

APPENDIX A – DEFINITIONS

Alternative system: See definition of OWTS.

Authorized Representative: A person authorized in writing by a property owner to act for him or her, in their stead.

Bedroom. Any space in the conditioned (heated) area of a dwelling unit which is 70 square feet and greater in size shall be counted as a bedroom unless it is one of the following:

- Hall
- Bathroom
- Kitchen
- Living Room (maximum of one per dwelling unit)
- Dining Room (opening off of the kitchen or living room, maximum of one per dwelling unit)
- Family Room (opening off of the kitchen or living room, maximum of one per dwelling unit)
- Breakfast Nook (opening off kitchen, maximum of one per dwelling unit)
- Pantry (maximum of one per dwelling unit)
- Laundry Room
- Closet/Dressing Room opening off of a bedroom.

Sewing rooms, dens, offices, studios, lofts, game rooms, and any other exterior room 70 square feet and greater in size shall be counted as bedrooms regardless of whether they are entered through a door, unless the room is otherwise exempted. The OWTS Administrator or Health Officer may grant exceptions if, in his/her discretion, a room cannot, by its design, function as a bedroom.

Conventional System: See definition of OWTS.

Development: The placement or erection of any solid material or structure on land, in or under water; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Environmentally Sensitive Habitat Areas: Designated areas where only limited development is allowed for the purposes of resource protection or due to septic constraints. This includes, but is not limited to, riparian areas, steep slopes and clayey soils.

Failed System: Any sewage disposal system that does not adequately treat and dispose of sewage that consequently creates a public or private nuisance or threat to public health and/or environmental quality, as evidenced by, but not limited to, one or more of the following conditions;

- (1) Failure to accept sanitary sewage into the OWTS.

- (2) Discharge from an individual OWTS of wastewater either directly or indirectly to a subsurface drain, surface drain, wetland, or surface water body.
- (3) Effluent rising to the surface of the ground over or near any part of an OWTS or seeping down-gradient from the absorption area at any change in grade, bank or road cut.
- (4) Discharge of improperly treated effluent to ground or surface waters resulting in contamination of ground and/or surface waters due to contaminants or nutrients.
- (5) Inadequate treatment and disposal of wastewater due to deterioration, damage, or improper design of any OWTS. (For example inadequate separation distance from the bottom of the leaching system to groundwater or impervious layer, damage from a vehicle driven over a leachfield, etc.)
- (6) Pumping records that indicate very frequent septic tank pumping. A system shall be considered in need of repair or alteration if the system has been pumped or in need of pumping two or more times in a calendar year and if not pumped the OWTS would result in effects described above.

Health Officer: The City's Health Officer or designated representative. This shall be defined as staff from the Humboldt County Division of Environmental Health unless or until such time that the City Council designates its own Health Officer. References to Health Department shall also mean Health Officer.

Initial Inspection: The initial performance inspection performed on an OWTS and site to gather baseline information. The tank is often pumped as part of this inspection to better evaluate the existing condition of the system, but does not have to be. Initial Inspections involve the location of system components and more detailed data gathering that is not usually necessary for subsequent routine performance inspections.

Inspection Report Form: A City approved form used by the Qualified Service Provider during an OWTS inspection. The report form shall include a rating as to the functionality and adequacy of the existing OWTS based on the onsite inspection.

Limited Operating Permit: An operating permit that is more restrictive than normal operating permits in terms of required maintenance or inspection schedule due to the limited functional capacity of an OWTS.

Minor Maintenance. Replacement of effluent filter, septic tank baffles, sanitary tees, ells, risers, tops, or sewer lines or other minimal repair work not requiring a construction / repair permit as determined by the Health Officer.

Modification: Partial or total replacement of, and / or changes or additions to a septic system that is functioning properly. Replacement septic tank, installation of greywater sump are examples of modifications. Modifications are usually considered upgrades to the system to improve performance.

New construction: shall mean the construction of a new building, or the construction of an addition to, the alteration of, or the remodeling of an existing building which results in an increase in habitable space or other heated or otherwise conditioned space within the building. Further, the construction of any new structure within a setback from a component of a wastewater disposal system required at the time the system was installed shall be deemed to be "new construction." "Conditioned Space" shall mean living space in a residence or detached building that is insulated and/or is provided with the ability to be heated or cooled. Unheated garages and workshops are examples of non-conditioned space.

Nonstandard system: See definition of OWTS.

