

# Complaint Investigation Summary

Report #: 5105

**COMPLAINT ID: CO0054010**

Site Location: 25795 S BIRD AVE

Received by: EE0008987 SANGALANG

Received Date: 7/7/2021

Complaint Received Via: CODE ENFORCEMENT

Assigned To: EE0009852 SALINAS

Assigned Date: 7/7/2021

Program/Element Code 4200 - LIQUID WASTE PROGRAM

## Nature of complaint:

PORTABLE RESTROOM AND HOLDING TANK ON PROPERTY PREVIOUSLY USED FOR OCCUPIED RECREATIONAL VEHICLES

## PROPERTY INFORMATION

### Property Name:

Site Location 25795 S BIRD AVE  
TRACY, CA 95304  
Cross Street

District 005 - RICKMAN, ROBERT  
Location Code 99 - UNINCORPORATED AREA  
APN 25214009

### Complaint Status:

Abated

Date Abated :

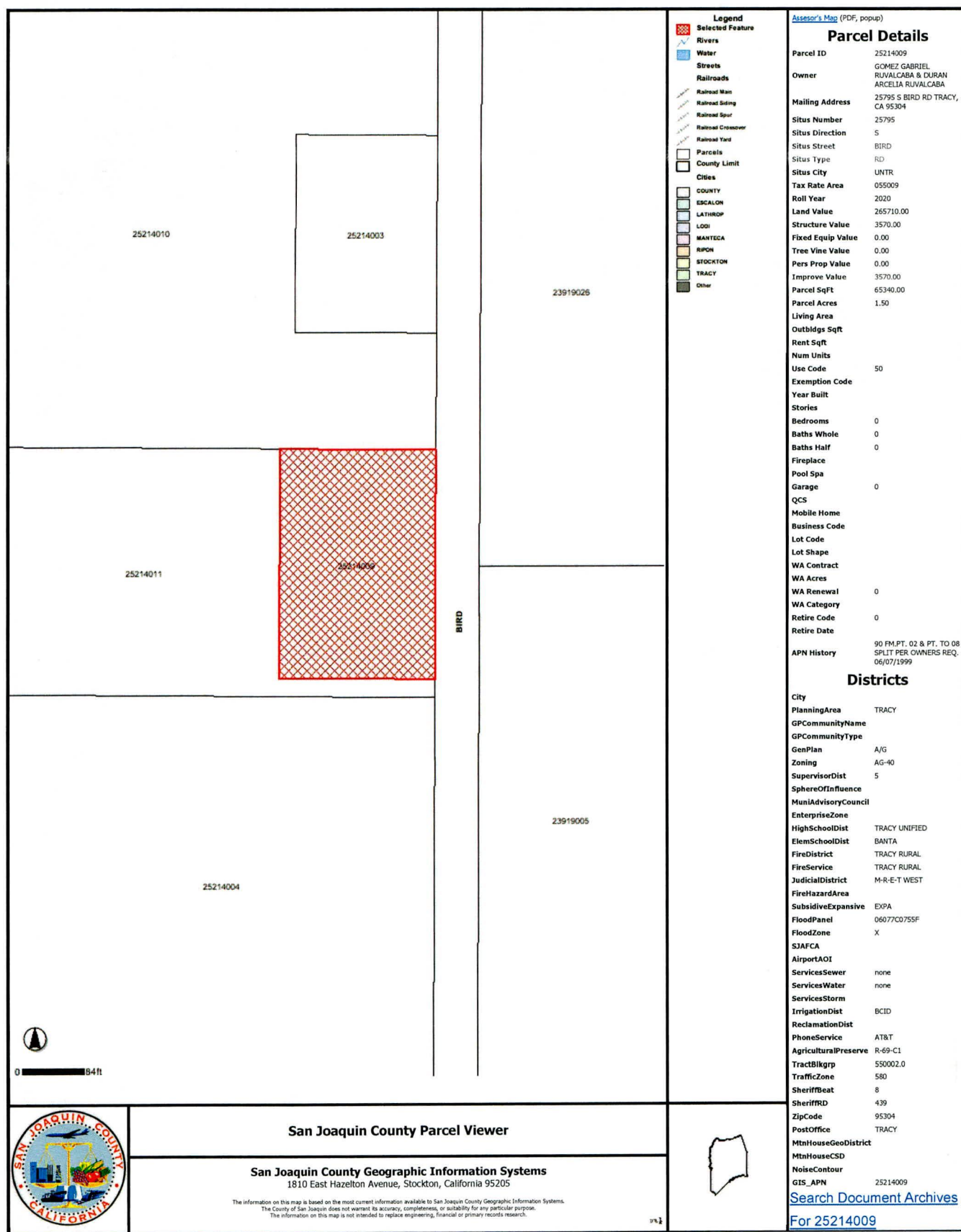
3/22/22

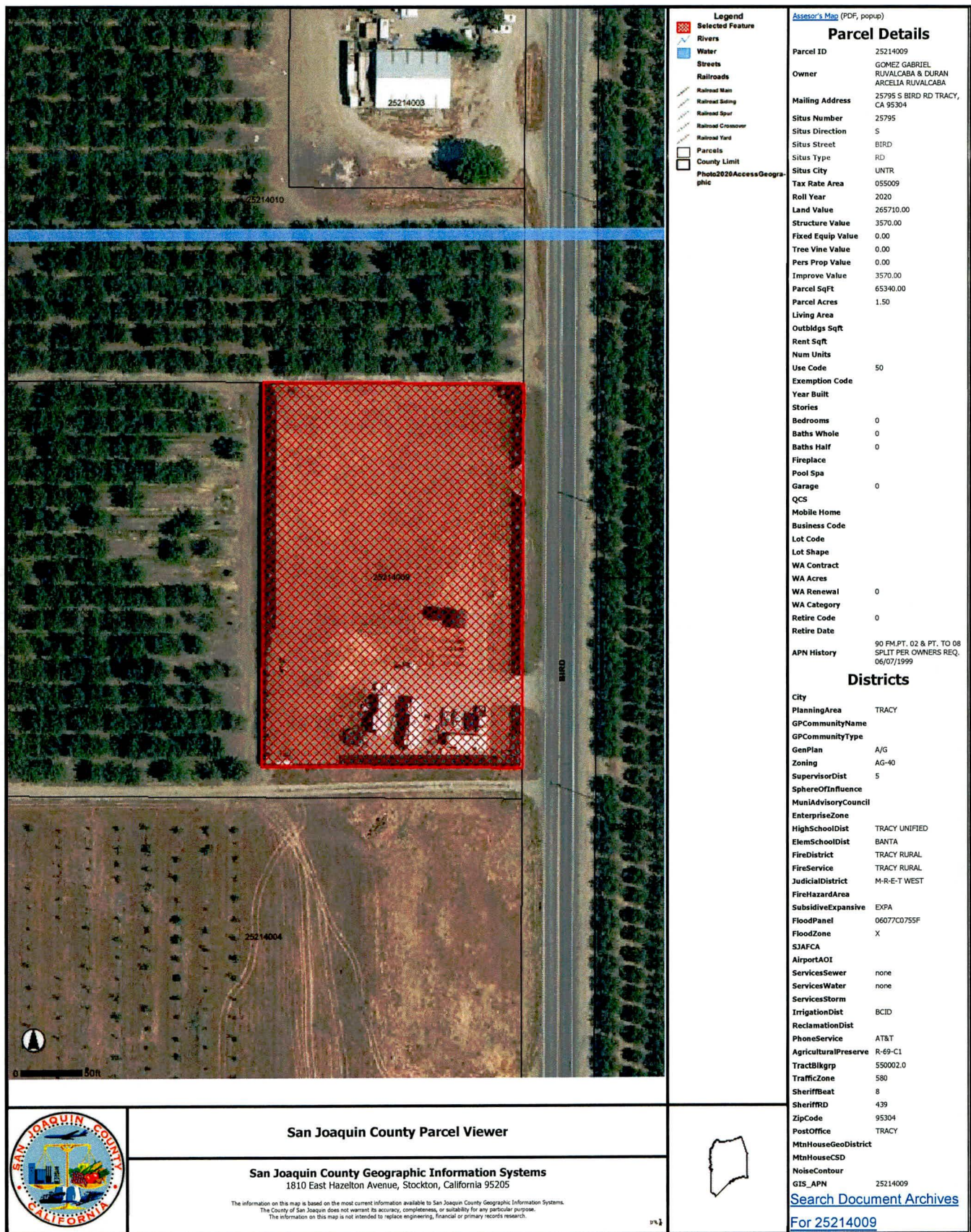
Abated By:

