

CHAPTER 4. WELLS

ARTICLE 1. GENERAL

SEC. 67.401. PURPOSE AND INTENT.

It is the purpose of this Chapter to provide for the construction, repair and reconstruction of wells to the end that the ground water of this County will not be polluted or contaminated and that water obtained from such wells will be suitable for the purpose for which used and will not jeopardize the health, safety or welfare of the people of this County, and for the destruction of abandoned wells or wells found to be public nuisances to the end that such wells will not cause pollution or contamination of ground water or otherwise jeopardize the health, safety or welfare of the people of this County.

(Amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.402. DEFINITIONS AS USED IN THIS CHAPTER.

The following words shall have the meaning provided in this chapter:

ABANDONED AND ABANDONMENT. The terms "abandoned" or "abandonment" shall apply to a well which has not been used for a period of one year, unless the owner declares in writing, to the Director his intention to use the well again for supplying water or other associated purpose (such as a monitoring well or injection well) and receives approval of such declaration from the Director. All such declarations shall be renewed annually and at such time be resubmitted to the Director for approval. Test holes and exploratory holes shall be considered abandoned twenty-four hours after construction work has been completed, unless otherwise approved by the Director.

ABATEMENT. The construction, reconstruction, repair or destruction of a well so as to eliminate a nuisance caused by a well polluting or contaminating ground water, or otherwise jeopardizing the health or safety of the public.

AGRICULTURAL WELL. A water well used to supply water for irrigation or other agriculture purposes, including so-called stock wells.

CATHODIC PROTECTION WELL. Any artificial excavation in excess of 20 feet constructed by any method for the purpose of installing equipment or facilities for the protection, electrically, of metallic equipment in contact with ground. (See definitions of deep anode bed and shallow anode bed.)

COMMERCIAL WELL. A water well used to supply a single commercial establishment.

COMMUNITY WATER SUPPLY WELL. A water well used to supply water for domestic purposes in systems subject to Chapter 7 of Part 1 of Division 5 of the California Health and Safety Code.

CONSTRUCT, RECONSTRUCT (CONSTRUCTION, RECONSTRUCTION). To dig, drive, bore, drill or deepen a well, or to reperforate, remove, replace, or extend a well casing.

CONTAMINATION. Any action that causes impairment to the quality of water or creates a risk to public health through the use of the water.

DEEP ANODE BED. Any cathodic protection well more than 50 feet deep.

DESTRUCTION. The proper filling and sealing of a well that is no longer useful so as to assure that the ground water is protected and to eliminate a potential physical hazard.

DIRECTOR. The Director of the Department of Environmental Health of San Diego County or his/her designee.

ELECTRICAL GROUNDING WELL. Any artificial excavation in excess of 20 feet constructed by any method for the purpose of establishing an electrical ground.

GEOHERMAL HEAT EXCHANGE WELL. Any uncased artificial excavation, by any method, that uses the heat exchange capacity of the earth for heating and cooling, in which excavation the ambient ground temperature is 30 degrees Celsius (86 degrees Fahrenheit) or less, and which excavation uses a closed loop fluid system to prevent the discharge or escape of its fluid into surrounding aquifers or other geologic formations. Geothermal heat exchange wells include ground source heat pump wells. Such wells or boreholes are not intended to produce water or steam.

INDIVIDUAL DOMESTIC WELL. A water well used to supply water for domestic needs of an individual residence or systems having four or less service connections.

INDUSTRIAL WELL. A water well used to supply an industry on an individual basis.

MODIFICATION, REPAIR OR RECONSTRUCTION. The deepening of a well or the reperforation or replacement of a well casing and all well repairs and modifications that can affect the ground water quality.

MONITORING WELL. A well used for monitoring or sampling the conditions of soil or water-bearing aquifer, such as water pressure, depth, movement, concentration of contaminants or quality.

NUISANCE. The term "nuisance," when applied to a well, shall mean any well which threatens to impair the quality of ground water or otherwise jeopardize the health or safety of the public. All such nuisances are violations of this chapter and are public nuisances for purposes of

the Public Nuisance Abatement Procedure, set out in Chapter 2 of Division 1 of Title 6 of this code.

ORDER OF ABATEMENT. Both mandatory and prohibitory orders requiring or prohibiting one or more acts; said term shall also include those orders effective for a limited as well as an indefinite period of time, and shall include modifications or restatements of any order.

PERMIT. A written permit issued by the Director permitting the construction, reconstruction, destruction, or abandonment of a well.

PERSON. Any person, firm, corporation or governmental agency.

