 2, 1987].

7.42.060 Tank pumping reports—Changes of address.

(A) A quarterly report shall be made to the Health Officer on forms provided by the Health Officer (individual sheets for each property) giving the following information on every septic tank or sump which has been pumped:

- (1) Date;
- (2) Name and address;
- (3) Gallons pumped;
- (4) Disposal location;
- (5) Septic tank or sump size (in gallons, or inside dimensions below inlet pipe);
- (6) Septic tank condition (broken baffles, rotten sides or top, leaks, etc.);
- (7) Indications of septic system failure (high liquid level, backflow, surfacing sewage on site, etc.);
- (8) Assessor's parcel number;
- (9) Property use, if other than residential.

(B) All septic tank cleaners must give receipts bearing the name and address of the owner of the septic tank pumper and the address of the tank pumped to the person who contracts to have the septic tank cleaned.

(C) A change of address of the septic tank pumper must be reported within 10 days by certified mail to the Health Officer.

(D) Reports of pumpings from chemical toilets shall indicate total volumes pumped during the quarter, number of pumpings, and location of disposal. [Ord. 3818 § 2, 1987].

Article II. Discharge of Deleterious Materials to Septic Tanks

7.42.100 Findings and purpose.

The Board of Supervisors finds that discharge of certain materials to individual wastewater disposal systems may result in pollution of groundwater, disruption of proper system functioning, disruption of treatment plant functioning, or creation of a hazard where septic tank sludge is discharged. It is the intent of this article to prevent these adverse impacts by prohibiting the discharge of deleterious materials to individual sewage disposal systems, and to prohibit the improper disposal of contaminated septic tank sludge. [Ord. 3818 § 2, 1987].

7.42.110 Definitions.

(A) "Deleterious material" means the following substances or combination of substances:

- (1) "Hazardous materials" or "hazardous substances," as defined in SCCC 7.100.020; or
- (2) Substance or combination of substances which inhibit the normal biological or physical treatment processes in the septic tank or other parts of the wastewater disposal system; or
- (3) Substance or combination of substances which interfere with the process or efficiency of any wastewater treatment plant where the septic tank sludge is discharged.

(B) Deleterious materials include but are not limited to: pesticides, organic solvents, gasoline, paints, caustic chemicals, motor oil, degreasers, paint thinner, wood preservatives, paint strippers, septic tank cleaners containing organic solvents, unmixed photographic chemicals, and fiberglass resins. [Ord. 3818 § 2, 1987].

7.42.120 Prohibition of discharge.

It is unlawful for any person to discharge to an individual sewage disposal system any deleterious material unless prior authorization to do so has been granted by the Health Officer. Authorization may only be granted where such discharges would not cause adverse impacts, as defined in SCCC 7.42.100. [Ord. 3818 § 2, 1987].

7.42.130 Disposal of contaminated sludge.

Discharge of septic tank sludge containing deleterious material(s) shall only be to a site or facility specifically approved by the Health Officer for disposal of such contaminated sludge. [Ord. 3818 § 2, 1987].

Article III. Septic Tank Sludge Disposal Sites

7.42.200 Findings and purpose.

The Board of Supervisors finds that improper discharge of septic tank sludge may result in pollution of surface or groundwater, creation of a public health hazard or creation of a nuisance. It is the intent of this article to set forth criteria and procedures for establishing and operating suitable sludge disposal sites to prevent adverse impacts, as set forth in this section. [Ord. 3818 § 2, 1987].

7.42.210 Disposal permit required.

(A) Permit. A permit allowing disposal of septic tank sludge at a given site must be issued by the Health Officer prior to the utilization of that site for disposal of septic tank sludge.

(B) Application. Application for a disposal permit and for renewal thereof shall be filed with the Health Officer upon prescribed forms. The Health Officer may require submittal of detailed information on soils, geology, topography, proximity to surface water, presence of 100-year floodplain, groundwater occurrence, and any other site factors which might affect the suitability of the site for sludge disposal. The application must also include an operational plan which specifies disposal locations, disposal procedures, measures for runoff control, and other measures for site management.

(C) Fees. Application for an initial permit or for renewal of a permit shall be accompanied by a fee, as

established by resolution of the Board of Supervisors.

(D) Expiration. Each disposal permit shall expire on December 31st of the current year; provided, that such permit may be renewed without penalty on or before February 15th next following the expiration date.

(E) Delinquent Permits. Permittees who do not renew the disposal permit on or before February 15th shall pay a penalty as established by resolution of the Board of Supervisors.