A. Salinas

## Activity Summary

Activity Date	Activity Description	Recorded by
07/23/2021	Printed parcel viewer and permits plus.	SALINAS
09/09/2021	visited the property and observed a recreational vehicle connected to the ground for sewage. Created and posted at the fence a sewage disposal notice to abate to correct violations within 48 hours. That is: disconnect from the ground and stop surfacing sewage.	SALINAS
09/13/2021	Created a photo log with the pictures taken and turned it in for review.	SALINAS
09/23/2021	MAILED REGULAR SEWAGE DISPOSAL NOTICE TO ABATE, WITH PHOTO LOG, DATED 09/09/2021 TO PROPERTY OWNER.  RUVALCABA, GOMEZ GABRIEL & DURAN ARCELIA 25795 S BIRD RD TRACY CA 95304-9339	BALLWAHN
11/17/2021	Created photo log and turned it in for review.	SALINAS
12/08/2021	MAILED REGULAR SEWAGE DISPOSAL NOTICE TO ABATE, WITH PHOTO LOG, DATED 11/17/2021 TO PROPERTY OWNER.  RUVALCABA, GOMEZ GABRIEL & DURAN ARCELIA 25795 S BIRD RD TRACY CA 95304	BALLWAHN
01/21/2022	Visited property with Gabby, met the RV resident and stated that the cap is not yet on because he is having issues finding one. Took pictures.	SALINAS
03/22/2022	Created photo log, received photos from owner showing sewage cap on, abated complaint. turned it in to Scott for revision.	SALINAS





**SEWAGE DISPOSAL NOTICE TO ABATE**

San Joaquin County Ordinance Code, Title 9 and Title 8, Section 5-5100:  
It is a violation for any property owner to maintain a nuisance in his property.

<b>LOCATION:</b> 25795 S. Bird Ave		<b>CITY:</b> Tracy	<b>DATE:</b> 9/9/2021
<b>PROPERTY OWNER NAME:</b> Gomez Gabriel Rivalcaba		<b>RECORD ID#:</b> CO0054010	
<b>TYPE OF INSPECTION:</b> <input checked="" type="checkbox"/> COMPLAINT <input type="checkbox"/> STATUS CHECK <input type="checkbox"/> OTHER			
<b>NOTICE ISSUED TO:</b> Posted at the Fence.			
<b>NATURE OF COMPLAINT/VIOLATION:</b> unpermitted connections from RV to the ground			
<b>VIOLATIONS:</b>			
1. <input checked="" type="checkbox"/>	It shall be unlawful to maintain or use any residence or place of business which is not provided with a means for the disposal of wastewater which complies with the requirements of SJC Ordinance Code, Title 9, Chapter 9-1110, or the SJC Sewage Standards. SJC Ord. Code, Title 9, Section 9-1110.9 – Compliance Required.		
2. <input checked="" type="checkbox"/>	<b>Sewage Discharge.</b> CA Health & Safety Code, Section 5411 - No person shall discharge sewage in any manner which will result in contamination, pollution, or a nuisance; CA Health & Safety Code, Section 5412 - Contamination shall be abated; CA Health & Safety Code, Section 117555 - Person discharged sewage onto public street/park guilty of misdemeanor; SJC Sewage Standards, Section 1.4.		
3. <input checked="" type="checkbox"/>	<b>Sewage Discharge Notification.</b> CA Health & Safety Code, Section 5411.5(a) - EHD must be notified of sewage discharges; CA Health & Safety Code, Section 5411.5(b) - Any person who fails to provide notice to the EHD of a sewage spill is guilty of a misdemeanor.		
4. <input checked="" type="checkbox"/>	<b>Location, Installation, Maintenance of Sewage System Inadequate, has Created a Nuisance, or Endangers Water Supply/Surface/Ground Water.</b> SJC Ord. Code, Title 9, Section 9-1110.4(e) - Changes Ordered; SJC Sewage Standards, Section 1.4.		
5. <input type="checkbox"/>	<b>Abandoned Septic Tank.</b> CA Health & Safety Code, Section 115700(a) - Failure to cover, fill, or fence dangerous excavation and keep so protected is guilty of a misdemeanor; SJC Sewage Standards, Section 4.4.		
6. <input checked="" type="checkbox"/>	<b>Means of Sewage Disposal not Approved.</b> SJC Ord. Code, Title 9, Section 9-1110.9 - Sanitation Permit Required; Section 9-1105.2 – General Requirements; SJC Sewage Standards, Section 5.3.		
7. <input checked="" type="checkbox"/>	<b>Work Conducted without a Permit</b> – (Construction, Destruction, or Repair). SJC Ord. Code, Title 9, Section 9-1110.3 – Sanitation Permit Required.		
8. <input type="checkbox"/>	<b>Inadequate Septic Tank Construction, Location, or Size.</b> SJC Sewage Standards, Section 4.1 et seq.		
9. <input type="checkbox"/>	<b>Prohibited Use of Sewer Well, Pit Privy, or Cesspool.</b> SJC Ord. Code, Title 9, Section 9-1110.6; SJC Sewage Standards, Section 1.13 – Prohibited Uses.		
10. <input type="checkbox"/>	<b>Prohibited Discharge into System.</b> SJC Ord. Code, Title 9, Section 9-1110.7; SJC Sewage Standards, Section 1.14 – Prohibited Discharges.		
11. <input type="checkbox"/>	<b>Connection to Public Sewer Required.</b> SJC Ord. Code, Title 9, Section 9-1110.2 – Public Sanitary Sewer Connection Required.		
<b>CORRECTIVE ACTIONS/ORDERS:</b>			
<input checked="" type="checkbox"/> Cease work and obtain an approved permit as indicated below. <input type="checkbox"/> Cover, secure open septic tank/pit/excavation. <input checked="" type="checkbox"/> Stop sewage discharge <input type="checkbox"/> Pump septic/holding tank as needed to prevent sewage discharge <input type="checkbox"/> Obtain EHD permit as indicated: <input type="checkbox"/> Destruction <input type="checkbox"/> Construction <input type="checkbox"/> Repair <input type="checkbox"/> Connect to Public Sewer System			
<b>COMPLIANCE DATE:</b> <input type="checkbox"/> IMMEDIATELY <input type="checkbox"/> 24 HOURS <input checked="" type="checkbox"/> 48 HOURS <input type="checkbox"/> 7 DAYS <input type="checkbox"/> 14 DAYS <input type="checkbox"/> _____			
<b>COMMENTS:</b> Stop sewage discharge immediately, disconnect sewage connections within 48 hrs.			
<b>COST RECOVERY:</b>		All EHD staff time associated with resolving this complaint will be billed at the current hourly rate (\$152). Failure to Comply with this Notice May Result in Formal Enforcement Action. Any owner or person in possession who objects to the finding of violations cited on this notice may request an office hearing by filing a written request with the San Joaquin County Environmental Health Department within 30 days of receipt of this notice.	
<b>FAILURE TO COMPLY:</b>			
<b>APPEAL PROCESS:</b>			
<b>INSPECTED BY:</b> <u>A. S.</u>		<b>PHONE:</b> 209-616-3019	
SIGNATURE OF REGISTERED ENVIRONMENTAL HEALTH SPECIALIST			
<b>RECEIVED BY:</b> <u>Posted</u>		<b>DATE:</b> 9/9/2021	
SIGNATURE OF OWNER/TENANT			

