

**SANTA CRUZ COUNTY
BOARD OF SUPERVISORS INDEX SHEET**

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Index: --Ordinance No. 5117 (copy)

Item: 14. ADOPTED ORDINANCE NO. 5117 adding Chapter 7.79-Runoff and Pollution Control to the Santa Cruz County Code

**CHAPTER 7.79
RUNOFF AND POLLUTION CONTROL ORDINANCE
OF THE COUNTY OF SANTA CRUZ**

Chapter 7.79 of the Santa Cruz County Code is hereby added, as follows:

Chapter 7.79 Runoff and Pollution Control

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7.79.010 Purposes.

The purposes of this Ordinance are to:

- (a) Protect the health, safety, and welfare of the public by protecting the surface and groundwater quality, groundwater recharge, beneficial uses, marine habitats, watershed health, and ecosystems of the receiving waters of the County, including the Monterey Bay, from discharge of pollutants and the adverse effects of hydromodification.
- (b) Comply with Federal and State laws concerning stormwater.

7.79.020 Definitions.

- (a) **Beneficial Uses** shall be consistent with the designations and definitions set by the State Water Resources Control Board as part of the Water Quality Control Plan for the Central Coast Region (Basin Plan). As defined in the California Water Code, beneficial uses of the waters of the state that may be protected against quality degradation include, but are not limited to, domestic, municipal, agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves.
- (b) **Best Management Practices (BMPs)** shall mean timing of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
- (c) **Body of Standing Water** shall mean any area designated as standing water on the largest scale U.S. Geological Survey Topographic map most recently published, including, but not limited to wetlands, estuaries, lakes, marshes, lagoons; or any natural or man-made ponds which now support riparian biota.
- (d) **County** shall mean the County of Santa Cruz, represented by the Directors of the Departments of Public Works, Planning or Environmental Health Services or their designees.
- (e) **Director** shall mean the Director of the Department of Public Works, Planning, or Environmental Health Services, as applicable.
- (f) **Discharge** shall mean any release, spill, leak, pump, flow, escape, leaching (including subsurface migration to groundwater), dumping, or disposal of any liquid, semi-solid, or solid substance.
- (g) **Ground Disturbance** shall mean any construction activity that affects the soil on a property. Examples of site disturbance include, grading, land clearing, foundation excavation, installation of subsurface facilities, etc.
- (h) **Groundwater** shall mean water under the earth's surface, often in aquifers capable of supplying wells, streams, and/or springs.
- (i) **Groundwater Recharge** shall mean the process of infiltration and percolation of rainwater and surface water from land areas or streams through permeable soils or other substrate into aquifers which provide underground storage of water.
- (j) **Hydromodification** shall mean the alteration to the patterns and processes of runoff and sediment transport from a watershed into its receiving waters as a result of land-use changes; in a manner that generally produce changes to the physical, chemical, and/or biological condition(s) of those receiving waters.
- (k) **Illicit Connection** shall mean any unauthorized, man-made conveyance or drainage system pipeline, conduit, inlet or outlet, or condition of property whether on the surface or subsurface through which the illegal discharge of any pollutant to the storm drain system, receiving waters, body of standing water, or groundwater occurs or may occur. Illicit connections include, but are not limited to:

