

Read

CITY OF SAN ANSELMO

ORDINANCE NO. 521

AN ORDINANCE REPEALING ARTICLE 2 (CESSPOOLS) OF TITLE 5, CHAPTER 4 OF THE SAN ANSELMO MUNICIPAL CODE AND RE-ENACTING ARTICLE 2 WITH NEW REGULATIONS FOR CESSPOOLS AND SEPTIC TANK SYSTEMS WITHIN THE CITY OF SAN ANSELMO

The City Council of the City of San Anselmo do ordain as follows:

Section 1. Article 2, and all sections thereunder, of Title 5, Chapter 4 of the San Anselmo Municipal Code is hereby repealed.

Section 2. Article 2, of Title 5, Chapter 4, of the San Anselmo Municipal Code is hereby re-enacted as follows:

"Article 2. Cesspools and Septic Tank Systems

5-4.201 Definitions. SEWAGE. The term "sewage" means any and all wastes, substance, liquid or solid, which contain or may be contaminated by human excreta, excrement, offal or feculent matter or matters, or substances of any kind or nature that may be injurious or dangerous to health either directly or indirectly.

CHEMICAL TOILET. The term "chemical toilet" means and includes any toilet constructed, installed or placed for the purpose of depositing therein sewage which is disposed of, other than by discharge directly into a public sewer system.

HEALTH OFFICER. The term "health officer" means the City health officer or his authorized representatives.

PERSON. The term "person" shall include any person, firm, association, corporation or any members, agents or employes of the foregoing.

5-4.202 Application. This chapter shall apply to all territory within the City of San Anselmo, State of California.

5-4.206 Permits-Applications. All applications shall be accompanied by plot plans showing size and type of the proposed installation, the site thereof, and the work to be done, in detail.

5-4.207 Permits-Investigation and issuance. If, after investigation, the Health Officer determines that the installation of the proposed facility is in accordance with the terms of this chapter and any regulations issued pursuant thereto, and will not be injurious to the public health and welfare, he shall issue a permit. All permits may be made subject to such conditions as the Health Officer deems necessary to insure compliance with this chapter, and protection of the public health and welfare.

5-4.208. Permits-Expiration and revocation. Any permit issued pursuant to this chapter shall expire and become null and void under the following circumstances:

(a) If the work authorized therein has not been commenced within ninety days after the permit has been issued. A maximum extension of ninety days may be granted to the permittee by the Health Officer.

(b) If after commencement of the installation, repair or modification of a sewage disposal system authorized by a permit and before completion thereof the project is abandoned for a continuous period of ninety days, then the permit thereafter shall become null and void.

(c) Upon the expiration of any permit as herein provided no further work may be done in connection with the installation, repair or modification of the sewage disposal system unless and until a new permit for such purpose is issued.

(d) The Health Officer may revoke any permit issued hereunder if he determines that the permittee is acting in contravention of the provisions of this chapter or the conditions of the permit.

5-4.209. Permits-Appeals. In the event that any applicant or permittee is for any reason dissatisfied with the actions

of the Health Officer by reason of failure to grant a permit, revocation of a permit, or imposition of any conditions relating to said permit, said applicant or permittee shall have the right to appeal to the City Council in writing, within ten days after notification of the action of the Health Officer. Upon receipt of an appeal, the City Council shall call a hearing within fifteen days from receipt of said appeal and give the appellant notice thereof by registered or certified mail addressed to said appellant at the address shown on the application or permit. At the conclusion of said hearing, the City Council shall render its decision, which decision shall be final.

5-4.210. Permits-nontransferable. Any permits issued hereunder may not be transferred from person to person, or location to location.

5-4.211. System regulations. The type and manner of installation, construction, repair, or modification of sewage disposal systems shall substantially conform to regulations issued by the Health Officer. In order to carry out the purposes and intent of this chapter the Health Officer is hereby authorized to make and publish such regulations as are necessary to give effect to the purpose of this chapter. Such regulations shall be approved by the City Council and shall become effective when published in a newspaper of general circulation and posted at the San Anselmo City Hall.

5-4.212. Certificate of occupancy. No occupancy shall be permitted in any building which is not to be connected to an approved public sanitary sewer without the written approval of the health officer.

5-4.213. Building permit approval. No building permit shall be issued for any building which is not to be connected to an approved public sanitary sewer, without the written approval of the Health Officer.

5-4.214. Duty of Health Officer. It shall be the duty of the Health Officer to enforce the provisions of this chapter and in the performance of this duty the Health Officer or his duly authorized agents are hereby authorized to enter, at any reasonable hour, any premises whereon he has reasonable cause to believe that a violation of this chapter exists."

Section 3. The foregoing Ordinance shall, within fifteen (15) days of its final passage and adoption, be published in full once in the Independent-Journal, a newspaper of general circulation printed and circulated in the County of Marin, and hereby designated for that purpose, and said Ordinance shall be in full force and effect thirty (30) days after its final passage and adoption.

The foregoing Ordinance was duly and regularly introduced at a regular meeting of the City Council of the City of San Anselmo, held in said City on the 24th day of August, 1965, and was thereafter at a regular meeting of said City Council, held in said City of San Anselmo on the 14th day of September, 1965, duly passed and adopted by the following vote:

AYES: COUNCILMEN: Clute, Reichmuth, Franchini, Smith, Capurro

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: None

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WOODROW CAPURRO, MAYOR

ATTEST:

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ANITA GANNON, CITY CLERK