POLLUTION. An alteration of the quality of water to a degree which unreasonably affects (1) such waters for beneficial uses, or (2) facilities which serve such beneficial uses. Pollution may include contamination.

RESPONSIBLE PARTY. Any person who has, or who has contracted or otherwise caused to have, a monitoring well constructed, repaired, reconstructed or destroyed.

SALT WATER (HYDRAULIC) BARRIER WELL. A well used for extracting water from or injecting water into the underground as a means of preventing the intrusion of salt water into a fresh water-bearing aquifer.

SHALLOW ANODE BED. Any cathodic protection well more than 20 feet deep but less than 50 feet deep.

TEST OR EXPLORATORY HOLE. An excavation used for determining the nature of underground geological or hydrological conditions, whether by seismic investigation, direct observation or any other means.

WELL. Any artificial excavation constructed by any method for the purpose of extracting water from or injecting water into the underground, for providing cathodic protection or electrical grounding of equipment, for making tests or observations of underground conditions, for using the heat exchange capacity of the earth for heating and cooling, or for any other similar purpose. Wells shall include, but shall not be limited to, community water supply wells, individual domestic wells, commercial wells, industrial wells, agricultural wells, test and exploratory holes, monitoring wells and salt water (hydraulic) barrier wells, as defined herein, geothermal heat exchange wells and other wells whose regulation is necessary to accomplish the purposes of this chapter.

Wells shall not include: (a) oil and gas wells, geothermal wells or other wells constructed under the jurisdiction of the State Department of Conservation, except those wells converted to use as water wells; (b) wells used for the purpose of dewatering excavations during construction, or stabilizing hillsides or earthy embankments; or (c) other wells whose regulation is not necessary to fulfill the purpose of this chapter as determined by the Director.

(Amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 8815 (N.S.), effective 7-22-97; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

Cross reference(s)--Definitions, § [12.101](#) et seq.

SEC. 67.403. STATE REPORTING.

Nothing contained in this chapter shall be deemed to release any person from compliance with the provisions of Article 3 of Chapter 10 of Division 7 of the Water Code of the State of California or any successor thereto.

(Amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.404. [RESERVED.]

(Repealed by Ord. No. 5200 (N.S.), effective 8-10-78)

ARTICLE 2. WELL STANDARDS ADVISORY BOARD

SEC. 67.410. ESTABLISHMENT OF BOARD.

There is hereby created and established in the County of San Diego the Well Standards Advisory Board hereinafter referred to in this Chapter as "Advisory Board".

SEC. 67.411. MEMBERS.

The Advisory Board shall consist of seven members, two of whom shall be from the well drilling industry, all of whom shall be residents of the County of San Diego. Said members shall be appointed by the Director of the Department of Environmental Health and each member shall serve until he resigns or is removed. Members of the Advisory Board shall serve without compensation.

(Amended by Ord. No. 7309 (N.S.), effective 7-2-87; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95)

SEC. 67.412. MEETINGS.

A chairman of the Advisory Board shall be elected by the members thereof at the first meeting of the Advisory Board. Such chairman shall serve for a term and shall have the duties established by rules and regulations to be adopted by the Advisory Board. The Advisory Board may prepare and adopt such rules and regulations for the internal government of its business as it may deem necessary or advisable. A staff member of the Department of Environmental Health designated by the Director of the Department of Environmental Health shall serve as secretary to the Advisory Board. The Advisory Board shall meet from time to time at the request of the Director of the Department of Environmental Health. Three members shall constitute a quorum.

The Advisory Board shall keep written minutes of its meetings, a copy of which shall be filed with the Director of the Department of Environmental Health.

(Amended by Ord. No. 5406 (N.S.), effective 3-22-79, operative 3-23-79; amended by Ord. No. 7309 (N.S.), effective 7-2-87; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95)

SEC. 67.413. RESPONSIBILITIES.

The Advisory Board is an advisory body with respect to the implementation of this Chapter. It may make such recommendations to the Director of the Department of Environmental Health as it may deem reasonable and proper, necessary or advisable.

(Amended by Ord. No. 7309 (N.S.), effective 7-2-87; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95)

ARTICLE 3. STANDARDS

SEC. 67.420. GENERAL.

No person shall construct, repair, reconstruct or destroy any well subject to this Chapter which does not conform to the standards established herein.

(Amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.421. STANDARDS FOR WATER WELLS.

Standards for the construction, repair, reconstruction or destruction of water wells shall be as set forth in Chapter II of State Department of Water Resources Bulletin No. 74-81 and Bulletin No. 74-90 (three copies of which have been filed with the Clerk of the Board of Supervisors of the County of San Diego and marked as Document No. 761185 and Document No. 761185A with the following modifications to Document No. 761185A:

1. Part II, Section 10(B)

DELETE: Entire section with exception of that portion of the first sentence which states:

“Because of their susceptibility to contamination and pollution, the use of well pits should be avoided.”