**PHOTO #1**

Overview of the front of the property, visible Recreational Vehicle has a sewage pipe connected to the ground.

**1.) Violation:** *It shall be unlawful to maintain or use any residence or place of business which is not provided with a means for the disposal of wastewater which complies with the requirements of SJC Ordinance Code, Title 9, Chapter 9-1110, or the SJC Sewage Standards. SJC Ord. Code, Title 9, Section 9-1110.9.* **2.) Violation:** *Sewage Discharge. No person shall discharge sewage in any manner which will result in contamination, pollution, or a nuisance. CA Health & Safety Code, Section 5411.* **3.) Violation:** *Sewage Discharge Notification. CA Health & Safety Code, Section 5411.5(a)- EHD must be notified of sewage discharges; CA Health & Safety Code, Section 5411.(b)- Any person who fails to provide notice to the EHD of a sewage spill is guilty of a misdemeanor.* **4.) Violation:** *Location, Installation, Maintenance of Sewage System Inadequate, has Created a Nuisance, or Endangered Water Supply/Surface/Ground Water. SJC Ord. Code, Title 9, Section 9-1110.4 (e) Changes Ordered; SJC Sewage Standards, Section 3.1.* **6.) Violation:** *Means of Sewage Disposal not Approved. SJC Ord. Code, Title 9, Section 9-1110.4- Sanitation Permit Required; Section 9-1105.2 – General Requirements; SJC Sewage Standards, Section 6.1.12. Violation: Work being conducted without a Permit – construction, destruction, or repair. SJC Ord. Code, Title 9, Section 9-1110.4- Sanitation Permit required.*



Sep 9, 2021, 4:47 PM

25795 S. Bird Ave. Tracy, Ca. 95304

08/12/21

**PHOTO #2**

Posted A Sewage Disposal Notice to Abate at the fence.