- (1) Any conveyances which allow sewage, process wastewater, or wash water to enter the storm drain system, receiving waters, body of standing water or groundwater and any connections to the storm drain system, receiving waters, body of standing water or groundwater from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by a government agency; or
 - (2) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system, receiving waters, body of standing water or groundwater which has not been documented in plans, maps, or equivalent records and approved by the County of Santa Cruz; or
 - (3) Any break, blockage, or overflow of a storage or conveyance system which allows the discharge of pollutants to the storm drain system, receiving waters, body of standing water, or groundwater.
- (l) **Non-Stormwater Discharge** means any discharge to the storm drain system, receiving waters, groundwater or body of standing water that is not composed entirely of stormwater except discharges pursuant to a NPDES permit or conditionally exempted by this chapter.
- (m) **NPDES, or National Pollution Discharge Elimination System**, is a national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Clean Water Act.
- (n) **Pollutant** shall mean anything that causes, creates or contributes to pollution of the receiving waters of the County including but not limited to:
- (1) Artificial materials, chips, or pieces of natural or man-made materials such as floatable plastics, wood, or metal shavings;
 - (2) Household waste including trash, paper, plastics, lawn clippings and yard wastes; pesticides, herbicides and fertilizers; used oil and fluids from vehicles, lawn mowers and other common household equipment;
 - (3) Metals including cadmium, lead, zinc, copper, silver, nickel, and chromium and non-metals including phosphorus and arsenic;
 - (4) Petroleum hydrocarbons such as fuels, lubricants, hydraulic fluids, surfactants, waste oils, solvents, coolants and grease;
 - (5) Soil sediment, particulate materials and increases in turbidity or settleable solids (in violation of County Code Chapter 16.24;
 - (6) Animal waste including animal fecal material from any property, residence, yard, kennel, pen, park, dog park, animal show, animal confinement facility; or from any activity involving an animal including keeping, riding, exercising, showing, recreating, walking, or transporting;
 - (7) Substances having characteristics such as a pH less than 6 5.5 or greater than 9 9.5, unusual coloration, or pathogens;

- (8) Waste materials including those incidental to construction and development activities; those produced by any activities of commercial or industrial businesses, whether mobile or stationary; painting, staining, use of sealants, glues, limes; application of pesticides, fertilizers or herbicides; use of wood preservatives and solvents; disturbance of asbestos fibers, paint flakes or stucco fragments; application of oils, lubricants, hydraulic, radiator or battery fluids; concrete pouring and cutting slurry wastes; sand blasting residues; or use of chemical degreasing or diluting agents;
- (9) Wastewater including any discharge generated by: construction and development activities; the activities of any commercial or industrial businesses, whether mobile or stationary; washing of cars, pressure-washing of buildings, walkways, or driveways; application of pesticides, fertilizers or herbicides; use of oils, lubricants, hydraulic, radiator or battery fluids; concrete pouring and cutting slurry wastes; sand blasting residues; use of chemical degreasing or diluting agents; concrete washout or use of concrete detergents, construction equipment washing; chlorinated or brominated water generated by swimming pools; surfacing wastewater from septic or graywater systems; grease and oil wastes from food establishments;
- (10) Materials causing an increase in biochemical oxygen demand, chemical oxygen demand, or total organic carbon; or which contain base/neutral or acid extractable organic compounds; and
- (11) Pollutants as defined in § 502 (6) of the Clean Water Act, 33 U.S.C. 1362(6) or incorporated into California Water Code § 13373.
- (o) **Rainy Season** shall mean the period from October 15th through April 15th.
- (p) **Receiving waters** of the County shall mean “waters of the United States” as defined in 40 Code of Federal Regulations §122.2, any other natural or altered channels or streams into which the stormwater discharges, any body of standing water, and groundwater.
- (q) **Responsible Party** shall mean any person who emits or whose property (e.g. real property, vehicle, etc.) emits any non-stormwater discharge into a storm drain system, receiving waters, groundwater, or a body of standing water; or the person(s) identified in and responsible for compliance with the provisions of a Stormwater Pollution Prevention Plan or Stormwater Management Plan.
- (r) **Storm Drain System** shall mean the conduits by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, streets, gutters, curbs, inlets, piped storm drains, terminal and detention basins, reservoirs, and other drainage structures, both public and private, that are located within the County of Santa Cruz.
- (s) **Stormwater** shall mean surface runoff and drainage or water immediately resulting from precipitation during storm events.

7.79.030 Authority to Implement.

The Directors of the Departments of Public Works, Planning and Environmental Health Services or their designees, on behalf of the County, shall have the authority to administer, implement and enforce this Ordinance in order to affect its purposes, whether or not the authority is specifically mentioned elsewhere in this Ordinance. Any order of the Directors or designees may be appealed in the manner specified by Section 7.79.210.

