

SAN GABRIEL

§ 53.00 TITLE.

The ordinance codified in this chapter shall be known as the "Stormwater and Urban Runoff Pollution Prevention Ordinance" of the City of San Gabriel and may be referred to as such.

(Ord. 530-C.S., passed 8-20-02)

§ 53.01 STATUTORY AUTHORITY.

The provisions of this chapter are adopted pursuant to the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. §§ 1251 et seq.

(Ord. 530-C.S., passed 8-20-02)

§ 53.02 PURPOSE AND INTENT.

(A) *Purpose.* The purpose of this chapter is to protect and improve water quality of receiving waters by:

- (1) Reducing illicit discharges to the municipal stormwater system to the maximum extent practicable.
- (2) Eliminating illicit connections to the municipal stormwater system.
- (3) Eliminating spillage, dumping, and disposal of pollutant materials into the municipal stormwater system.
- (4) Reducing pollutant loads in stormwater and urban runoff, from land uses and activities identified in the municipal NPDES permit.

(B) *Intent.* The intent of this chapter is to enhance and protect the water quality of the receiving waters of the United States in a manner that is consistent with the Clean Water Act and acts amendatory thereof or supplementary thereto; applicable implementing regulations; the municipal NPDES permit and any amendment, revision, or reissuance thereof.

(Ord. 530-C.S., passed 8-20-02)

§ 53.03 DEFINITIONS.

For the purpose of the provisions of this chapter concerning water quality hereinafter set forth, the following words and phrases shall be construed to have the meanings set forth, unless it is apparent from the context that a different meaning is intended.

BEST MANAGEMENT PRACTICE or BMP. Any program, technology, process, siting criteria, operating method, measure, or device which controls, prevents, removes, or reduces pollutants in stormwater and non-stormwater runoff.

COMMERCIAL FACILITY. Restaurants; automotive service facilities; automotive dealerships, and retail gasoline station outlets or any other definition provided in the municipal NPDES permit or Stormwater Quality Management Plan.

CLEAN WATER ACT. The Federal Water Pollution Control Act as amended, 33 U.S.C. §§ 1251 et seq.

EXECUTIVE OFFICER. Executive Officer of the California Regional Water Quality Control Board, Los Angeles.

ILLICIT CONNECTION. Any device through or by which an illicit discharge is conveyed into the municipal stormwater system without a permit, including but not limited to floor drains, pipes or any fabricated or natural conduits, excluding roof drains which convey only stormwater.

ILLICIT DISCHARGE. The entry of any material other than stormwater unless such discharge is exempted under the municipal NPDES permit, is allowed under a separate NPDES permit, including but not limited to a point source permit, a General Industrial Activity Stormwater permit, or a General Construction Activity Stormwater permit, or is allowed by the Executive Officer.

INDUSTRIAL ACTIVITY. Any of the ten classifications of industrial facilities specified in 40 Code of Federal Regulations § 122.26(b)(14), defined by Standard Industrial Classification (SIC) and which is required to obtain a NPDES permit, not including construction activities.

MAXIMUM EXTENT PRACTICABLE. Within the context of BMP selection, choosing effective BMPs, and rejecting applicable BMPs only:

- (1) Where effective BMPs will serve the same purpose,
- (2) The BMPs would not be technically feasible, or
- (3) The cost would be prohibitive.

MUNICIPAL NPDES PERMIT. California Regional Water Quality Control Board, Los Angeles Region, Order No. 01-182, NPDES Permit No. CAS004001, Waste Discharge Requirements for Municipal Stormwater and Urban Runoff Discharges Within the County of Los Angeles, and the Incorporated Cities Therein, Except the City of Long Beach, and any amendment thereto or re-issuance thereof.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (herein referred to as MS4). Those facilities within the city by which stormwater discharge is conveyed to waters of the United States, including but not limited to flood control channels, roads with drainage systems, alleys, streets, catch basins, grates, inlets, curbs, gutters, ditches, storm drains, canals, pipes, and fabricated and natural channels.

NON-STORMWATER DISCHARGE. Any fluid discharge to the storm drain system and/or receiving waters that is not composed entirely of stormwater but may not necessarily be an illicit discharge.

NPDES or NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM. A permit issued by the United States Environmental Protection Agency, the State Water Resources Control Board or a California Regional Water Quality Control Board, pursuant to the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. §§ 1251 et seq., that authorizes discharges to waters of the United States.

OWNER. As applied to a building or real property, means any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety of the whole or of a part of such building or real property.

PERSON. Within the context of this chapter, any natural person, firm, association, organization, partnership, business trust, corporation, or company.

POLLUTANT. The same as it is defined in California Water Code § 13373 and includes but is not limited to garbage, debris, lawn clippings, leaves, fecal waste, biological waste, sediment, sludge, manure, fertilizers, pesticides, oil, grease, gasoline, paints, solvents, cleaners, and any fluid or solid containing toxic or non-toxic chemicals, metals, including batteries.

RECEIVING WATERS. Rivers, lakes, oceans, or other bodies of water that receive runoff.