CO0054010



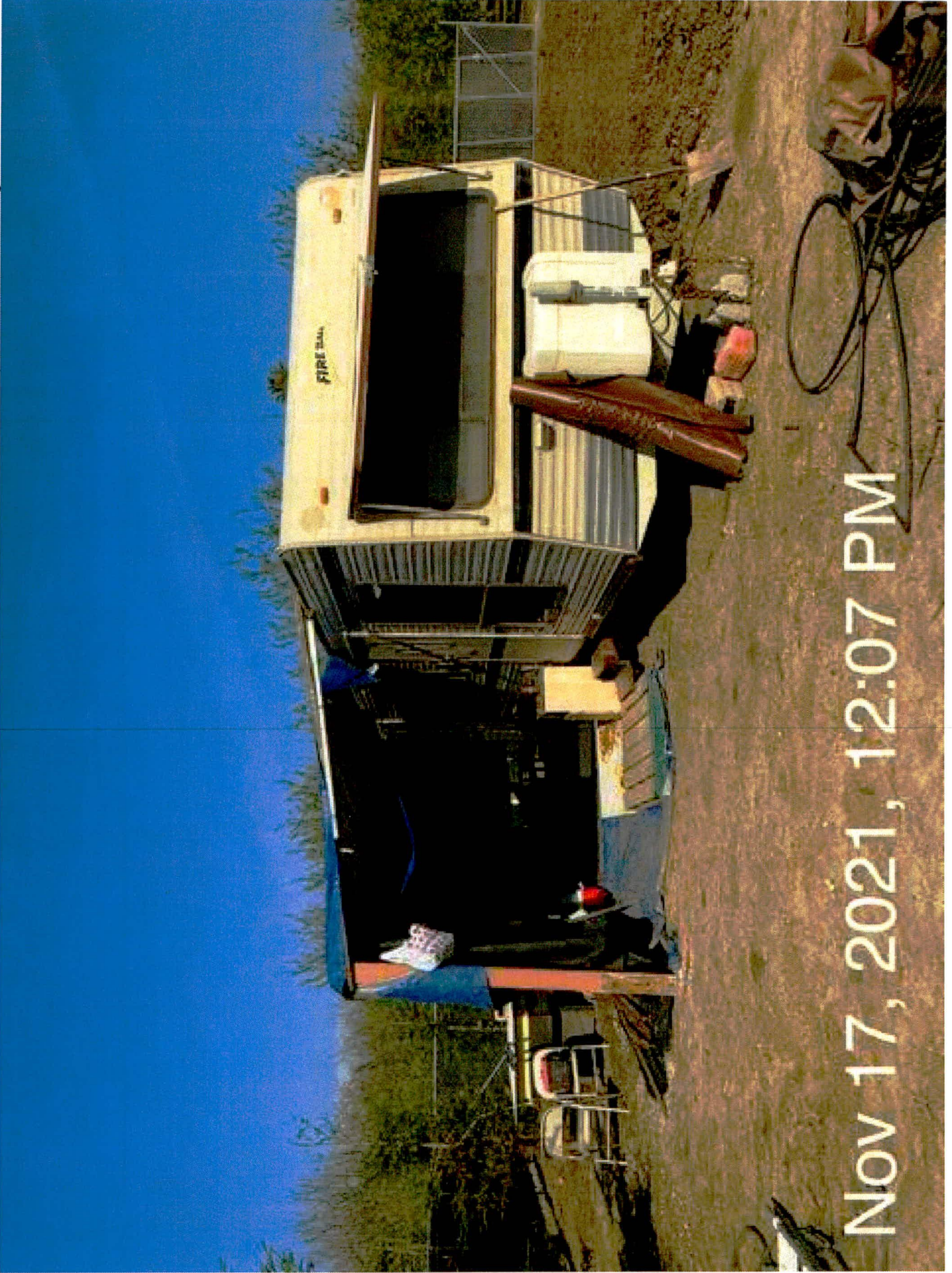
Sep 9, 2021, 4:47 PM



**SEWAGE DISPOSAL NOTICE TO ABATE**

*San Joaquin County Ordinance Code, Title 9 and Title 8, Section 5-5100:  
It is a violation for any property owner to maintain a nuisance in his property.*