7.79.040 Prohibited Discharges, Exemptions and Limitations.

- (a) Discharges prohibited. No person shall commence, continue, or permit, any non-stormwater discharge to leave private property, enter the storm drain system, enter receiving waters of the County, or percolate into groundwater.
- (b) Exemptions from discharge prohibition. Subject to the limitation in subsection (c), the following activities shall not be prohibited discharges under this ordinance:
- (1) Water line or hydrant flushing, water line breaks, or other release of unpolluted potable water due to utility maintenance;
 - (2) Discharges and flows from emergency fire fighting activities;
 - (3) Unpolluted groundwater;
 - (4) Any non-stormwater discharge permitted or approved under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered by the State of California under the authority of the EPA.
 - (5) Any non-stormwater discharge permitted in writing by the County of Santa Cruz. The County of Santa Cruz may exempt in writing non-stormwater discharges that are not a source of pollutants to the storm drain system, receiving waters of the County, or groundwater.
 - (6) Irrigation water contained on private property;
 - (7) Individual residential car washing where the discharge is minimized by use of a bucket, hose with automatic shut-off valve or pressure washer;
 - (8) Swimming pool discharges that cannot be discharged to landscaping or sanitary sewer system; and which do not have detectable levels of chlorine or bromine or harmful levels of pH or other constituents.
- (c) Limitation. No person shall take any action, or fail to take preventative action, which may result in contamination, pollution, or unauthorized discharge of pollutants. This Ordinance shall not create liability on the part of the County of Santa Cruz, any agent or employee thereof for any damages that result from any discharger's reliance on this Ordinance and the choice of BMPs by the property owners to conform to the Ordinance or any administrative decision lawfully made under it.

7.79.050 Illicit Connections Prohibited.

- (a) No person shall establish, use, maintain, or allow to continue illicit connections to the storm drain system, receiving waters, groundwater, or a body of standing water.
- (b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. These previously approved discharges shall be corrected within 1 year of the effective date of this Ordinance.

7.79.060 Waste Disposal Prohibited.

No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, any refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to discharge of pollutants to the storm drain system, receiving waters, or groundwater, or body of standing water. It is a violation of this Ordinance to cause or permit any dumpster, solid waste bin, or other waste receptacle to leak such that any pollutant may enter public property, the storm drain system, receiving waters, groundwater, or a body of standing water.

7.79.070 Storm Drain System and Channel Modification Prohibited.

No person shall make any unpermitted alterations to drainage patterns or modifications to the storm drain system or any channel that is part of receiving waters of the county. No person shall deposit fill, debris, or other material in the storm drain system, a drainage channel, or on the banks of a drainage channel where it might enter the storm drain system or receiving waters and divert or impede flow. See Section 7.79.220 for the exception process.

7.79.080 Compliance Required with Industrial National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permits.

Any person subject to any industrial NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the County upon submittal of improvement plans prior to issuance of any grading, building, occupancy, or operating permits, upon inspection of the facility, during any enforcement proceeding or action, or for any other reasonable cause.

7.79.090 Compliance Required with Construction National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permits.

Any person subject to any construction NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the County upon submittal of improvement plans prior to issuance of any grading, building, occupancy, or operating permits, upon inspection of the facility, during any enforcement proceeding or action, or for any other reasonable cause. Any ground disturbing activity that is required to have a NPDES permit shall retain the following documents on site and make them immediately available:

- (a) A copy of permit registration documents to comply with a general permit to discharge stormwater associated with construction activity as submitted to the State Water Resources Control Board.
- (b) A waste discharge identification number issued by the State Water Resources Control Board.
- (c) A Stormwater Pollution Prevention Plan (SWPPP).
- (d) Monitoring and reporting documentation.
- (e) Evidence of facility self-inspection as required by the NPDES permit.

7.79.100 Best Management Practices for Construction Activities.

- (a) Prior to issuance of a County Permit granted pursuant to County Code Titles 12, 13, 14, 16, and 18, a stormwater pollution control plan addressing use of BMPs during construction shall be submitted for review and approval. The plan shall focus on measures to be installed while the project is under construction and include appropriate BMPs from the County Construction Site Stormwater Pollution Control BMP Manual.
- (b) The stormwater pollution control plan shall be implemented, installed and maintained for the duration of construction to prevent pollution of a storm drain system, receiving waters, groundwater, or a body of standing water. The stormwater pollution control plan shall be modified accordingly as the site changes during construction.
- (c) Rainy season measures shall be installed from October 15th through April 15th. If rain occurs between April 15th and October 15th, adequate measures shall be taken by the responsible party to prevent stormwater pollution.
- (d) Permits that do not involve ground disturbance shall only be required to include notes per the Housekeeping Requirements section in Section E of the Construction Site Stormwater Pollution Control BMP Manual.

