

TO: JAMES L. APP, CITY MANAGER
FROM: JOHN R. McCARTHY, DIRECTOR OF PUBLIC WORKS
SUBJECT: 959 WALNUT DRIVE (PALOMAR CONSTRUCTION)
DATE: JUNE 15, 1999

Needs: Consider allowing septic tank usage for a proposed single family residence at 959 Walnut Drive.

- Facts:**
1. Pursuant to Municipal Code Section 14.08.020, construction of any septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage may be permitted only if sewer is not available.
 2. There is currently no sewer available to serve this residential lot. The closest sewer is scheduled to be constructed at the intersection of Kleck Road and Union Road, about 600 feet away.
 3. The applicant has submitted a written request (attached) to construct a septic system for a proposed single family residential building. The applicant will be required to abandon the septic system, connect to the City sewer, and pay connection fees when it becomes available, in accordance with the Operations Code.

**Analysis
and**

Conclusion: The applicant is formally requesting permission from the City Council for a septic system for use. However, when a future source of sewer service is constructed the applicant will, by written direction of the City Engineer, be required to pay applicable connection fees, abandon the septic system, and connect to the new sewer facilities.

The applicant will be required to comply with the City's Sewer Ordinance as well as the requirements stated in the Memorandum of Understanding between the City and the California Regional Water Quality Control Board (CRWQCB). These Requirements include, but are not limited to, design guidelines and applicant's agreement to pay certain fees in order for the City to perform annual monitoring of the proposed septic tanks.

Policy

Reference: Title 22 of the Municipal code and Subdivision Map Act, Municipal Code Section 14.08.020 Sewerage System Operations. Memorandum of Understanding (MOU) between the City and CRWQCB as adopted by the City per Resolution No. 94-116 and the CRWQCB per resolution No. 95-02.

Fiscal

Impact: None

- Options:**
- A. That the City Council adopt a resolution authorizing usage of a septic system for a proposed single family residence located at 959 Walnut Drive.
 - B. That the City Council amend, modify, or reject the above option.

Attachments: Resolution
Application for Septic Tank Use

Recording Requested by and
when recorded return to:

**CITY OF PASO ROBLES
CITY ENGINEER
1000 SPRING STREET
PASO ROBLES, CA 93446**

FOR RECORDERS USE ONLY

RESOLUTION No. 99-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AUTHORIZING USAGE OF A SEPTIC SYSTEM AT 959 WALNUT DRIVE**

WHEREAS, the City of Paso Robles has received an application to utilize a septic system for a proposed single family residential lot located at 959 Walnut Drive; **and**

WHEREAS, the City Municipal Code, Section 14.08.020 prohibits septic systems within the City limits, unless sewer facilities are not available; **and**

WHEREAS, the City of Paso Robles and the California Regional Water Quality Control Board have adopted a Memorandum of Understanding (MOU) whereby the City may review and approve septic tank use within the parameters set forth in the MOU.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the City Council adopt this Resolution authorizing usage of a septic system at the aforementioned project site.

Section 2. That the applicant comply with the City's requirements and procedures regarding the use of septic tanks, including, but not limited to, payment of monitoring fees, construction of a dry sewer lateral, or any other items necessary as required by the California Regional Water Quality Control Board and/or the Director of Public Works.

Section 3. That the applicant is required to connect to a future sewerage system immediately upon receipt of written notification by the City Engineer of such availability in accordance with provisions of the Operations Code.

Section 4. That the applicant shall, prior to constructing said connection, pay all connection and sanitary sewer main extension and reimbursement fees in effect at the time.

Section 5. That upon connection to a future sewer system the applicant is required to properly abandon the existing septic system within (60) calendar days of connection to the City's sewerage system.

BE IT FURTHER RESOLVED that the City Clerk of the City of Paso Robles cause a certified copy of this Resolution to be recorded in the Office of the County Recorder of the County of San Luis Obispo, State of California.

PASSED AND ADOPTED by the City Council of the City of Paso Robles, this 15th day of June, 1999, on the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Duane J. Picanco, Mayor

ATTEST:

Cindy Pilg, Deputy City Clerk

City of Paso Robles

APPLICATION FOR SEPTIC TANK USE

Applicant: Pat and Sarah Wilson Date: 6/1/99

Property Address: 959 Walnut Ln

Assessors Parcel Number: 025-040-018

Permit Fee: \$240

City Council Approval: Resolution No. _____

Approved By: _____ Date: _____

City Engineer

AGREEMENT

In return to the City's approval for allowing me to use a septic tank system for my property, I hereby agree to:

- a) Construct septic tank and appurtenances in accordance with the requirements of the California Regional Water Quality Control Board, State Health Department, the Building Division and Public Works Department of the City of Paso Robles.
- b) Operate and maintain the private sewage disposal system and facilities in a sanitary manner at all times, at no expense to the City.
- c) Grant to the City authority to enter premises for periodic inspection to ensure proper operation and maintenance.
- d) Grant to the City authority to enter premises in the event of an emergency involving the system, or a nuisance created by the system which, in the sole opinion of the City, Health Department or Water Quality Control Board, creates a hazard which threatens the health and safety of the citizens. The owner shall follow the instruction of City and any services rendered pursuant to the instruction shall be paid by the owner. Where a health hazard or nuisance is determined to exist, City may revoke Certificate of Occupancy for buildings utilizing the private system.
- e) Consent to future formation of an assessment district if said district is established by the City Council for the purposes of construction sewers to serve the subject property.
- f) Connect to the City System when a sewer main is 200 feet from my property line and am directed to do so by the Director of Public Works. In connecting to the City's sewer facilities, I may be required to pay connection fees or any other reimbursement fees associated with connecting to such sewer mains.

I hereby acknowledge that I am the owner of this property This Agreement shall be binding upon my heirs and successors in title for this property.

SIGNATURE: [Signature]

Print Name: PATRICK SHEAR