

Law Offices of

**STEVEN N. SKOLNIK**

2800 28th Street, Suite 315 Santa Monica, California 90405  
Telephone: (310) 399-5084 Facsimile: (310) 399-5184

February 22, 2001

John Price, Director of Public Works  
City of Santa Fe Springs  
11710 Telegraph Road  
Santa Fe Springs, CA 90670

Re: NPDES Legal Authority Requirements.

Dear Mr. Price:

As legal counsel for the City of Santa Fe Springs, I have reviewed the City's existing ordinances, applicable statutes and/or existing contracts, and have determined that the City can operate pursuant to the legal authority required in 40 CFR 122.26(d)(i)(A)-(F), and Section I.E of the Regional Board Order 96-054, NPDES No. CAS614001 (Municipal Stormwater NPDES Permit).

Very truly yours,



Steven N. Skolnik  
City Attorney

ORDINANCE NO. 913

AN ORDINANCE OF THE CITY OF SANTA FE SPRINGS,  
CALIFORNIA, ADOPTING BY REFERENCE THE  
STANDARD URBAN STORMWATER MITIGATION PLANS  
SUBMITTED BY THE COUNTY OF LOS ANGELES TO THE  
REGIONAL WATER QUALITY CONTROL BOARD IN AUGUST 1999

THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS HEREBY ORDAINS  
AS FOLLOWS:

Section 1. The City Council hereby adopts by reference the "Standard Urban Stormwater Mitigation Plans" submitted by the County of Los Angeles to the Regional Water Quality Control Board in August, 1999, and in so doing adds the following new Section 52.10 to the City Code:

52.10 STANDARD URBAN STORMWATER MITIGATION PLANS.

- (A) The Standard Urban Stormwater Mitigation Plans ("SUSMP") submitted by the County of Los Angeles to the Regional Water Quality Control Board in August, 1999, shall be the City's SUSMP. The City shall maintain a copy of the SUSMP in the office of the City Clerk.
- (B) In the event of any conflict between any provision of SUSMP and any other provision of the City Code, the SUSMP shall prevail.

Section 2. The City Clerk shall certify to the adoption of Ordinance No. 913, and shall cause the same to be posted in at least three (3) public places in the City, such posting to be completed not later than 15 days after the passage hereof.

PASSED, APPROVED and ADOPTED this 24th day of August, 2000 by the following vote:

AYES: Councilmembers Burton, Gonzalez, Kernes, Minnehan, Mayor Putnam

NOES: None

ABSENT: None

  
MAYOR

ATTEST:

  
CITY CLERK

ORDINANCE NO. 851

AN ORDINANCE OF THE CITY OF SANTA FE SPRINGS,  
CALIFORNIA, ESTABLISHING STORM WATER AND URBAN  
RUNOFF POLLUTION PREVENTION CONTROLS

WHEREAS, the United States Congress (Congress) has determined that pollutants contained in storm water and urban runoff are responsible for the environmental degradation of oceans, lakes, rivers, and other waters of the United States; and

WHEREAS, in 1987, Congress amended the Clean Water Act 1972 to reduce pollutants discharged into the waters of the United States by extending National Pollutant Discharge Elimination System (NPDES) requirements to regulate storm water and urban runoff discharge into the municipal storm drain systems; and

WHEREAS, the State of California has been granted authority by the United States Environmental Protection Agency to administer the States NPDES storm water program through the State Water Resources Control Board and its Regional Water Quality Control Boards; and

WHEREAS, on June 18, 1990 the California Regional Water Quality Control Board, Los Angeles Region, adopted Waste Discharge Requirements for the Storm Water/Urban Runoff Discharge for the Los Angeles County and Co-Permittees, under NPDES Permit No. CA0061654; and

WHEREAS, the County of Los Angeles is the designated Principal Permittee, and the City of Santa Fe Springs is a Co-Permittee, under the terms of this permit; and

WHEREAS, the goal of the original and all subsequent permits is to have discharges from land uses in Los Angeles County drainage basins meet water quality standards suitable for the protection of the beneficial uses of the receiving waters (lakes, rivers, ground water, and the ocean); and