7.79.110 Requirement to Prevent, Control, and Reduce Stormwater Volume, Runoff Rate and Pollutant Load.

- (a) Requirement to Implement Best Management Practices (BMPs). All responsible parties shall implement appropriate BMPs, including any BMPs identified by the County, as needed to minimize contribution to pollution or contamination of the storm drain system, receiving waters, groundwater or a body of standing water.
- (b) New Development and Redevelopment. All responsible parties shall mitigate impacts due to development and implement BMPs per the County Design Criteria adopted by the County of Santa Cruz and Code Sections 16.20 and 16.22 to control the volume, runoff rate, and potential pollutant load of stormwater runoff from new development and redevelopment projects to minimize the generation, transport, and discharge of pollutants, to prevent runoff in excess of predevelopment conditions, and maintain predevelopment groundwater recharge. When such requirements are incorporated into the terms of land use entitlements or building permits, a violation of the conditions or construction specifications of such entitlement or permit is also a violation of this Ordinance.
- (c) Responsibility to Implement BMPs. Notwithstanding the presence or absence of requirements promulgated pursuant to subsections (a) and (b) above, any person engaged in activities or operations, or owning facilities or property which will, or may, result in pollutants entering stormwater, the storm drain system, receiving waters, groundwater, or a body of standing water shall implement BMPs to prevent and/or reduce discharge of such pollutants.
 - (1) Activities, operations, and facilities include, but are not limited to: operation, maintenance, and repair of vehicles and construction equipment; use and disposal of chemicals such as paints, pool chemicals, pesticides, herbicides, and fertilizers; parking lots, gasoline stations, and loading docks; trucking, transportation, manufacturing, and processing facilities; waste disposal, recycling, scrap, and used parts operations; mobile steam or pressure washing operations; carpet cleaning; and construction projects.

- (2) Construction activities which may result in the release of pollutants to stormwater include, but are not limited to, grading, paving, pouring concrete, painting, and landscaping. Pollutants to be controlled at construction sites include in particular, but are not limited to, soil, sediment, and waste material during and immediately following construction.

7.79.120 Best Management Practices for Special Category Uses – General.

All new discretionary development and redevelopment projects that fall into one of the following categories are subject to Best Management Practices in accordance with the State Water Resources Control Board General Permit for the Discharge of Storm Water from Small MS4s (WQ Order No. 2003-0005-DWQ) and outlined in the County Design Criteria. These categories are:

- (a) Single-Family development on slopes exceeding 30 percent
- (b) Commercial Developments disturbing 10,000 square feet or more
- (c) Automotive Repair Shops
- (d) Retail Gasoline Outlets
- (e) Restaurants
- (f) Subdivisions with 10 or more housing units
- (g) Parking lots 5,000 square feet or more or with 25 or more parking spaces and potentially exposed to stormwater runoff

7.79.130 Ongoing Maintenance of Private Stormwater Management Facilities and Best Management Practices.

- (a) Requirements. Use of a private stormwater management facility (e.g. conveyance, treatment, retention, infiltration, and detention systems) and maintenance of Best Management Practices shall be subject to the following requirements:
 - (1) The property owner shall maintain the system or practice, monitor system performance, comply with any special requirements established as a condition for approval of that specific system and/or specified in the Stormwater Management Maintenance Agreement, and if necessary, modify (with written approval by the County) the facility or practice to maintain the proper management of stormwater.
 - (2) Stormwater management facilities and practices shall be subject to regular oversight and inspection by the County to ensure that the above conditions are satisfied.