<b>LOCATION:</b> 25795 S. Bird Ave.		<b>CITY:</b> Tracy	<b>DATE:</b> 11/17/21
<b>PROPERTY OWNER NAME:</b> Gomez, Gabriel Ruvalcaba		<b>RECORD ID#:</b> C00054010	
<b>TYPE OF INSPECTION:</b> <input checked="" type="checkbox"/> COMPLAINT <input type="checkbox"/> STATUS CHECK <input type="checkbox"/> OTHER			
<b>NOTICE ISSUED TO:</b> Mailed to owner.			
<b>NATURE OF COMPLAINT/VIOLATION:</b> Surfacing Sewage. Recreation Vehicle without Sewage Cap.			
<b>VIOLATIONS:</b>			
1. <input type="checkbox"/>	It shall be unlawful to maintain or use any residence or place of business which is not provided with a means for the disposal of wastewater which complies with the requirements of SJC Ordinance Code, Title 9, Chapter 9-1110, or the SJC Sewage Standards. SJC Ord. Code, Title 9, Section 9-1110.9 – Compliance Required.		
2. <input checked="" type="checkbox"/>	<b>Sewage Discharge.</b> CA Health & Safety Code, Section 5411 - No person shall discharge sewage in any manner which will result in contamination, pollution, or a nuisance; CA Health & Safety Code, Section 5412 - Contamination shall be abated; CA Health & Safety Code, Section 117555 - Person discharged sewage onto public street/park guilty of misdemeanor; SJC Sewage Standards, Section 1.4.		
3. <input checked="" type="checkbox"/>	<b>Sewage Discharge Notification.</b> CA Health & Safety Code, Section 5411.5(a) - EHD must be notified of sewage discharges; CA Health & Safety Code, Section 5411.5(b) - Any person who fails to provide notice to the EHD of a sewage spill is guilty of a misdemeanor.		
4. <input checked="" type="checkbox"/>	<b>Location, Installation, Maintenance of Sewage System Inadequate, has Created a Nuisance, or Endangers Water Supply/Surface/Ground Water.</b> SJC Ord. Code, Title 9, Section 9-1110.4(e) - Changes Ordered; SJC Sewage Standards, Section 1.4.		
5. <input type="checkbox"/>	<b>Abandoned Septic Tank.</b> CA Health & Safety Code, Section 115700(a) - Failure to cover, fill, or fence dangerous excavation and keep so protected is guilty of a misdemeanor; SJC Sewage Standards, Section 4.4.		
6. <input checked="" type="checkbox"/>	<b>Means of Sewage Disposal not Approved.</b> SJC Ord. Code, Title 9, Section 9-1110.9 - Sanitation Permit Required; Section 9-1105.2 – General Requirements; SJC Sewage Standards, Section 5.3.		
7. <input type="checkbox"/>	<b>Work Conducted without a Permit</b> – (Construction, Destruction, or Repair). SJC Ord. Code, Title 9, Section 9-1110.3 – Sanitation Permit Required.		
8. <input type="checkbox"/>	<b>Inadequate Septic Tank Construction, Location, or Size.</b> SJC Sewage Standards, Section 4.1 et seq.		
9. <input type="checkbox"/>	<b>Prohibited Use of Sewer Well, Pit Privy, or Cesspool.</b> SJC Ord. Code, Title 9, Section 9-1110.6; SJC Sewage Standards, Section 1.13 – Prohibited Uses.		
10. <input type="checkbox"/>	<b>Prohibited Discharge into System.</b> SJC Ord. Code, Title 9, Section 9-1110.7; SJC Sewage Standards, Section 1.14 – Prohibited Discharges.		
11. <input type="checkbox"/>	<b>Connection to Public Sewer Required.</b> SJC Ord. Code, Title 9, Section 9-1110.2 – Public Sanitary Sewer Connection Required.		
<b>CORRECTIVE ACTIONS/ORDERS:</b>			
<input type="checkbox"/> Cease work and obtain an approved permit as indicated below. <input type="checkbox"/> Cover, secure open septic tank/pit/excavation. <input checked="" type="checkbox"/> Stop sewage discharge <input type="checkbox"/> Pump septic/holding tank as needed to prevent sewage discharge <input type="checkbox"/> Obtain EHD permit as indicated: <input type="checkbox"/> Destruction <input type="checkbox"/> Construction <input type="checkbox"/> Repair <input type="checkbox"/> Connect to Public Sewer System			
<b>COMPLIANCE DATE:</b> <input type="checkbox"/> IMMEDIATELY <input type="checkbox"/> 24 HOURS <input type="checkbox"/> 48 HOURS <input type="checkbox"/> 7 DAYS <input type="checkbox"/> 14 DAYS <input type="checkbox"/> _____			
<b>COMMENTS:</b> Install sewage cap to the RV and to stop Surfacing Sewage.			
<div style="display: flex; justify-content: space-between;"> <div> <b>COST RECOVERY:</b>  <b>FAILURE TO COMPLY:</b>  <b>APPEAL PROCESS:</b> </div> <div>           All EHD staff time associated with resolving this complaint will be billed at the current hourly rate (\$152). Failure to Comply with this Notice May Result in Formal Enforcement Action. Any owner or person in possession who objects to the finding of violations cited on this notice may request an office hearing by filing a written request with the San Joaquin County Environmental Health Department within 30 days of receipt of this notice.         </div> </div>			
<b>INSPECTED BY:</b> <u>A.S.</u>		<b>PHONE:</b> 209-616-3019	
SIGNATURE OF REGISTERED ENVIRONMENTAL HEALTH SPECIALIST			
<b>RECEIVED BY:</b> <u>Mailed to owner</u>		<b>DATE:</b> 11/17/21	
SIGNATURE OF OWNER/TENANT			



**PHOTO #3**

Rearview of the Recreational Vehicle.