(F) Existing Disposal Sites. Disposal sites which were operating under the supervision of the Health Officer, and the Regional Water Quality Control Board as of January 1, 1987, will be deemed to be existing sites. The initial application for an existing site must be submitted by December 31, 1987.

(G) Environmental Review. The initial application for a permit to operate a sludge disposal site, and any application for permit renewal which includes substantial modifications to the terms of the previous permit shall be submitted to the Environmental Coordinator pursuant to the Santa Cruz County environmental review regulations. [Ord. 3818 § 2, 1987].

7.42.220 Disposal operations.

Every septic tank sludge disposal operation shall conform to the following restrictions:

(A) The point of disposal must be at least 500 feet from a publicly used road, residence, well, or waterway. Disposal shall not take place within a 100-year floodplain.

(B) The disposal area shall not have slopes steeper than 15 percent, unless the Health Officer determines that site conditions are particularly favorable, in which case the Health Officer may authorize disposal on slopes no steeper than 25 percent. The Health Officer may require that the disposal area be protected by berms and/or other drainage-control measures to prevent inflow of runoff, or outflow of sludge or contaminated runoff. Where disposal of sludge will take place on slopes greater than 15 percent, a soil engineer's report addressing slope stability may be required.

(C) Disposal shall not take place at sites where soils, underlying geology, topography and/or proximity of groundwater will allow pollution of surface or groundwater. The Health Officer may require periodic monitoring of surface or groundwater to determine whether pollution is occurring.

(D) The operator shall not operate the sludge disposal site in a manner which contributes to pollution of surface or groundwater, creates a public health hazard, or creates a nuisance.

(E) A disposal permit shall only be issued for sites located on parcels greater than 40 acres. [Ord. 3818 § 2, 1987].

7.42.225 Disposal permit conditions.

The Health Officer may limit the amount and type of sludge that can be discharged to the site and may impose such other additional conditions as deemed necessary to ensure compliance with the intent of this chapter. [Ord. 3818 § 2, 1987].

7.42.230 Disposal permit—Inspection.

The Health Officer is authorized to conduct inspections of permitted sites to ensure that permit conditions are adhered to and that the intent of this chapter is met. If violations of the permit, this chapter, other applicable County ordinances, State laws or State permits are discovered, the Health Officer may require the operator to take immediate steps to correct the violations. [Ord. 3818 § 2, 1987].

7.42.240 Disposal permit—Operations creating a nuisance—Prohibition.

(A) The operator of a septic tank sludge disposal site under a disposal permit issued by the Health Officer shall not operate the disposal site in a manner which contributes to pollution of surface or groundwater, creates a public health hazard or creates a nuisance.

(B) The operator of a septic tank sludge disposal site under a disposal permit shall maintain records of the daily volumes of sludge that are discharged and shall submit those records quarterly to the Health Officer. [Ord. 3818 § 2, 1987].

7.42.245 Abatement order.

In the event the Health Officer determines that a violation of the provisions of this chapter exists, the Health Officer may abate such condition as a nuisance in accordance with Chapter [1.14](#) SCCC. [Ord. 3818 § 2, 1987].

Article IV. Suspension, Revocation, Appeals**7.42.300 Suspension and revocation of permits.**

Any permit issued pursuant to this chapter may be temporarily suspended by the Health Officer upon violation of any of the provisions of this chapter, or of other applicable laws, and in the event of serious or repeated violations, such a permit may be revoked by the Health Officer. The Health Officer shall give written notice by registered mail to the permittee stating the nature of the violation and the action taken on the permit. Suspension or revocation shall not be effective until written notice is given. [Ord. 3818 § 2, 1987].

7.42.310 Appeals.

(A) A person whose application for permit under the provisions of this chapter has been denied or whose permit, once issued, has been suspended or revoked, may, within 10 days following the date on which the action was taken, file an appeal in writing with the Environmental Health Appeals Commission. The appeal shall be accompanied by the filing fee established by resolution of the Board of Supervisors. The Environmental Health Appeals Commission shall then proceed to set the matter for hearing not later than 20 business days thereafter. The permittee shall be given 10 days' written notice of hearing.

(B) The appeal shall be made in writing and shall state the grounds for appeal.

(C) After hearing the appeal, the Environmental Health Appeals Commission may either affirm, overrule, or modify the action of the Health Officer.

(D) The action of the Environmental Health Appeals Commission on any matter appealed to the Commission shall be final. [Ord. 3818 § 2, 1987].

The Santa Cruz County Code is current through Ordinance 5223, passed May 24, 2016.

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