- (3) If the facility is not functioning satisfactorily and/or practices are not in compliance with requirements specified in the Stormwater Management Maintenance Agreement, the property owner may be subject to a re-inspection fee and will be required to upgrade the facility and/or modify operation as necessary to ensure proper operation.
 - (4) Properties served by a Stormwater Management Maintenance Agreement shall be subject to an annual service charge under Santa Cruz County Flood Control and Water Conservation District, which shall be established by a resolution of the Board of Supervisors and added to the Unified Fee Schedule to pay the costs of routine system oversight by the County.
 - (5) The County shall establish policies and procedures for use of stormwater management facilities or practices covered under a Stormwater Management Maintenance Agreement.
- (b) Ongoing Maintenance and Monitoring. The project designer shall establish specifications and requirements for the ongoing maintenance and monitoring to ensure proper functioning of stormwater management facilities and practices that have been approved pursuant to this Section. These specifications and requirements may include, but are not limited to: requirement of regular monitoring, maintenance and service; site specific monitoring and maintenance requirements; and effluent testing.
- (c) Recorded Notice. A Stormwater Management Maintenance Agreement shall be recorded by the property owner with the County Recorder's Office on the deed of any property served by an approved stormwater management facility. The Stormwater Management Maintenance Agreement will include the following information:
- (1) Statement of the operating requirements to ensure proper performance of the Stormwater management facility.
 - (2) Specification of any Best Management Practices that must be implemented and maintained.
 - (3) Specification of any restriction on system use or property use, such as limitations on amount of impervious surface, limits on fertilizer or pesticide use, limits on vehicle parking or maintenance, restrictions on building additions, etc.
 - (4) Notification that County staff may conduct routine inspections of the facility to ensure that the stormwater facilities are functioning properly and being maintained as needed.
 - (5) Notification that the property owner may be assessed an annual service charge on the property tax bill to cover the County costs of inspection and oversight.
 - (6) Notification that the property owner may be required to report to the County on the management and maintenance of the stormwater management facility or practice.

7.79.140 Requirement to Remediate.

Whenever the County finds that a discharge of pollutants is taking place or has occurred, which will result in or has resulted in, pollution of stormwater, the storm drain system, receiving waters, groundwater or a body of standing water, the County may require by written notice to the responsible person that the pollution be remediated and cleaned, up and the affected property restored within a specific timeframe. The burden, including costs, fees, and fines of the remediation shall be borne by the responsible party.

7.79.150 Requirement to Monitor and Analyze.

The County may require by written notice that any person engaged in any activity and/or owning or operating any facility which may likely cause or contribute to stormwater pollution or non-stormwater discharges to the storm drain system, receiving waters, groundwater or a body of standing water shall undertake at said person's expense such monitoring and analyses and furnish such reports as the County deems necessary to determine compliance with this Ordinance. The burden, including costs, of these activities, analyses, and reports shall be borne by the responsible party.

7.79.160 Notification of Spills.

Notwithstanding other requirements of law, if any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in non-stormwater discharges or pollutants discharging into the storm drain system, receiving waters, a body of standing water or groundwater; said person shall immediately take all necessary steps to ensure the discovery, containment, and cleanup of such a release. In the event of a release of materials, said person shall immediately call 911 for emergency response as well as notify the County of Santa Cruz in person, by phone, by electronic mail or by facsimile within 24 hours of the spill. Notifications in person or by phone shall be confirmed by follow-up correspondence within three days of the initial notification.

7.79.170 Authority to Inspect.

Whenever it is determined to be necessary to inspect or enforce any provision of this Ordinance, or whenever the County has probable cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this Ordinance, the County, with permission from the responsible party, may enter such premises at all reasonable times to inspect the same and to inspect and copy records related to stormwater compliance. In the event the responsible party refuses entry after a request to enter and inspect has been made, the County is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

7.79.180 Authority to Sample, Establish Sampling Devices, and Test.

During any inspection as provided herein, the County may with permission of or notification to the responsible party take any samples deemed necessary to aid in the pursuit of the inquiry or to record site activities. Subject to the access provisions of Section 7.79.170 of this chapter, the County may establish on any property such devices as are necessary to conduct sampling or metering and may perform smoke or dye tests to determine the source of a discharge.

