

*Operation of a Septic System Without a Required Permit Due to Lack
of Renewal of the Operational Permit*

PURPOSE

It is the intent of this policy to provide clear guidelines which will enable staff to abate septic systems that are operated without a valid Operational Permit, collect all delinquent fees and penalties, insure that permits are obtained and to insure that all septic systems requiring an Operational Permit are properly monitored.

GENERAL

Operation of septic systems without the required Operational Permit is a violation of Section 24-33(a) of the Sonoma County Code. Operation without a permit also jeopardizes the County's ability to properly monitor the system and enforce discharge standards.

AUTHORITY

Section 1-7 and Sections 24-32, 22, 34 and 35 of the Sonoma County Code

PROCEDURE

It shall be the responsibility of the Senior Environmental Health Specialist in charge of the Operational Permit program to insure that septic systems which require an Operational Permit are not operated without a valid permit and that fees are collected in accordance with the procedures outlined below. All fees and penalties shall be collected unless adjusted by the Hearing Officer or a settlement is reached with the Code Enforcement Manager. Uncollected revenues shall be sent to Central Collections for collection and a lien recorded against the property.

1. Within thirty (30) days of determining that a septic system is being operated without the reacquired permit, a Notice of Violation shall be sent. The notice shall notify the property owner of their appeal rights. If an appeal is filed, a hearing will be scheduled with the Hearing Officer.
2. After sixty (60) days in which the septic system is operated without the required permit, a letter will be sent to the property owner which shall include increased penalties.

The Code Enforcement Division will be responsible for scheduling the time and date of the hearing. The staff report for the hearing will be prepared by the Operational Permit program Environmental Health Specialist.

3. After one hundred eighty (180) days from the required date of renewal, exclusive of any time spent in hearings, the property owner will be notified of additional penalties under Section 1-7.1 of the County Code unless otherwise adjusted by the Hearing Officer. This notice will be sent by the Operational Permit program Environmental Health Specialist.
4. Subsequent to the hearing, fees, abatement costs and penalties assessed by the Hearing Officer will be sent to the Central Collections by the Department accountant and a lien will be placed onto the property. The Code Enforcement Division will continue with civil abatement proceedings.

Approved by:

Date Posted: 9/27/02

/s/ Richard L. Holmer

Richard L. Holmer, Operations Manager

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