5. Part II, Section 15(A)

DELETE: Entire section

(Amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.422. STANDARDS FOR CATHODIC PROTECTION WELLS.

Standards for the construction, repair, reconstruction or destruction of cathodic protection wells shall be as set forth in Bulletin No. 74-90 of the State Department of Water Resources (three copies of which are filed with the Clerk of the Board of Supervisors of the County of San Diego). Bulletin No. 74-90 is marked as Document No. 761185A with the following modifications:

1. Part I, Section 1-A

DELETE: Definition of “Cathodic Protection Well.” as printed and

ADD: “A. Cathodic Protection Well: A cathodic protection well means an artificial excavation in excess of 20 feet constructed by any method for the purpose of installing equipment or facilities for the protection electrically of metallic equipment in contact with the ground, commonly referred to as Cathodic Protection.”

(Amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.423. STANDARDS FOR MONITORING WELLS.

Standards for the construction, repair, reconstruction or destruction of monitoring wells shall be as set forth in Bulletin No. 74-90 of the State Department of Water Resources (three copies of which are filed with the Clerk of the Board of Supervisors of San Diego) and marked as Document No. 761185A.

(Added by Ord. No. 8815 (N.S.), effective 7-22-97; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.423a. STANDARDS FOR GEOTHERMAL HEAT EXCHANGE WELLS.

Standards for the construction, repair, reconstruction or destruction of geothermal heat exchange wells shall be as set forth in the Geothermal Heat Exchange Well Draft Well Standards of the State Department of Water Resources.

(Added by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.424. MAINTENANCE.

Wells shall be maintained to meet construction or destruction standards. If a well does not meet construction or destruction standards the property owner or responsible party must repair, reconstruct or destroy the well so it meets the standards.

(Added by Ord. No. 8815 (N.S.), effective 7-22-97; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

ARTICLE 4. NUISANCES*

*Cross reference(s)--Uniform public nuisance abatement procedure, § [16.201](#) et seq.

SEC. 67.430. INVESTIGATION.

The Director may, upon reasonable cause to believe that an abandoned well or other well is causing a nuisance by polluting or contaminating ground water, or constitutes a safety hazard, investigate the situation to determine whether such nuisance does in fact exist. The Director shall have the power, when in the performance of his/her duty and upon first presenting his/her credentials and identifying himself/herself as an employee of the Department of Environmental Health to the person apparently in control of the premises, if available, to enter upon any such premises between the hours of 8:00 a.m., and 6:00 p.m., to discover or inspect any thing or condition which appears to indicate such a nuisance. The Director may examine such premises, things or conditions, take such samples and make such tests as needed and take any other steps reasonably necessary for the proper investigation and determination of whether such a nuisance exists.

(Amended by Ord. No. 5405 (N.S.), effective 3-22-79, operative 3-23-79; amended by Ord. No. 7309 (N.S.), effective 7-2-87; amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.430.1. RESPONSIBILITY TO ABATE NUISANCE.

The property owner or responsible party shall take the necessary actions to repair, reconstruct or destroy a well that is a nuisance.

(Added by Ord. No. 8815 (N.S.), effective 7-22-97; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.431. ORDER TO ABATE NUISANCE.

Whenever the Director determines that an abandoned or other well is causing a nuisance by polluting or contaminating ground water, or constitutes a safety hazard, the Director may issue a written order as provided in the Public Nuisance Abatement Procedures set out in Chapter 2 of Division 6 of Title 1 of this code. All subsequent procedures shall be as specified in that chapter.

(Amended by Ord. No. 7141 (N.S.), effective 6-26-86; amended by Ord. No. 7309 (N.S.), effective 7-2-87; amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 8815 (N.S.), effective 7-22-97;

amended by Ord. No. 9858 (N.S.), effective 5-25-07; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.432. [RESERVED.]

(Repealed by Ord. No. 7141 (N.S.), effective 6-26-86)

SEC. 67.433. [RESERVED.]

(Repealed by Ord. No. 7141 (N.S.), effective 6-26-86)

SEC. 67.434. [RESERVED.]

(Repealed by Ord. No. 7141 (N.S.), effective 6-26-86)

ARTICLE 5. CONSTRUCTION, REPAIR, RECONSTRUCTION AND DESTRUCTION OF WELLS

SEC. 67.440. ACTS PROHIBITED.