11/17/21

CO0054010

**PHOTO #3**

**Sewage cap off. 2.) Violation:** Sewage Discharge. No person shall discharge sewage in any manner which will result in contamination, pollution, or a nuisance. CA Health & Safety Code, Section 5411. 3.) **Violation:** Sewage Discharge Notification. CA Health & Safety Code, Section 5411.5(a)- EHD must be notified of sewage discharges; CA Health & Safety Code, Section 5411.(b)- Any person who fails to provide notice to the EHD of a sewage spill is guilty of a misdemeanor. 4.) **Violation:** Location, Installation, Maintenance of Sewage System Inadequate, has Created a Nuisance, or Endangered Water Supply/Surface/Ground Water. SJC Ord. Code, Title 9, Section 9-1110.4 (e) Changes Ordered; SJC Sewage Standards, Section 3.1. 6.) **Violation:** Means of Sewage Disposal not Approved. SJC Ord. Code, Title 9, Section 9-1110.4- Sanitation Permit Required; Section 9-1105.2 – General Requirements; SJC Sewage Standards, Section 6.1.12.





**SEWAGE DISPOSAL NOTICE TO ABATE**

San Joaquin County Ordinance Code, Title 9 and Title 8, Section 5-5100:  
It is a violation for any property owner to maintain a nuisance in his property.

<b>LOCATION:</b> 25745 S. Bird Ave	<b>CITY:</b> Tracy	<b>DATE:</b> 01/21/22
<b>PROPERTY OWNER NAME:</b> Gomez, Gabriel Ruvdican		<b>RECORD ID#:</b> C00054010
<b>TYPE OF INSPECTION:</b> <input checked="" type="checkbox"/> COMPLAINT <input type="checkbox"/> STATUS CHECK <input type="checkbox"/> OTHER		
<b>NOTICE ISSUED TO:</b> Mailed to owner		
<b>NATURE OF COMPLAINT/VIOLATION:</b> Recreational Vehicle without sewage cap.		
<b>VIOLATIONS:</b>		
1. <input checked="" type="checkbox"/>	It shall be unlawful to maintain or use any residence or place of business which is not provided with a means for the disposal of wastewater which complies with the requirements of SJC Ordinance Code, Title 9, Chapter 9-1110, or the SJC Sewage Standards. SJC Ord. Code, Title 9, Section 9-1110.9 – Compliance Required.	
2. <input checked="" type="checkbox"/>	<b>Sewage Discharge.</b> CA Health & Safety Code, Section 5411 - No person shall discharge sewage in any manner which will result in contamination, pollution, or a nuisance; CA Health & Safety Code, Section 5412 - Contamination shall be abated; CA Health & Safety Code, Section 117555 - Person discharged sewage onto public street/park guilty of misdemeanor; SJC Sewage Standards, Section 1.4.	
3. <input checked="" type="checkbox"/>	<b>Sewage Discharge Notification.</b> CA Health & Safety Code, Section 5411.5(a) - EHD must be notified of sewage discharges; CA Health & Safety Code, Section 5411.5(b) - Any person who fails to provide notice to the EHD of a sewage spill is guilty of a misdemeanor.	
4. <input checked="" type="checkbox"/>	<b>Location, Installation, Maintenance of Sewage System Inadequate, has Created a Nuisance, or Endangers Water Supply/Surface/Ground Water.</b> SJC Ord. Code, Title 9, Section 9-1110.4(e) - Changes Ordered; SJC Sewage Standards, Section 1.4.	
5. <input type="checkbox"/>	<b>Abandoned Septic Tank.</b> CA Health & Safety Code, Section 115700(a) - Failure to cover, fill, or fence dangerous excavation and keep so protected is guilty of a misdemeanor; SJC Sewage Standards, Section 4.4.	
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7. <input type="checkbox"/>	<b>Work Conducted without a Permit</b> – (Construction, Destruction, or Repair). SJC Ord. Code, Title 9, Section 9-1110.3 – Sanitation Permit Required.	
8. <input type="checkbox"/>	<b>Inadequate Septic Tank Construction, Location, or Size.</b> SJC Sewage Standards, Section 4.1 et seq.	
9. <input type="checkbox"/>	<b>Prohibited Use of Sewer Well, Pit Privy, or Cesspool.</b> SJC Ord. Code, Title 9, Section 9-1110.6; SJC Sewage Standards, Section 1.13 – Prohibited Uses.	
10. <input type="checkbox"/>	<b>Prohibited Discharge into System.</b> SJC Ord. Code, Title 9, Section 9-1110.7; SJC Sewage Standards, Section 1.14 – Prohibited Discharges.	
11. <input type="checkbox"/>	<b>Connection to Public Sewer Required.</b> SJC Ord. Code, Title 9, Section 9-1110.2 – Public Sanitary Sewer Connection Required.	
<b>CORRECTIVE ACTIONS/ORDERS:</b>		
<input type="checkbox"/> Cease work and obtain an approved permit as indicated below. <input type="checkbox"/> Cover, secure open septic tank/pit/excavation. <input type="checkbox"/> Stop sewage discharge <input type="checkbox"/> Pump septic/holding tank as needed to prevent sewage discharge <input type="checkbox"/> Obtain EHD permit as indicated: <input type="checkbox"/> Destruction <input type="checkbox"/> Construction <input type="checkbox"/> Repair <input type="checkbox"/> Connect to Public Sewer System		
<b>COMPLIANCE DATE:</b> <input checked="" type="checkbox"/> IMMEDIATELY <input type="checkbox"/> 24 HOURS <input type="checkbox"/> 48 HOURS <input type="checkbox"/> 7 DAYS <input type="checkbox"/> 14 DAYS <input type="checkbox"/> _____		
<b>COMMENTS:</b> Obtain a sewage cap and to stop surfacing sewage/gray water. Failure to comply will result a minimum fee of \$152 per hour next visit.		
<b>COST RECOVERY:</b> All EHD staff time associated with resolving this complaint will be billed at the current hourly rate (\$152). Failure to Comply with this Notice May Result in Formal Enforcement Action. Any owner or person in possession who objects to the finding of violations cited on this notice may request an office hearing by filing a written request with the San Joaquin County Environmental Health Department within 30 days of receipt of this notice. <b>FAILURE TO COMPLY:</b> <b>APPEAL PROCESS:</b>		
<b>INSPECTED BY:</b> A. S. [Signature]		<b>PHONE:</b> 209-616-3019
SIGNATURE OF REGISTERED ENVIRONMENTAL HEALTH SPECIALIST		
<b>RECEIVED BY:</b> Mailed to owner		<b>DATE:</b> 1/21/22
SIGNATURE OF OWNER/TENANT		

