

## Chapter 8.60

SEWER CONNECTION REQUIREMENTS  
PRIOR TO PROPERTY SALE

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**8.60.010 Purpose and implementation.**

The purpose of this chapter is to help assure the continued protection of the high quality of water resources available in the city by requiring all properties on which there exist septic tanks, seepage pits and/or cesspools to abandon such facilities and connect to the available public sanitary sewer prior to time of sale of such properties.

This chapter shall apply to any property that is sold after the effective date of the ordinance codified in this chapter. (Ord 773 § I (part), 2002)

**8.60.020 Definitions.**

For the purposes of this chapter the terms below shall be defined as follows:

“Building Official” means the city building official or his/her designee.

“Certificate of compliance” means the document that is recorded on property that releases the “certificate of requirement,” and stipulates that the property has been lawfully connected to the public sanitary sewer.

“Certificate of requirement” means the document that is recorded on property indicating that prior to sale of the property, it shall be lawfully connected to the public sanitary sewer.

“Certificate of temporary exception” means the document that is recorded on property that temporarily releases the “certificate of requirement” and stipulates that the property has been excepted pursuant to Section 8.60.060.

“Public sanitary sewer” means the sanitary sewer owned and operated by the Coachella Valley water district and located within the sanitary sewer easement. (Ord 773 § I (part), 2002)

**8.60.030 Requirement to connect to available public sanitary sewer.**

Except as otherwise provided in this chapter, whenever a public sanitary sewer is extended to within two hundred feet of any building being served by a private sewage disposal system, the owner of the property on which the building is located shall abandon the private sewage disposal system in accordance with the requirements of this code, and shall connect the building(s) on the property to the public sanitary sewer system. The abandonment of the private sanitary sewer system and the connection to the public sanitary sewer shall be completed prior to the sale of the property upon which the building is located. (Ord 773 § 1 (part), 2002)

**8.60.040 Recording of certificate of requirement.**

To provide notice of the requirements of this chapter, the building official is directed to prepare and record with the Riverside County recorder’s office a certification of this requirement on each parcel on which there exists a building being served by a private sewage disposal system as of the effective date of the ordinance establishing this chapter. (Ord 773 § I (part), 2002)

**8.60.050 Procedures and fees for obtaining a certificate of compliance.**

A. The property owner or owner’s authorized agent, at their option, may personally review official files located in the division of building and safety and obtain a copy of the sanitary sewer connection permit if issued on the property. Such sanitary sewer connection permit shall have a final inspection sign-off by a duly authorized city building inspector and shall not be revoked or expired. If the building official confirms and approves the sanitary sewer connection permit, the building official shall execute and authorize the recordation of a certificate of compliance with the Riverside County recorder’s office.

The owner or owner’s authorized agent shall pay a thirty-five dollar fee to cover the administrative costs for the preparation and recordation of the certificate of compliance.

B. If the property owner or owner’s authorized agent does not wish to personally research the official file located in the division of building and safety, upon the completion of the appropriate application form and payment to the city of a forty-five dollar nonrefundable research fee, the city staff shall research, locate and copy any such

sewer connection permit, if issued or available on record. If staff locates a sanitary sewer connection permit, the building official shall review the copy of the sanitary sewer connection permit as the above paragraph stipulates and if acceptable, shall execute and authorize the recordation of a certificate of compliance with the Riverside County recorder's office. The thirty-five dollar certificate of compliance fee shall be paid to the city at that time.

C. If the property is not connected to the public sanitary sewer or connected without the required permits and inspections required elsewhere in this code, the owner or owner's authorized contractor, licensed as required by this code, shall pay the necessary Coachella Valley water district fees and obtain a sanitary sewer connection permit from the division of building and safety and schedule all required inspections accordingly.

Upon acceptance of final inspection, the building official shall execute and authorize the recordation of a certificate of compliance with the Riverside County recorder's office. The owner or owner's authorized agent shall pay to the city a thirty-five dollar fee for the preparation and recording of the certificate of compliance.

D. If it is demonstrated to the satisfaction of the building official that the property is legally connected to the public sanitary sewer and a certificate of requirement has been recorded in error on the property, the building official is hereby authorized to execute and record a certificate of compliance on the property at no charge to the property owner. (Ord 773 § 1 (part), 2002)

#### **8.60.060 Certificate of temporary exception.**

Where it is deemed unfeasible to connect to the public sewer, the building official may grant relief and authorize the recordation of a certificate of temporary exception with the Riverside County recorder's office.

If granted, such certificate of temporary exception shall allow for the sale of the property, even though the property is not connected to a public sanitary sewer.

A certificate of temporary exception shall only be issued when, in the opinion of the building official, due to special circumstances, the cost of connecting the building(s) to the public sanitary sewer would constitute an undue hardship on the property owner. A certificate of temporary exception shall only authorize one sale. Thereafter, the purchaser must obtain either a certificate of compliance or another certificate of temporary exception before selling the property again. The building official's decision on an application for a certificate of exception may be appealed to the city council. Decisions of the city council shall be final. (Ord 773 § 1 (part), 2002)

#### **8.60.070 Violations.**

It is unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. Any person violating any provision of this chapter or failing to comply with any of the requirements is deemed guilty of a misdemeanor in accordance with Title 14 of this Municipal Code. (Ord. 928 § 2, 2006; Ord 773 § 1 (part), 2002)

#### **8.60.080 Severability.**

If any provision, clause, sentence, or paragraph of this chapter, or the application thereof to any person, establishment, or circumstances, shall be held invalid, such invalidity shall not affect the other provisions of this chapter which can be given effect without the invalid provision or application, and to this end, the provisions of this chapter are hereby declared to be severable. (Ord 773 § 1 (part), 2002)

#### **8.60.090 No mandatory duty liability.**

The use of the term "shall" in describing the actions to be taken by the building official under this chapter is directory, and is not intended to impose mandatory duty liability or criminal liability on the building official for failure to act as directed by this chapter. (Ord 773 § 1 (part), 2002)