

**BERNALILLO COUNTY**

**BOARD OF COUNTY COMMISSIONERS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 42, ARTICLE IV, DIVISION 10,  
SECTION 42-492, REQUIRING AN EVALUATION OF WASTEWATER  
SYSTEMS.**

**Sec. 42-492. Applicability**

Section (b) is changed as follows:

(b) Functioning wastewater systems that were installed prior to the effective date of this ordinance and receive, or are designed to receive, 2000 gal/day or less of wastewater shall comply with Section 42-501, Operating Permit, Section 42-508, Performance Standards, Section 42-509, Design, and Section 42-511, Disposal, at the time they are modified or replaced. If a sewer system is available, the structure(s) shall connect to the sewer system as required in Section 42-498, Sewers.

Beginning on July 1, 2012, property owners of lots of  $\frac{3}{4}$  acre or less with existing wastewater systems shall undergo an evaluation of the wastewater system according to the following schedule:

1. Systems constructed prior to January 1, 1982 shall be evaluated by December 31, 2015.
2. Systems constructed between January 1, 1982 and January 1, 1990 shall be evaluated by December 31, 2020.
3. Systems constructed between January 1, 1990 and January 1, 1995 shall be evaluated by December 31, 2025.

**CONTINUATION PAGE 2, AN ORDINANCE AMENDING CHAPTER 42, ARTICLE IV, DIVISION 10, SECTION 42-492 REQUIRING AN EVALUTION OF WASTEWATER SYSTEMS.**

1       4. Systems constructed between January 1, 1995 and January 1, 2000 shall be evaluated by  
2           December 31, 2030.

3       5. Systems constructed after January 1, 2000 shall undergo evaluation within 60 days of the  
4           30<sup>th</sup> anniversary of construction.

5       The evaluation shall be performed by a certified system evaluator as determined by Bernalillo  
6       County. Documents describing the evaluation shall be submitted to the County in a format  
7       prescribed by the County. The evaluation shall result in an acceptable or unacceptable rating.  
8       An acceptable rating documents that the existing system is not failing. It does not address the  
9       life expectancy or state of compliance of the system with the current wastewater ordinance. An  
10       unacceptable rating documents that part of the system or the entire system is failing and is  
11       subject to paragraph F of this section. Systems evaluated under this requirement which receive  
12       an acceptable rating shall undergo evaluation every five years.

13       **DONE** this \_\_\_\_ day of \_\_\_\_\_, 2011.

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**CONTINUATION PAGE 3, AN ORDINANCE AMENDING CHAPTER 42, ARTICLE IV, DIVISION 10, SECTION 42-492 REQUIRING AN EVALUTION OF WASTEWATER SYSTEMS.**

1	<b>APPROVED AS TO FORM</b>	<b>BOARD OF COUNTY COMMISSIONERS</b>
2	_____	_____
3	County Attorney	Maggie Hart Stebbins, Chair
4		_____
5		Art De La Cruz, Vice Chair
6		_____
7	ATTEST	Michelle Lujan Grisham, Member
8		_____
9		Michael C. Wiener, Member
10	_____	_____
11	Maggie Toulouse Oliver, County Clerk	Wayne A. Johnson, Member
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