

RESOLUTION NUMBER 3494

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING A POTENTIAL HEALTH HAZARD AND ESTABLISHING A SEPTIC TANK PROHIBITION FOR THE COMMUNITY OF ENCHANTED HEIGHTS

WHEREAS, the proper disposal of sewage waste as generated in homes and business is essential to protect the health and welfare of the residents and visitors to the City; and

WHEREAS, there are many areas of the City in which Sanitary Sewer was not available, and homes and business were constructed with on-site disposal (septic) systems; and

WHEREAS, the Enchanted Heights Community was developed in the 1960's with individual septic systems and now experiences an unacceptable number of on-site disposal system failures due to age of the systems, small lot sizes and current groundwater conditions; and

WHEREAS, these failures lead to the discharge of untreated sewage to the surface of the ground, mixing with other run-off water that directly impacts the residents of the community and can pollute the runoff water during rain events; and

WHEREAS, storm water runoff from this area drains to the San Jacinto River and from there into Canyon Lake, which is listed by the USEPA as an impaired water body due to excessive concentrations of bacteria, nitrogen and phosphorus, all of which are present in septic wastes; and

WHEREAS, the undeveloped lots in the community cannot meet criteria for on-site disposal systems, effectively preventing further development; and

WHEREAS, the Eastern Municipal Water District has completed a feasibility study for a gravity sewer system that will transport the wastewater to an existing treatment facility;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris, California, as follows:

In light of the above findings that potential health hazards exist in the Enchanted Heights Community due to the lack of an effective sewer system, a Septic Tank Moratorium is hereby established within the Enchanted Heights Community as described in Section 2 below:

Section 1. RECITALS. The Perris City Council hereby finds and determines that all the above recitals are true and correct.

Section 2. AREA. For purposes of this Resolution, the Enchanted Heights Community is the incorporated area on the western edge of the City of Perris enclosed by Metz Road to the north, the Perris City Limits to the west, Graham Street to the east, and San Jacinto Avenue to the south (map attached).

Section 3. PROHIBITION.

- A. No new septic systems shall be approved or installed for any lot or parcel within the Enchanted Heights Community after the date of the effective date of this resolution.
- B. No existing system shall be expanded or otherwise modified to accommodate new construction and/or additional wastewater generating fixtures of appliances.

Section 4. EXCEPTIONS.

- A. The Santa Ana Regional Water Quality Control Board shall have the final authority for approving any and all exemptions.
- B. In the event that an existing system requires replacement or repair, such replacement may be approved and installed, subject to the existing requirements of Riverside County Ordinance No. 650.
- C. If and when a decision is formally made to provide sewer service to the area, a holding tank may be provided as a substitute for replacement of an existing system subject to the conditions in Riverside County Ordinance No. 650.

Section 5. MANDATORY CONNECTION TO SEWER. All existing households and businesses within the Enchanted Heights area as defined shall connect to the sewer within 24 months of its completion.

Section 6. REQUIREMENT FOR COMPLIANCE. Non-compliance with this Resolution shall be deemed a violation of Riverside County Ordinance 650.

Section 7. The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and **APPROVED** this 27th day of September, 2005.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3494 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 27th day of September, 2005, and that it was so adopted by the following called vote:

AYES: Yarbrough, Landers, Motte, Rogers, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Margaret Rey