



PROPOSED OWTS ORDINANCE

(OWTS = Onsite Wastewater Treatment System, or Septic System)

OBJECTIVES:

- Comply with City’s Memorandum of Understanding (MOU) with Regional Water Quality Control Board (RWQCB) that was signed on May 12, 2005, transferring regulation of OWTS from the State to the City.
- Ensure proper operation and maintenance of OWTS across the City to protect water quality in areas of high risk that are close to waterways and drinking water wells.
- Adopt City ordinance as mandated in MOU. Ordinance will become effective one year from the date adopted by the City.

HIGH RISK OWTS:

- 182 OWTS within 900ft of active water wells or within 600ft of from impaired water bodies as defined in section 303(d) of the Clean Water Act (as defined by the United States EPA and the State RWQCB)
- 8 OWTS located near streams and flow paths that have supplemental/advanced treatments systems.

PROPOSED REQUIREMENTS FOR ALL SINGLE FAMILY RESIDENTIAL (1-2 DWELLING UNITS) OWTS IN THE CITY:

	NON HIGH RISK OWTS <i>(11,443 properties)</i> <i>98.37% of total</i>	HIGH RISK CONVENTIONAL OWTS <i>(182 properties)</i> <i>1.56%</i>	HIGH RISK SUPPLEMENTAL/ ADVANCED TREATMENT OWTS <i>(8 Properties) 0.07%</i>
Initial Registration or Permit	Register and self certify that OWTS are being properly maintained at all times.	Submit a valid certified inspection report from a qualified service provider and pay permit fee of \$350.*	Submit a valid Operation & Maintenance Agreement, from a qualified service provider or manufacturer that includes routine service inspections and pay permit fee of \$800.
Renewal Period	Renew registration once every three years, within 90 days of registration expiration.**	Renew operating permit every three years, within 90 days of permit expiration.**	Renew operating permit annually, within 90 days of permit expiration.**
Self- Certify	When registering, self-certify that OWTS are properly maintained at all times.	n/a	n/a
Certified Inspection	n/a	Required; must submit proof (evidence or a report) of a passing certified inspection by a qualified (licensed and certified) service provider.	Covered by the submission of a valid Operations & Maintenance Agreement from a qualified service provider or manufacturer that includes routine service inspections.
Operations & Maintenance Agreement	n/a	n/a	Required; must submit a copy of the Operations & Maintenance Agreement, from a qualified service provider or manufacturer that includes routine service inspections, within 90 days of permit expiration.
Monitoring Report	n/a	n/a	Required; must submit annual monitoring report within 90 days of permit expiration.
Record Plan & and Operation and Maintenance (O&M) Manual Retain copy of all OWTS related records, on-site, for a minimum of five years.			
Transfer Requirement s & Fees	New owner shall register and self certify, if there is no valid registration and certification, or the new owner shall re-register and self re-certify if there is a valid registration and certification that OWTS are being properly maintained at all times, within 30 days of the close of escrow (no fee).	Pay \$50 at point of sale. Must be submitted by new owner within 30 days of the close of escrow and the operating permit will remain valid for the remaining period of the operating permit cycle. If there is no valid operating permit, one shall be obtained by the buyer or new owner, within 30 days of the close of escrow.	Pay \$50 at point of sale. Must be submitted by new owner within 30 days of the close of escrow and the operating permit will remain valid for the remaining period of the operating permit cycle. If there is no valid operating permit, one shall be obtained by the buyer or new owner, within 30 days of the close of escrow.

Payment/Registration or Permit Options	Complete on-line, by mail, phone, or in person.***	Complete on-line, by mail, phone, or in person.***	Complete on-line, by mail, phone, or in person.***
Fees	No fee (Free)	\$350 every three years, paid within 90 days prior to permit expiration.	\$800 annual fee, paid within 90 days prior to permit expiration.

* - A certified inspection is provided by a licensed certified service provider, who must have a valid state contractor C-36 or C-42 license and possess California Onsite Wastewater Association or National Association of Wastewater Transporters certification.

** - Requirements for the first operating permit and registration cycle shall be completed by **July 1, 2012 deadline or one year after ordinance is adopted, whichever is later.**

*** - Bureau staff is currently working on the on-line procedure, and expects to have it in place before registration begins.

The proposed fees indicated in the table above will be paid to the City of Los Angeles to cover the cost of implementing the requirements of the ordinance.

The Bureau may require high risk OWTS to install an Advanced/Supplemental Treatment System if a conventional OWTS in a high risk area fails. All high risk OWTS will have to pass an inspection and be certified prior to initial registration and subsequent registration renewal.

CERTIFIED SERVICE PROVIDERS SHALL HAVE VALID & CURRENT:

1. State contractor license (C-36 or C-42) and be qualified and certified to perform operation, monitoring, reporting, inspection, and routine maintenance of OWTS.
2. Certification from COWA (California Onsite Wastewater Association) or NAWT (National Association of Wastewater Transporters) training.

FEE VARIANCES:

1. Bureau of Sanitation will continue to explore various funding and payment options to alleviate the burden imposed on low-income homeowners.

NON COMPLIANCE:

1. Failure to register OWTS could result in penalty if the registration is required and not obtained.
2. Failure to obtain Operating Permit could result in penalty if the Operating Permit is required and not obtained.
3. Violations of any provisions of the Ordinance could be subject to penalties in the table below:

	Monthly Penalty (First 90 Days)	Monthly Penalty (91+ Days)
Non High Risk OWTS	\$25	\$25
High Risk OWTS Conventional	\$50	\$250
High Risk OWTS Advanced/Supplemental	\$100	\$500

APPEALS:

1. An OWTS owner may file an appeal regarding their designation with the Bureau within 30 days of first notification. Forms & procedures will be made available online.
2. Where a property owner is issued a Notice of Penalty Assessment, Suspension, or Revocation, the owner may file an appeal with the Board of Public Works within 30 days of the date of that notice.

QUESTIONS? (323) 342-6241; Septic.System@lacity.org; www.lasewers.org; **PREGUNTAS?** (323) 342-1560

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodations to ensure equal access to its programs, services and activities.