REDEVELOPMENT. Land-disturbing activity that result in the creation, addition, or replacement of 5,000 square feet or more of impervious surface area on an already developed site. **REDEVELOPMENT** includes, but is not limited to: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of a routine maintenance activity; and land-disturbing activities related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose or facility, nor does include emergency construction activities required to immediately protect public health and safety.

REGIONAL BOARD. The appointed members of the California Regional Water Quality Control Board, Los Angeles Region.

RUNOFF. The portion of rainfall or irrigation water or other water activities also known as dry-weather flows that flow across the ground surface and eventually to receiving waters. Runoff can pick up pollutants from the air or the land and carry them to receiving waters.

STATE BOARD. The State Water Resources Control Board of the California Environmental Protection Agency (hereinafter SWRCB).

STORMWATER RUNOFF. Any surface water flow produced by rain or snow melt.

STORMWATER QUALITY MANAGEMENT PROGRAM. The Los Angeles Countywide Stormwater Quality Management Program, which includes descriptions of programs, collectively developed by the permittees in accordance with provisions of the NPDES permit, to comply with applicable federal and state law, as the same is amended from time to time.

(Ord. 530-C.S., passed 8-20-02)

§ 53.04 ILLICIT DISCHARGES AND NON-STORMWATER DISCHARGES.

(A) No person shall cause or allow an illicit discharge to enter the municipal stormwater system.

(B) No person shall place, dump, litter, accumulate, maintain, discharge, or cause to enter into the MS4 any pollutant or any foreign object such as batteries, tires, waste receptacles, yard debris, refuse, rubbish, food waste, chemicals, animal waste or oil cans - which are also considered illicit discharges.

(C) Any person causing an illicit discharge to the MS4 may be required to pay for the cost of clean-up and remediation.

(D) Any owner of any private property from which a non-stormwater discharge is observed may be required to pay for the cost of collecting and analyzing the discharge to determine if it is an illicit discharge.

(E) The following non-stormwater discharges are not considered illicit discharges:

(1) Discharges determined by the Executive Officer not to be significant sources of pollution, including but not limited to: natural springs and rising ground water; flows from riparian habitats or wetlands; stream diversions, permitted by the State Board; and uncontaminated ground water infiltration [as defined by 40 CFR 35.2005 (20)]; reclaimed and potable landscape irrigation runoff; potable drinking water supply and distribution system releases (consistent with American Water Works Association guidelines for dechlorination and suspended solids reduction practices); drains for foundations, footings, and crawl spaces; air conditioning condensate; dechlorinated/ debrominated swimming pool discharges; dewatering of lakes and decorative fountains; non-commercial car washing by residents or by non-profit organizations and sidewalk rinsing.

(2) Discharges specifically allowed under a separate NPDES permit, including but not limited to, a General Industrial Stormwater Activity permit or General Construction Stormwater Activity permit.

(Ord. 530-C.S., passed 8-20-02)

§ 53.05 ILLICIT CONNECTIONS.

(A) No person shall maintain or intentionally use a connection that operates to convey an illicit discharge to the municipal stormwater system,

(B) Upon discovery of an illicit connection, the person owning or operating such connection shall either remove it or render it incapable of conveying an illicit discharge.

(C) If any person fails to eliminate an illicit connection after being called upon by the city to do so, the City Manager or his/her designee shall impose appropriate measures to remove or disable the illicit connection and may recover such costs from the owner of the illicit connection.

(Ord. 530-C.S., passed 8-20-02)

§ 53.06 REDUCTION OF POLLUTANTS IN RUNOFF.

No person shall cause or threaten to cause the discharge of pollutants to the MS4 by exposing such pollutants to stormwater runoff.

(Ord. 530-C.S., passed 8-20-02)

§ 53.07 CONTROL OF POLLUTANTS FROM COMMERCIAL FACILITIES.

Subject commercial facilities shall implement BMPs prescribed by the Regional Board or its Executive Officer, through programs or actions made pursuant to the municipal NPDES permit, as more particularly described in the city's Stormwater Quality Management Program, or any revisions made thereto.

(Ord. 530-C.S., passed 8-20-02)

§ 53.08 CONTROL OF POLLUTANTS FROM INDUSTRIAL ACTIVITIES.

(A) It shall be a violation of this chapter for any industry in the city that is subject to waste discharge requirements specified in the SWRCB Water Quality Order No. 97-03-DWQ, Permit No. CAS00001, or any revision or a reissuance thereof, to operate without a General Industrial Activities Stormwater NPDES permit.

(B) Industries that require a General Industrial Activities Stormwater NPDES permit shall retain on-site the following documents:

- (1) A copy of the Notice of Intent for General Permit to Discharge Stormwater Associated with Industrial Activity;
- (2) A waste discharge identification number issued by the SWRCB; and/or
- (3) A Stormwater Pollution Prevention Plan and Monitoring Program plan.

(C) Any industry in the city requiring a General Industrial Activities Stormwater NPDES permit shall, upon reasonable request from a duly authorized officer of the city, provide any of the documents described in paragraph (B) of this section.

(Ord. 530-C.S., passed 8-20-02)