

Item # 5

**City of Carson City  
Agenda Report**

**Date Submitted:** 11/29/06

**Agenda Date Requested:** 12/07/06  
**Time Requested:** 5 minutes

**To:** Carson City Board of Supervisors

**From:** Carson City Health and Human Services

**Subject Title:** Action to adopt, on second reading, Bill #130 an ordinance amending Chapter 12.05 of the Carson City Municipal Code, Sewer Connection and Individual Sewage Disposal System General Requirements section 12.05.020 Connection to Municipal Sewer System Required, by deleting the four hundred (400) foot connection standard , creating a new connection standard, explaining the approval requirements to alter, move, extend a system, defining a failed system and other matters properly related thereto.

**Staff Summary:** The code currently requires that all industrial, business and residential establishments connect to the Carson City sanitary sewer if the parcel is within four hundred (400) feet of the sewer. The code is very restrictive and any many cases cost prohibitive for the property owner.

**Type of Action Requested:** (check one)  
 Resolution  Ordinance  
 Formal Action/Motion  Other (Specify)

**Does This Action Require A Business Impact Statement:**  Yes  No

**Recommended Board Action:** I move to adopt, on second reading, Bill #130 an ordinance amending Chapter 12.05 of the Carson City Municipal Code, Sewer Connection and Individual Sewage Disposal System General Requirements section 12.05.020 Connection to Municipal Sewer System Required, by deleting the four hundred (400) foot connection standard , creating a new connection standard, explaining the approval requirements to alter, move, extend a system, defining a failed system and other matters properly related thereto.

**Explanation for Recommended Board Action:** Our current code requires that any developed parcel that is within four hundred (400) feet of the sanitary sewer connect to the sewer even if the existing individual sewage disposal system (ISDS) is working correctly. This particular code is very restrictive for property owners who are making changes to their property, which ultimately will not affect the ISDS. For example, a property owner, on an ISDS, would like to add a garage to their property, which is within the four hundred (400) foot rule. Since they fall under this rule, they must connect to the sewer even though the ISDS is not being altered in anyway. We believe that we can continue to facilitate the protection of public health and our groundwater with the deletion of this section.

**Applicable Statue, Code, Policy, Rule or Regulation:** Carson City Municipal Code 12.05

**Fiscal Impact:** N/A

**Explanation of Impact:** N/A

**Funding Source:** N/A

**Alternatives:**

**Supporting Material:** Carson City Municipal Code 12.05

**Prepared By:** Daren Winkelman

**Reviewed By:**

[Signature]  
(Department Head)  
[Signature]  
(City Manager)  
[Signature]  
(District Attorney)  
[Signature]  
(Finance Director)

Date: 11/28/06  
Date: 11/28/06  
Date: 11/29/06  
Date: 11/28/06

**Board Action Taken:**

Motion: \_\_\_\_\_ 1) \_\_\_\_\_ Aye/Nay  
2) \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)



1 of the public health to require that owners of improved property within Carson City be  
2 required to connect their industrial, business and residential establishments to the sewer  
3 system and to cease to use all other methods of sewage disposal if any of the following  
4 conditions exist:

5 a. The individual sewage disposal system fails and the property is within 400 feet of the  
6 nearest sewer main; or

7  
8 b. The nearest sewer main is immediately adjacent to the establishment and is  
9 capable of serving the property; or

10 c. Effluent contamination is found in the ground water or surface water.

11 2. Approval must be obtained from the health authority to construct, alter, move, or  
12 extend an individual sewage disposal system. A permit to construct, alter, move, or  
13 extend will not be issued if the nearest sewer main is within 400 feet of the property.

14 a. An exception to the requirement of sewer connection exists when the  
15 utilities director or designee has determined that sufficient grade or fall to  
16 permit drainage to the sewer system by gravity does not exist, therefore  
17 requiring the property owner to install a pump system.

18 [3] For the purposes of this section, an individual sewage disposal system shall be deemed  
19 to have failed if:

20 (a) A condition or malfunction occurs in the individual sewage disposal system, or in the  
21 operation of the system, that threatens the public health by inadequately treating sewage  
22 or by creating a potential for direct or indirect contact between sewage and the public,  
23 including, without limitation:

24 (1) Sewage on the ground;

25 (2) A backup of sewage into a structure that is caused by the slow soil absorption  
26 of effluent;

27 (3) Sewage leaking from a septic tank, dosing tank, holding tank or collection  
28 system; and

(4) Effluent contaminating the ground water or surface water; or

(b) The operator of the system fails to comply with the requirements of the permit  
issued to operate the system.

[4] 3. In the event any owner of improved property fails or refuses to make such a  
connection upon being requested by the city, the city may take such lawful action  
as necessary to effect such connection.

[5] 4. The board of supervisors declares that protection of Carson City's aquifers  
and watersheds is in the public's health, safety and general welfare. To this end, all  
permits and approvals under this chapter shall reflect the protection of watersheds  
and wellhead protection areas in Carson City. Any new parcels created under Title

1 17 of the Carson City Municipal Code shall have a minimum size of three (3) acres  
2 if individual sewage disposal systems (ISDS) are proposed to be utilized. In all  
3 other cases, sewage disposal shall be accomplished through the extension of sewer  
4 lines to serve the property or parcel. ISDS shall be allowed in Carson City only for  
5 individual residential lots meeting the requirements of the Carson City Municipal Code  
6 a. An exception to the requirement of a minimum parcel size of three (3) acres  
7 exists if denitrification type ISDS are required to be installed for all new  
8 installations. The exception would only apply to creation of four (4) or less parcels  
9 from any one parcel of land, and the minimum parcel size shall not be less than one  
10 (1) acre. The use of denitrification type ISDS may not be utilized for parceling of  
11 five (5) or more parcels without the approval of the utilities director. The nitrate  
12 levels discharged by the denitrification systems must meet the discharge limits  
13 allowed by the Safe Drinking Water Act. The denitrification systems must be  
14 approved by the National Sanitation Foundation (NSF). The applicant will be  
15 required to enter into and maintain a maintenance contract with an approved  
16 provider for the denitrification system and obtain an annual permit from the Carson  
17 City health division for maintenance and operation of the denitrification system.  
18 Prior to approval of the parceling, the applicant will be required to show that the  
19 proposed parcels meet all requirements of this chapter and the Nevada  
20 Administrative Code, Chapter 444, including but not limited to required  
21 separations from property lines, wells, watercourses, structures, and underground  
22 bedrock and water table, and minimum lot sizes due to presence of wells, city  
23 water and slope.

15 SECTION III:

16 That no other provisions of Chapter 12.05 of the Carson City Municipal Code are affected  
17 by this ordinance.

18 Proposed on the \_\_\_\_\_ (month) \_\_\_\_ (day), 2006.

19 Proposed by Supervisor \_\_\_\_\_.

20 Passed \_\_\_\_\_ (month) \_\_\_\_ (day), 2006.

21 Vote:

22 Ayes: Supervisors \_\_\_\_\_

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Nays: Supervisors \_\_\_\_\_

Absent: Supervisors \_\_\_\_\_

Attest:

ALAN GLOVER, Clerk/Recorder

MARV TEIXEIRA, Mayor

This ordinance shall be in force and effect from and after the \_\_\_\_\_ day of the month of \_\_\_\_\_ of the year 2006.