WHEREAS, the original permit requires the City of Santa Fe Springs to imbue itself with all requisite legal authority to regulate illegal discharges and illicit disposal practices to drainage facilities, and to prosecute persons who illegally discharge or illicitly dispose of polluting materials into the storm drain system;

NOW, THEREFORE, the City Council of the City of Santa Fe Springs does ordain as follows:

SECTION 1. The following new Chapter 11B is hereby added to the City Code:

## CHAPTER 11B

### STORM WATER AND URBAN RUNOFF POLLUTION PREVENTION CONTROLS

Section 11B-1. Purpose and intent. The purpose of this chapter is to protect the health, safety and general welfare of the citizens of the City of Santa Fe Springs by:

- (A) Regulating non-storm water discharge to the municipal storm water system.
- (B) Providing for the control of spillage, dumping, or disposal of materials into the municipal storm water system.
- (C) Reducing pollutants in storm water and urban runoff to the maximum extent practicable.

Section 11B-2. Definitions.

- (A) "Authorized Enforcement Officer" means the Director of Public Works of the City of Santa Fe Springs, including any person designated by the Director to enforce the provisions of this Chapter.
- (B) "Best Management Practices (BMP's)" means any program, technology, process, siting criteria, operating method, measure, or device which directly or indirectly controls, prevents, removes, or reduces stormwater/urban pollution into the storm drain system.
- (C) "Code" means the Code of the Santa Fe Springs, California.
- (D) "Illicit Connection" means any device which is connected to the Storm Drain System that conveys an Illicit discharge.
- (E) "Illicit Discharge" means any discharge into the storm drain system that does not meet the requirements of this chapter.
- (F) "Non-Storm Water Runoff" means the flow of any fluid that is not entirely composed of storm water.
- (G) "NPDES" means National Pollutant Discharge Elimination System.
- (H) "NPDES Construction Permit" means a permit issued by the Regional Water Quality Control Board to owners/developers for construction activity for sites five (5) acres in size or larger to control sediment and other pollutants from entering the Storm Drain System.

(I) "NPDES Industrial Permit" means a permit issued by the Regional Water Control Board to owners/operators of specific categories of industrial facilities identified in federal regulations to discharge storm water into the Storm Drain System.

(J) "Source Control BMP's" means operational practices that prevent pollution by reducing potential pollutants at the source.

(K) "Storm Drain System" means those facilities which convey storm water runoff and suspended solids to the waters of the United States, including streets, alleys, roads, ditches, curbs, gutters, catch basins, conduits, streams, channels, creeks and rivers.

(L) "Storm Water Pollution Prevention Plan (SWPPP)" means operator/owner prepared plan which identifies BMP's for implementation and monitoring the effectiveness of the BMP's for a specific commercial, industrial, or public facility.

(M) "Storm Water Runoff" means the surface flow of rain water.

(N) "Urban Runoff" means fluid flows originating from precipitation and other sources found in the Storm Drain System.

Section 11B-3. Illicit discharges and connections.

(A) No person or company shall cause or allow any discharge from their property, of non-storm water runoff to enter the storm drain system, unless such discharge is authorized by an NPDES permit or fully complies with a City-approved Storm Water Pollution Prevention Plan.

(B) No person or company shall construct or use an illicit connection that operates intentionally or unintentionally.

Section 11B-4. Illicit disposal. No person or company shall spill, dump, dispose or place any material, other than storm water runoff, irrigation runoff, potable water or clean water into any storm drain system unless specifically permitted.

Section 11B-5. Construction sites requiring a building permit and/or a grading plan.

(A) Any person or company engaging in construction activity that requires an NPDES construction permit must demonstrate possession of such permit before grading and/or building permits can be issued. The NPDES permit shall be retained on site and shall be shown to City officers or inspectors at their request.

(B) The following Best Management Practices shall apply to all construction sites.

(1) Runoff sediment and construction waste from construction sites and parking areas shall not leave the site to enter the Storm Drain System.

(2) Any sediments or other materials which are tracked off the site shall be removed the same day as they are tracked off the site. Where determined necessary by the Building Official or his designated representative, a sediment barrier or erosion control measures shall be installed.

(3) Excavated soil shall be located on the site in a manner that eliminates the possibility of sediments running into the street or adjoining properties. Soil stock piles shall be covered if required by the erosion control plan until the soil is either used or removed.