No person shall construct, repair, reconstruct or destroy any well unless a written permit has first been obtained from the Director as provided in this Chapter, and unless the work done shall conform to the standards specified in this Chapter and all the conditions of the said permit.

(Amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.441. PERMITS.

A. Applications: Applications for permits shall be made to the Director and shall include the following:

1. A plot plan showing the location of the well with respect to the following items within a radius of 250 feet from the well:

- (a) Property lines
- (b) Waste disposal systems or works carrying or containing sewage, industrial wastes, or solid wastes.
- (c) All intermittent or perennial, natural or artificial bodies of water or watercourses.
- (d) The approximate drainage pattern of the property.
- (e) Other wells.

- (f) Structures, surface or subsurface.
- 2. Location of the property, and the Assessor's parcel number.
- 3. The name of the person who will construct the well.
- 4. The proposed minimum and the proposed maximum depth of the well.
- 5. The proposed minimum depths and types of casings and minimum depths of perforations to be used.
- 6. The proposed use of the well.
- 7. Other information as may be necessary to determine if the underground waters will be adequately protected.
- 8. The name of the property owner.
- 9. The name of the responsible party who has contracted or otherwise caused to have, a monitoring well constructed, repaired, reconstructed or destroyed.

B. Fees: Each application shall be accompanied by a fee as set forth in [Title 6, Division 5, Section 65.107](#), par. (g), of this Code.

C. Conditions: Permits shall be issued in compliance with the standards set out in "California Well Standards" Bulletin 74-81 and Bulletin 74-90 and as provided in this Chapter except that such standards shall be inapplicable or modified as expressly provided by the Director in such permit upon his finding that such modifications or inapplicability will accomplish the purposes of this ordinance. Permits may also include any other condition or requirement found by the Director to be necessary to accomplish the purposes of this Chapter.

D. Grounds for Refusal of Permit. The Director may refuse to issue a permit for any of the following reasons:

- 1. The applicant is not a person authorized to perform the work as provided in this Chapter.
- 2. The permit application is not in proper form.
- 3. The proposed well would create a water pollution problem or would aggravate a pre-existing water pollution problem or would violate any of the standards established in Article 3 of this Chapter.
- 4. The applicant is delinquent with submitting well drilling logs to the Director.

E. Term, completion of work: The permittee shall complete the work authorized by the permit within the time and before the date set out in the permit. The permittee shall notify the Director in writing upon completion of the work and submit a copy of the well drilling log and no work shall be deemed to have been completed until such written notification and a copy of the well drilling log have been received. A final inspection of the work shall be made by the Director unless such inspection is waived by him, and no permittee shall be deemed to have complied with this Chapter or his permit until such inspection has been performed or waived.

F. Review and Appeal: Any person aggrieved by the refusal of a permit or the terms of a permit required by this Chapter may appeal in writing to the Board of Supervisors. The appeal shall be accompanied by a filing fee of fifteen dollars (\$15.00). The Board of Supervisors shall, within forty (40) days after the filing of an appeal, hold a hearing on said appeal and shall mail notice in writing of the date thereof to the appellant and applicant at least five (5) days before the hearing date. The decision of the board of Supervisors shall be rendered within ten (10) days after the initial hearing date and shall be binding upon the parties, except that the determinations made by the Director relating directly to the public health may not be overruled or modified by the Board of Supervisors.

(Amended by Ord. No. 6378 (N.S.), effective 7-29-82; amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted

11-8-94, operative 1-1-95; amended by Ord. No. 8815 (N.S.), effective 7-22-97; amended by Ord. No. 9273 (N.S.), effective 12-15-00; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.442. PERSON AUTHORIZED TO PERFORM WORK.

Construction, reconstruction, repair, and destruction of wells shall be performed by a contractor licensed in accordance with the provisions of the Contractor's License Law (Bus. & Prof. Code, Ch. 9, Div. 3) unless exempted by that law.

(Amended by Ord. No. 10238 (N.S.), effective 1-4-13)

State law reference(s)--Licensing of contractors, Business and Professions Code, Ch. 9, Div. 3.

SEC. 67.443. INSPECTIONS.

1. Upon receipt of an application, an inspection of the well location may be required by the Director to be made by the Director prior to issuance of a well permit.

2. The Director or any person designated by the Director may inspect the work in progress and may enter the premises at any reasonable time for the purpose of performing such inspection.

3. After work has been completed pursuant to any permit the Director shall be notified by the person performing the work and the Department of Environmental Health shall make a final inspection of the completed work to determine compliance with the well standards.

(Amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.444. EXPIRATION OF PERMIT.