7.79.190 Notice of Violation.

Whenever the County finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the County may order compliance with this Ordinance by written Notice of Violation to the responsible person that may require one or more of the following:

- (a) Monitoring, analyses, and reporting be performed;
- (b) Elimination of illicit connections or non-stormwater discharges;
- (c) Cessation of discharges, practices, or operations that are causing the violation;
- (d) Implementation of source control or treatment BMPs; and/or
- (e) Abatement and remediation of any drainage modification, stormwater pollution, contamination hazard, or any other damage on affected property.
- (f) Establishment of a timeline within which such actions must be completed. Said notice shall further advise that, should the violator fail to take necessary actions within the established deadline, the work may be done by the County or a contractor designated by the County and the expense thereof shall be charged to the violator.
- (g) Reimbursement of the costs of these actions including any fines or fees related to the violation shall be borne by the responsible party.

7.79.200 Violations Deemed a Public Nuisance.

In addition to the enforcement processes and penalties herein provided, any condition caused or allowed to exist in violation of any of the provisions of this Ordinance is a public nuisance and subject to abatement as otherwise provided in this Code and under state law.

7.79.210 Appeals.

- (a) Any decision, interpretation, order or other action taken by the County in connection with the enforcement of violations relating to prohibited discharges; illicit connections; waste disposal; and, storm drain system and channel modification as described in this chapter may be appealed to the Director or his/her designee of either the Department of Public Works, Planning or Environmental Health Services, depending on which department the staff person works within whose decision, interpretation, order or other action is being appealed.
- (b) The appeal must be filed within fourteen (14) calendar days of the subject decision, interpretation, order or other action of County staff and must be accompanied by the appeal fee per the fee schedule in effect at the time of appeal. If the final day for filing an appeal occurs on a weekend day or holiday, the filing date shall be extended to the next following work day.
- (c) The written appeal shall specify the decision, interpretation, order or other action which is being appealed; the County staff member who made the decision, interpretation, order or other action; and the legal and/or technical basis upon which the appellant contends that the decision, interpretation, order or other action was made in error.
- (d) The Director may decide the appeal on the basis of the written appeal, or may review the appeal with the applicant and/or the appellant. The decision of the Director on the appeal shall be made in writing, and shall be provided to the applicant and/or the appellant within sixty (60) calendar days of the submittal of the appeal, unless the appellant agrees, in writing, to a longer period.
- (e) The decision of the Director shall be final, although the Director is authorized to refer any appeal to the Board of Supervisors for consideration and action.

7.79.220 Exceptions.

Any person may request an administrative Exception to the requirements of this Chapter, subject to approval by the appropriate Department Director or his/her designee, pursuant to the following:

- (a) Exceptions may be granted if the project or activity is found to be consistent with the Purposes found in Section 7.79.010 and either:
 - (1) There are special site characteristics or circumstances that appropriately excuses the project or activity from meeting one or more of the standards of this Chapter; or
 - (2) The granting of an Exception will result in a superior project or activity consistent with the Purposes of this Chapter;
- (b) Any decision on an Exception shall not establish a precedent for future applications.
- (c) The decision by a Department Director or his/her designee on an Exception request is final and may not be further appealed, although the Director is authorized to refer consideration of any Exception request to the Board of Supervisors for consideration and action.

7.79.230 Penalties.

The penalties for violation of, or failure to comply with, this chapter shall be an infraction as prescribed in Chapter 1.12 of the Santa Cruz County Code.

SECTION II

This Ordinance shall become effective on the 31st day following adoption.

PASSED AND ADOPTED this 6th day of March, 2012, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:	SUPERVISORS	Pirie, Stone, Coonerty, Caput and Leopold
NOES:	SUPERVISORS	None
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	None

JOHN LEOPOLD

Chairperson of the Board

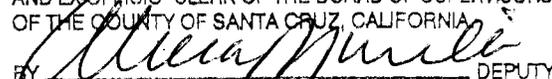
Attest: **TESS FITZGERALD**
Clerk of the Board

APPROVED AS TO FORM:


Office of County Counsel

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE ATTEST BY HAND AND SEAL THIS 6th DAY OF March 2012

SUSAN A. MAURIELLO, COUNTY ADMINISTRATIVE OFFICER AND EX OFFICIO CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, CALIFORNIA

BY  DEPUTY