(4) No washing of construction or other industrial vehicles shall be allowed adjacent to a construction site. No runoff from washing vehicles on a construction site is allowed to leave the site.

(5) All construction sites are inspected to detect and prevent erosion or runoff of waste building materials from leaving the site and entering the storm drainage system.

(6) Notification is presented to the construction site superintendent with information on construction site BMPs and attendant fines.

(7) Erosion control plans are required for all grading projects in accordance with the Los Angeles County Building Code.

Section 11B-6. Industrial site activity. All persons or companies engaged in industrial activity in the City of Santa Fe Springs shall acquire an NPDES industrial permit before discharging any non-storm water runoff into the storm drain system. The NPDES permit shall be retained on site and shall be shown to City officers or inspectors at their request.

Section 11B-7. Penalties for failure to comply with this chapter.

(A) The violation of any provision of this Chapter, or failure to comply with any of the requirements of this Chapter, shall constitute a misdemeanor; except that notwithstanding any other provisions of this Chapter, any such violation constituting a misdemeanor under this chapter may, at the discretion of the authorized enforcement officer, be charged and prosecuted as an infraction.

(B) In addition to the penalties hereinbefore provided, any condition caused or permitted to exist in violation of any of the provisions of this Chapter is a threat to the public health, safety and welfare, is declared and deemed a nuisance, may be summarily abated and/or restored by any authorized enforcement officer and/or civil action to abate, enjoin or otherwise compel the cessation of such nuisance may be taken by City.

The cost of such abatement and restoration shall be borne by the owner of the property and the cost thereof shall be invoiced to the owner of the property. If the invoice is not paid within sixty (60) days, a lien shall be placed upon and against the property. If the lien is not satisfied within three (3) months, the property may be sold in satisfaction thereof in a like manner as other real property is sold under execution.

If any violation of this Chapter constitutes a seasonal recurrent nuisance, the Director of Public Works shall so declare. Thereafter such seasonal and recurrent nuisance shall be abated every year without the necessity of any further hearing.

In any administrative or civil proceeding under this Chapter in which the City prevails, the City shall be awarded all costs of investigation, administrative overhead, out-of-pocket expenses, cost of suit and reasonable attorney fees.

Section 11B-8. Severability. The City Council declares that, should any provision, section, paragraph, sentence, or word of this Chapter be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Chapter shall remain in full force and effect.

Section 11B-9. Fees. Fees to be charged for plan checking, monitoring and any other activities carried out by the City under this Chapter shall be set by the City Council by resolution or minute action.

SECTION 2.

The City Clerk shall certify to the adoption of Ordinance No. 851, and shall cause the same to be posted in at least three (3) public places in the City, such posting to be completed not later than 15 days after the passage hereof.

PASSED, APPROVED and ADOPTED this 8th day of June, 1995 by the following vote:

**AYES:** Councilmembers Diaz, Kernes, Minnehan, Sharp, Mayor Wilson.

**NOES:** None.

**ABSENT:** None.

*Billy Wilson*  
MAYOR

ATTEST:

*Marilyn Joyal*  
DEPUTY CITY CLERK

ORDINANCE 915

AN ORDINANCE OF THE CITY OF SANTA FE SPRINGS  
AMENDING CHAPTER 52 "STORMWATER/URBAN RUNOFF"  
OF THE CITY CODE TO IMPLEMENT THE REQUIREMENTS OF THE APPROVED  
STANDARD URBAN STORMWATER MITIGATION PLAN ("SUSMP")

WHEREAS, the Federal Water Pollution Control Act, amended in 1977 as the Clean Water Act, was amended in 1987 to establish new controls on industrial and municipal stormwater discharges, including requiring a National Pollutant Discharge Elimination System ("NPDES") permit for stormwater discharges from municipal separate storm sewer systems ("MS4s");

WHEREAS, the State of California is authorized to administer various aspects of the NPDES program under the Clean Water Act within the State;

WHEREAS, on July 15, 1996, the Los Angeles Regional Water Quality Contract Board ("LARWQCB") issued Order No. 96-054 (NPDES NO. CAS 614001) concerning waste discharge requirements for municipal storm sewer and urban runoff discharges within the County of Los Angeles;

