

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Prohibition of Sewer Extensions and Connections in Areas Not Annexed to the San Diego County Sanitation District

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Purpose

To provide a policy that will:

1. Prohibit sewer extensions and connections in areas that are not annexed to the San Diego County Sanitation District (“District”); and
2. Provide an exception to the prohibition, for specific circumstances involving failed septic systems, and offer an expedited process to allow connection to District sewer while a formal annexation application goes through approval proceedings.

Background

In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“Act”), Government Code 56000 et seq., the Local Agency Formation Commission (LAFCO) must approve any proposed annexations into the District. Past practices by County departments have, upon occasion, encouraged installation of sewer lines and connections to the District sewerage system before the area was formally annexed. These practices have resulted in a precommitment to annexation before the District and LAFCO had an opportunity to review the proposed annexation. This Policy is intended to discourage connections to serve territory outside the District except in limited circumstances involving threats to public health and safety within the scope of Section 56133 of the Act.

Policy

1. There shall be a prohibition, applicable to all County departments, against authorizing sewer extensions and/or connections to the District sewage system in areas that have not been annexed by LAFCO into the District.
2. Exception to the above stated prohibition can be made for properties with failed septic systems when:
 - a. The County Department of Environmental Health or other responsible government agency certifies that the septic or other sewer system serving the property has failed or is no longer available, cannot be adequately repaired or replaced, and there is a threat to the health and safety of the public or the affected residents; and

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- b. The Director, Department of Public Works, determines that connection will not adversely affect the District; and connection is feasible, when geographical, physical, and engineering design criteria are considered.
3. If conditions listed above are met, connection to the District sewage system may be authorized, and in fact expedited, if:
 - a. An application for annexation, including payment of required fees, has been filed with LAFCO; and
 - b. A temporary “Contractual Service Agreement” as authorized by the Act has been finalized between the property owner and the District, and subsequently approved by LAFCO; and
 - c. It is understood and agreed that the property owner or other non-District entities, will be responsible for any and all costs associated with making connection to the District sewage system, including but not limited to: engineering, construction, land or easement acquisition, permitting, and annexation.

The Director, Department of Public Works, is delegated the authority to negotiate and execute Contractual Service Agreements. Once annexation into the District has been approved by LAFCO, terms of the Contractual Service Agreement shall be superseded by the annexation.

Sunset Date

This policy will be reviewed for continuance by 12-31-18.

Board Action

9-21-71 (69)
12-11-84 (11)
8-8-89 (33)
7-14-99 (4)
08-07-02 (5)
12-09-08 (33)
11-10-10 (7)
5-09-12 (4)

CAO Reference

1. Department of Public Works
2. Department of Environmental Health