**PHOTO #3**

Overview of the front of the Recreational Vehicle parked on the property. License Plate #2FC7820 previously posted with a Sewage Notice to Abate.



**PHOTO #3**

**Sewage cap off. 2.) Violation:** Sewage Discharge. No person shall discharge sewage in any manner which will result in contamination, pollution, or a nuisance. CA Health & Safety Code, Section 5411. **3.) Violation:** Sewage Discharge Notification. CA Health & Safety Code, Section 5411.5(a)- EHD must be notified of sewage discharges; CA Health & Safety Code, Section 5411.(b)- Any person who fails to provide notice to the EHD of a sewage spill is guilty of a misdemeanor. **4.) Violation:** Location, Installation, Maintenance of Sewage System Inadequate, has Created a Nuisance, or Endangered Water Supply/Surface/Ground Water. SJC Ord. Code, Title 9, Section 9-1110.4 (e) Changes Ordered; SJC Sewage Standards, Section 3.1. **6.) Violation:** Means of Sewage Disposal not Approved. SJC Ord. Code, Title 9, Section 9-1110.4- Sanitation Permit Required; Section 9-1105.2 – General Requirements; SJC Sewage Standards, Section 6.1.12.



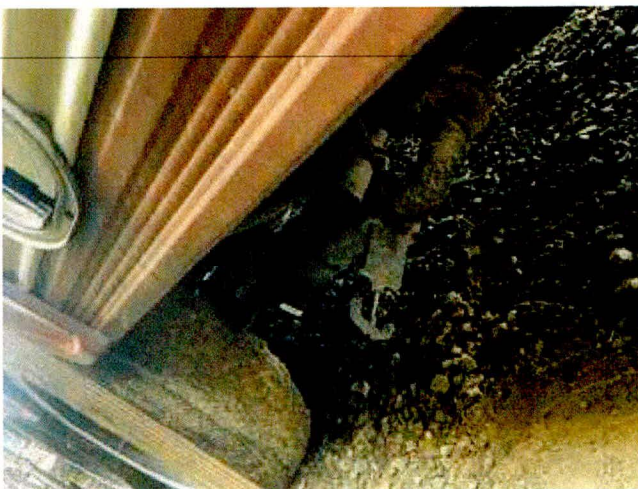
## Salinas, Aldara [EHD]

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**From:** Gabriel Ruvalcaba <gaby900gomez@icloud.com>  
**Sent:** Wednesday, February 2, 2022 4:06 PM  
**To:** Salinas, Aldara [EHD]

CAUTION: This email is originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is Gabriel Ruvalcaba at 25795 S Bird Rd Tracy Ca and I have capped off the sewer on the house rv trailer I had on the property. Thank you





Sent from my iPhone