WHEREAS, the City of Santa Fe Springs is a Permittee under Order No 96-054;

WHEREAS, on January 26, 2000 the LARWQCB adopted a Standard Urban Stormwater Mitigation Plan which was finalized and ordered by the LARWQCB's Executive Officer, Mr. Dennis Dickerson, on March 8, 2000 (hereafter the "Regional Board SUSMP");

WHEREAS, The City of Santa Fe Springs, along with 32 other cities in the County, challenged the legality of the Regional Board SUSMP, through a legal petition to the State Water Resources Control Board ("State Board") in accordance with California Water Code Sections 13320 et seq.,

WHEREAS, on October 5, 2000, the State Board issued an Order revising the Regional Board SUSMP, and correcting a number of deficiencies in the Regional Board SUSMP in accordance with the City's petition to the State Board (the "Revised SUSMP");

WHEREAS, in its October 5, 2000 Order, the State Board provided that, where necessary, Cities may amend their municipal codes to give effect to the revised SUSMP by no later than January 15, 2001, and that the Cities are to implement the Revised SUSMP by no later than February 15, 2001.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS DOES ORDAIN AS FOLLOWS:

**Section 1** Section 52.01 of Chapter 52 of the Santa Fe Springs Municipal Code is hereby deleted and replaced with the following new Section 52.01:

§ 52.01 PURPOSE AND INTENT.

The purpose of this chapter is to protect the health, safety and general welfare of the citizens of the City and to reduce the quantity of pollutants being discharged to the waters of the United States by:

- (a) Eliminating non-stormwater discharges to the municipal storm drain system.
- (b) Eliminating pollutants in stormwater and urban runoff to the maximum extent practicable. ('64 Code, § 11B-1) (Ord. 851, passed 6-8-95)
- (c) Eliminating the contribution of pollutants to the MS4 by stormwater discharges associated with industrial activity, unless permitted under a separate NPDES permit.
- (d) Prohibiting illicit discharges and illicit connections to the MS4 and requiring removal of illicit connections.
- (e) Controlling spills, dumping, or disposal of materials to the MS4.
- (f) Protecting and enhancing the quality of the waters of the United States in a manner consistent with the provisions of the Clean Water Act.

**Section 2** Section 52.02 of Chapter 52 of the Santa Fe Springs Municipal Code is hereby deleted and replaced with the following new Section 52.02:

§ 52.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (a) The phrase "40 CFR" shall mean Title 40 of the Code of Federal Regulation.
- (b) The phrase "Automotive Repair Shop" shall mean a facility that is categorized in any one of the following Standard Industrial Classification Codes; 5013, 5014, 5541, 7532-7534 or 7536-7539.
- (c) The phrase "Authorized Enforcement Officer" refers to The Director of Public Works of the City, including any person designated by the Director to enforce the provisions of this chapter.
- (d) The phrase "Best Management Practices (BMPs)" shall mean any activities, prohibitions, practices, procedures, programs, or other measures designed to prevent or reduce the discharge of pollutants directly or indirectly into waters of the United States. BMPs shall include, but are not limited to, those measures specified in the California Stormwater Best Management Practice Handbooks for Municipal, Industrial/Commercial and Construction Activity and those measures identified by the City Engineer and/or the Public Works Director.

(e) The word "CEQA" shall mean the California Environmental Quality Act, California Public Resource Code Sections 21000 et seq., and the regulations thereunder.

(f) The word "City" shall mean the City of Santa Fe Springs.

(g) The phrase "Clean Water Act" shall mean the Federal Water Pollution Control Act, amended in 1977 as the Clean Water Act (Title 33 U.S.C. § 1251 et seq.), and amended in 1987 to establish new controls on industrial and municipal stormwater discharges, and any and all subsequent amendments thereto.

(h) The word "Code" shall mean the Municipal Code of the City of Santa Fe Springs.

(i) The phrase "Construction Activity" shall mean clearing, grading, or excavation that results in soil disturbance. Construction activity does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility, nor does it include emergency construction activities required to immediately protect public health and safety.

(j) The word "Control" shall mean to minimize, reduce or eliminate by technological, legal, contractual, or other means, the discharge of pollutants from an activity or activities.