Onsite Wastewater Treatment System (OWTS): means a septic tank and drainfield or other approved means of sanitary disposal of sewage other than through a sewer system. This may include any of the following types of systems:

- a. Conventional System: An individual sewage disposal system which utilizes a septic tank (with or without a lift pump) and leaching trenches or pits.
- b. Standard System: A conventional system which is constructed in accordance with the specifications for a “code system”.
- c. Nonstandard System: A system which is not in conformance with all the standards for a “code system,” as described in the Trinidad Sewage Disposal Regulations. Nonstandard systems include, non-code systems, alternative systems, nonconforming systems, and haulaway systems.
- d. Nonconforming Sewage Disposal System: A conventional sewage disposal system design that was legally established, but which does not now conform to the Trinidad Sewage Disposal Regulations specifications for a “code system”. This includes, but is not limited to, pit systems, or with the reserve area partially or fully covered with impermeable surfaces, or standard systems legally connected to multiple dwelling units or systems with single chambered tanks. Minor nonconformance means code deviations that do not affect the functioning of the system such as less than 100% reserve area, or a system that does not meet setbacks.
- e. Alternative System. An individual sewage disposal system which uses nonconventional technology for enhanced effluent treatment and/or disposal such as Wisconsin Mounds or Recirculating Sand Filters.
- f. Haulaway System. An existing individual sewage disposal system, for which the Health Officer has ordered that the outlet of the septic tank, or other sewage holding container, be permanently or seasonally sealed, and the accumulated sewage pumped out and hauled away to an approved disposal site, or a (failed) system that requires pumping two or more times per year.
- g. Failed System. See definition of failed system.

Operating Permit: A permit to operate an OWTS in accordance with all applicable regulations issued by the OWTS Administrator. Operating permits shall contain conditions and a schedule for periodic maintenance of the OWTS.

Owner: The person, firm, corporation, or partnership holding legal or equitable title or recorded contract or purchase of property, or any person authorized by written instrument to act for the owner. Homeowners associations will be considered the owner of the property for condominiums and townhouses for the purpose of enforcement of this code if the property owner is not responsible for the OWTS.

OWTS: Acronym for ‘Onsite Wastewater Treatment System.’

OWTS Administrator shall be responsible for coordinating activities between the City, the Health Officer, the Qualified Service Provider, and the homeowner, for keeping a list of Qualified Service Providers, for receiving homeowner’s surveys and inspection reports, for upkeep of the database, for issuing operating permits and for assuring provisions of this ordinance are being met or taking the necessary steps to assure the purposes of this ordinance are being met. Initially this will be the City Planner until such time the City Council designates an alternative to fulfill this role.

OWTS Owner/User Questionnaire: A questionnaire in a form approved by the City designed to assess the level and type of use of an OWTS in order to assign a reasonable maintenance schedule.

Performance Category: The performance based rating given to each system after a performance inspection by a qualified service provider rating its functionality based on their professional opinion. The ratings are: ACCEPTABLE, MARGINAL, DEFICIENT, and FAILURE.

Performance Inspection: An inspection of an OWTS and system site to determine conformance with applicable laws and regulations, how the system is functioning, the need for pumping, to establish future inspection schedules and to assess whether any repairs are necessary.

Performance Rating: A numerical score given to various OWTS and environmental components during a performance inspection. The performance rating is used to put each OWTS into the appropriate Performance Category.

Person: Any individual, public or private corporation, political subdivision, partnership, firm, trust or estate or any other legal entity whatsoever which is recognized in law as the subject of rights or duties.

Qualified Professional: An individual who possesses a registered environmental health specialist certificate or is licensed as a professional engineer or professional geologist. A qualified professional must be qualified to perform soil and / or site evaluations and / or be capable of designing an appropriate OWTS for the site conditions.

Qualified Service Provider: is a qualified professional or an individual with knowledge and competency in OWTS operation, maintenance, and monitoring through experience and / or education and a third party inspection and maintenance certification from a recognized institution (e.g. NSF, COWA, NAWT, CEHA, CWEA, NOWRA or approved equivalent).

Repair: Any kind of alteration or replacement of a poorly functioning or failing OWTS.

Reserve Area: An area of land approved for the installation of a conforming leachfield and dedicated for future replacement of the onsite sewage system if it should fail.

Septic Constraint Area: Those existing lots of record in areas designated as having constraints for OWTS, and as shown on maps of septic constraint areas on file with the Health Officer or OWTS Administrator. Constraints include areas with noted high groundwater conditions, areas with poor soil conditions or noted OWTS problems, and lands identified as environmentally sensitive habitat areas.

Septic system: A type of OWTS.

Sewage: Waste substance, liquid or solid, which is associated with human habitation or which contains, or may be contaminated with human or animal excretion or excrement, offal or feculent matter, or matters or substances that may be injurious or dangerous to health.

Sewage Disposal Permit: A permit from the Health Office for the repair or modification of an OWTS.

Standard System: See definition of OWTS.

Trinidad OWTS Program: The entire Program includes the Trinidad OWTS Ordinance, Appendices (including the Guidelines), the Trinidad Sewage Disposal Regulations and the Trinidad OWTS Water Quality Monitoring Program.

Trinidad Sewage Disposal Regulations consists of the Humboldt County Division of Environmental Health Departments "Sewage Disposal Regulations", as updated from time to time, unless or until such time that the City Council adopts their own Sewage Disposal Regulations.