Each permit issued pursuant to this Chapter shall expire and become null and void if the work authorized thereby has not been completed within one hundred twenty (120) days following the issuance of the permit.

Upon expiration of any permit issued pursuant hereto, no further work may be done in connection with construction, repair, reconstruction, or abandonment of a well unless and until a new permit for such purpose is secured in accordance with the provisions of this Chapter.

(Amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.445. EXTENSION OF PERMIT.

Any permit issued pursuant to this Chapter may be extended at the option of the Director . Each individual extension granted by the Director shall be for not longer than one hundred twenty (120) days. In no event shall the Director grant an extension which would make the total term of the permit exceed one year. Application for extension shall be made on a form provided by the Director. The fee for submitting such application shall be twenty-five dollars (\$25.00).

(Amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.446. REVOCATION OR SUSPENSION.

1. A permit issued hereunder may be revoked or suspended by the Director if he determines that a violation of this Chapter exists, that written notice has been directed to the permittee specifying the violation and that the permittee has failed or neglected to make the necessary adjustments within 30 days after receiving the notice. A permit may also be revoked or suspended by the Director if he/she determines that the person to whom any permit was issued pursuant to this Chapter has obtained the same by fraud or misrepresentation. A suspension or revocation may be appealed as set out in Section [61.109](#) of this code.

2. The suspension or revocation of any permit shall not be effective until notice thereof in writing is mailed to the permittee, and the time for filing an appeal has expired. The notice shall advise the permittee of his right to appeal.

(Amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 9858 (N.S.), effective 5-25-07; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.447. LOG OF WELL.

Any person who has drilled, dug, excavated or bored a well, or deepens or perforates such a well, or destroys such a well, shall, within 60 days from the date of completion of the well, submit to the Director a copy of the report of completion for the well required to be submitted to the California Department of Water Resources in accordance with the provisions of Section 13751 of the California Water Code, and all laboratory and geophysical data.

(Amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 9273 (N.S.), effective 12-15-00; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.448. VIOLATION -- MISDEMEANOR.

Any person violating the provisions of this Article shall be deemed guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed five hundred dollars (\$500.00) or by imprisonment for a period of not more than six (6) months in the County Jail or by both such fine and imprisonment.

(Added by Ord. No. 5233 (N.S.), effective 8-22-78; Ord. No. 5233 (N.S.), superseded by Ord. No. 5246 (N.S.), adopted 8-29-78, effective 9-28-78; amended by Ord. No. 10238 (N.S.), effective 1-4-13)

SEC. 67.449. WAIVER OF SPECIFIED FEES FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this chapter, the permit fees specified in Sections 67.441.B and 67.445 shall be waived for:

(1) Any farm employee housing or farm labor camp project for which (i) a complete application for an Administrative Permit or a Minor Use Permit was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.); or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.); or was filed between October 31, 1991 and June 30, 1993, pursuant to Ordinance No. 8086 (N.S.); or was filed between July 30, 1993 and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No. 8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S.) and (ii) the application was approved; or

(2) Any farm employee housing or farm labor camp project for which (i) Section 17021.5 or Section 17021.6 of the California Health and Safety Code is applicable; (ii) the Agricultural Commissioner has issued a certificate of active agricultural enterprise; (iii) the housing is not the subject of an active code enforcement action; (iv) the applicant has entered into the contract required by Section 6156 u.11 or Section 6906 d. of The Zoning Ordinance; and (v) the application was filed between July 30, 1993, and June 30, 1994, pursuant to Ordinance No. 8271 (N.S.); or was filed between September 2, 1994 and June 30, 1995, pursuant to Ordinance No.

8436 (N.S.); or was filed between September 15, 1995 and June 30, 1998, pursuant to Ordinance No. 8574 (N.S.); or was filed between May 14, 1999 and June 30, 2004, pursuant to Ordinance No. 9021 (N.S.); or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S.).

(Added by Ord. No. 7768 (N.S.), effective 7-13-90; amended by Ord. No. 7875 (N.S.), effective 4-4-91; amended by Ord. No. 7977 (N.S.), effective 10-31-91; amended by Ord. No. 8086 (N.S.), effective 7-16-92; amended by Ord. No. 8271 (N.S.), effective 7-30-93; amended by Ord. No. 8436 (N.S.), effective 9-2-94; amended by Ord. No. 8574 (N.S.), effective 9-15-95; amended by Ord. No. 9021 (N.S.), effective 5-14-99; amended by Ord. No. 9647 (N.S.), effective 6-18-04; amended by Ord. No. 10238 (N.S.), effective 1-4-13)