(k) The phrase "Dechlorinated Swimming Pool Discharges" shall mean swimming pool discharges which have no measurable chlorine and do not contain any detergents, wastes, or additional chemicals not typically found in swimming pool water. The term swimming pool discharges does not include swimming pool filter backwash.

(l) The word "Director" shall refer to the City of Santa Fe Springs Director of Public Works or his or her designee.

(m) The word "Discharge" shall mean any release, spill, leak, disposal, flow, escape, leaching (including subsurface migration or deposition to groundwater), dumping or discarding of any liquid, semi-solid or solid substance, or combination thereof.

(n) The phrase "Disturbed Area" shall mean that area altered as a result of clearing, grading, and/or excavation of earth.

(o) The phrase "Hazardous Substance" shall mean any hazardous substance as that term is defined under California Health & Safety Code Sections 25281(g), 25501(o) and 25501.1, and pursuant to Title 42, Section 9601 (14) of the United States Code; any "hazardous waste" as that term is defined under Title 42 Sections 6903 (5) of the United States Code, and under California Health & Safety Code Section 25550(p); any "hazardous material," as that term is defined under California Health & Safety Code Section 25501(n); any chemical which the Governor of California has identified as a chemical known to cause cancer or reproductive toxicity, pursuant to California Health & Safety Code Section 25249.8; and any crude oil or refined or unrefined petroleum product, or any fraction or derivative thereof, and any asbestos or

(e) The word "CEQA" shall mean the California Environmental Quality Act, California Public Resource Code Sections 21000 et seq., and the regulations thereunder.

(f) The word "City" shall mean the City of Santa Fe Springs.

(g) The phrase "Clean Water Act" shall mean the Federal Water Pollution Control Act, amended in 1977 as the Clean Water Act (Title 33 U.S.C. § 1251 et seq.), and amended in 1987 to establish new controls on industrial and municipal stormwater discharges, and any and all subsequent amendments thereto.

(h) The word "Code" shall mean the Municipal Code of the City of Santa Fe Springs.

(i) The phrase "Construction Activity" shall mean clearing, grading, or excavation that results in soil disturbance. Construction activity does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility, nor does it include emergency construction activities required to immediately protect public health and safety.

(j) The word "Control" shall mean to minimize, reduce or eliminate by technological, legal, contractual, or other means, the discharge of pollutants from an activity or activities.

(k) The phrase "Dechlorinated Swimming Pool Discharges" shall mean swimming pool discharges which have no measurable chlorine and do not contain any detergents, wastes, or additional chemicals not typically found in swimming pool water. The term swimming pool discharges does not include swimming pool filter backwash.

(l) The word "Director" shall refer to the City of Santa Fe Springs Director of Public Works or his or her designee.

(m) The word "Discharge" shall mean any release, spill, leak, disposal, flow, escape, leaching (including subsurface migration or deposition to groundwater), dumping or discarding of any liquid, semi-solid or solid substance, or combination thereof.

(n) The phrase "Disturbed Area" shall mean that area altered as a result of clearing, grading, and/or excavation of earth.

(o) The phrase "Hazardous Substance" shall mean any hazardous substance as that term is defined under California Health & Safety Code Sections 25281(g), 25501(o) and 25501.1, and pursuant to Title 42, Section 9601 (14) of the United States Code; any "hazardous waste" as that term is defined under Title 42 Sections 6903 (5) of the United States Code, and under California Health & Safety Code Section 25550(p); any "hazardous material," as that term is defined under California Health & Safety Code Section 25501(n); any chemical which the Governor of California has identified as a chemical known to cause cancer or reproductive toxicity, pursuant to California Health & Safety Code Section 25249.8; and any crude oil or refined or unrefined petroleum product, or any fraction or derivative thereof, and any asbestos or

asbestos containing material. The term "Hazardous Substance" includes any amendments to the above-referenced statutes and regulations.

(p) The phrase "Hazardous Waste" shall mean a hazardous substance or hazardous material which is to be discharged, discarded, recycled or processed.

(q) The phrase "Hillside Property" shall mean property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is 25 percent or greater.

(r) The phrase "Illicit Connection" shall mean any direct or indirect physical connection to the Municipal Storm Drain System which has not been permitted by the City of Santa Fe Springs, the County of Los Angeles, or the Los Angeles Regional Water Quality Control Board.

(s) The phrase "Illicit Discharge" shall mean any discharge to the Municipal Storm Drain System that is not composed entirely of stormwater runoff except discharges made pursuant to a National Pollutant Discharge Elimination System (NPDES) permit or as otherwise authorized by the City of Santa Fe Springs, the County of Los Angeles, or the Los Angeles Regional Water Quality Control Board.

(t) The phrase "Illicit Disposal" shall mean any disposal, either intentionally or unintentionally, of materials or wastes that can pollute storm water or urban runoff.

(u) The phrase "Impervious Surface" shall mean any surface that prevents or significantly reduces the entry of water into the underlying soil resulting in runoff from the surface in greater quantities and/or at an increased rate when compared to natural conditions prior to development including, but not limited to, parking lots, driveways, roadways, storage areas, and rooftops. The imperviousness of these areas commonly results from the use of paving or compacted gravel.

(v) The phrase "Industrial Activity" shall have the same meaning as defined in 40 CFR § 122.26(b)(14), which refers to 11 categories of activities required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with industrial activity as required by 40 CFR § 122.26(c). See Phase I Facilities therein.

(w) The phrase "Industrial or Commercial Facility" shall mean any facility involved or used in either the production, manufacture, storage, transportation, distribution, exchange or sale of goods or commodities, and any facility involved or used in providing professional and nonprofessional services. This category of facility includes, but is not limited to, any facility defined by the Standard Industrial Classifications (SIC). Facility ownership (federal, state, municipal, private) and profit motive of the facility are not factors in this definition.

(x) The phrase "Maximum Extent Practicable (MEP)" shall mean the standard for implementation of storm water management programs to reduce pollutants in storm water. MEP refers to storm water management programs taken as a whole. It is the maximum extent possible taking into account equitable consideration and competing facts, including, but not limited to the following: the gravity of the problem, public health risk, societal concerns, environmental benefits, pollutant removal effectiveness, regulatory compliance, public acceptance, implementability, cost and technical feasibility. Section 402(p)(3)(B)(iii) of the Clean Water Act (33 USC 1251 et seq.) requires that municipal permits ". . . shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system, design and engineering methods, and such other provisions as the Administrator or the State determines appropriate for the control of such pollutants."

(y) The acronym "MS4" shall mean a "Municipal Separate Storm Sewer System" as used and referred to in the Clean Water Act, and the regulations thereunder.

(z) The phrase "Municipal NPDES Permit" shall mean an area-wide NPDES permit issued to a government agency or agencies permitting the discharge of storm water from an MS4.

(aa) "Municipal Separate Storm Sewer (MS4)" - see "Storm Drain System"

(bb) "NPDES" - see "National Pollutant Discharge Elimination System"

(cc) The phrase "NPDES Construction Permit" shall mean a permit issued by the Regional Water Quality Control Board to owners/developers for construction activity for sites five acres in size or larger to control sediment and other pollutants from entering the storm drain system.

(dd) The phrase "NPDES Industrial Permit" shall mean a permit issued by the Regional Water Control Board to owners/operators of specific categories of industrial facilities identified in federal regulations to discharge stormwater into the storm drain system.

(ee) The phrase "National Pollutant Discharge Elimination System" shall mean a permit issued by the USEPA, SWRCB, or CRWQCB pursuant to the Clean Water Act (33 USC 1251 et seq.) that authorizes discharges to waters of the United States and requires the reduction of pollutants in the discharge.

(ff) The phrase "New Development Project" shall mean a discretionary development project involving land disturbing activities, structural development (including the consideration or installation of a new building or structure) and the creation of impervious surfaces resulting in one or more of the following new developments:

1. A single family hillside property.
2. A commercial development that creates at least 100,000 square feet of impermeable area, including parking areas.
3. An automotive repair shop.
4. A retail gasoline outlet.
5. A restaurant, as defined in this Chapter.

6. A residential subdivision with ten or more housing units.
7. A parking lot equal to or greater than 5,000 square feet in total, or containing twenty-five or more parking spaces which are potentially exposed to stormwater runoff.
8. Any development where an Urban Runoff Mitigation Plan as described in this chapter, is otherwise required by the Director of Public Works or the City Manager, as needed to comply with any applicable Municipal NPDES permit or to otherwise comply with the Clean Water Act, or State or local law.

(gg) The phrase "Non-Stormwater Discharge/Runoff" shall mean any discharge to a municipal storm drain system that is not composed entirely of stormwater.

(hh) The word "Nuisance" shall mean anything which meets all of the following requirements:

1. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property;
2. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal;
3. Occurs during, or as a result of the treatment or disposal of wastes.

(ii) The word "Person" shall mean any natural person, firm, association, club, organization, corporation, partnership, sole proprietorship, business trust, company or other entity which is recognized by law as the subject of rights or duties.

(jj) The word "Pollutant" shall mean those pollutants defined in Section 502(6) of the Federal Clean Water Act (33 U.S.C. § 1362(6)), or incorporated into the California Water Code § 13373. The term shall not include uncontaminated stormwater, potable water, or reclaimed water generated by a lawfully permitted water treatment facility. The term shall also not include any substance identified in this definition, if through compliance with the Best Management Practices available, the discharge of such substance has been eliminated to the maximum extent practicable. In an enforcement action, the burden shall be on the person who is the subject of such action to establish the elimination of the discharge to the maximum extent practicable through compliance with the Best Management Practices available. Examples of pollutants include, but are not limited to, the following:

1. Artificial materials, chips or pieces of man-made materials (such as floatable plastics, paper, cartons, or pieces of metal);
2. Commercial and industrial waste (such as fuels, solvents, detergents, plastic pellets, hazardous substances, fertilizers, pesticides, slag, ash, and sludge);
3. Household waste (such as trash, paper, plastics, lawn clippings and yard wastes, animal fecal materials, excessive pesticides, herbicides and fertilizers, used oil and fluids from vehicles, lawn mowers and other common household equipment);
4. Metals such as cadmium, lead, zinc, copper, silver nickel, chromium, and non-metals such as phosphorus and arsenic;
5. Petroleum hydrocarbons (such as fuels, lubricants, surfactants, waste oil, solvents, coolants, and grease);

6. Excessive eroded soils, sediment, and particulate materials in amounts which may adversely affect the beneficial use of the receiving waters, flora or fauna of the state;

7. Animal wastes (such as discharge from confinement facilities, kennels, pens, recreational facilities, stables, and show facilities);

8. Substances having characteristics such as pH less than 6 or greater than 9, or unusual coloration or turbidity, or excessive levels of fecal coliform, or fecal streptococcus, or enterococcus;

9. Waste materials and wastewater generated on construction sites and by construction activities (such as painting and staining; use of sealants, glues, limes; excessive 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; construction equipment washing, concrete pouring and cleanup washwater or use of concrete detergents; steam cleaning or sand blasting residues; use of chemical degreasing or diluting agents; and super chlorinated water generated by potable water line flushing);

(kk) The phrase "Potable Water Sources" shall mean flows from drinking water distribution systems, including flows from system failures, pressure releases, system maintenance, well development, testing, fire hydrant flow testing and flushing, and dewatering of pipes, reservoirs, vaults, and wells.

(ll) The word "Premises" shall mean any building, structure, fixture or improvement on land and any lot, parcel of land, or portion of land whether improved or unimproved.

(mm) The phrase "Proper Disposal" shall mean the act of disposing of material(s) in a lawful manner which ensures protection of water quality and beneficial uses of receiving waters.

(nn) The phrase "Receiving Waters" shall mean all service water bodies within the permit area.

(oo) The word "Redevelopment" shall mean a discretionary development project on an already developed site, which results in the creation or addition of at least 5,000 square feet of impervious surface occurring within one or more of the categories of development listed in the definition of "New Development." Redevelopment is to include, but is not limited to, the expansion of a building footprint or addition or replacement of a structure; structural development including an increase in gross floor area and/or exterior construction or remodeling; the replacement of an impervious surface that is not part of a routine maintenance at the facility; and land disturbing activities related to the structural or impervious surfaces.

(pp) The phrase "Regional Board" shall mean the California Regional Water Quality Control Board, Los Angeles Region.

(qq) The word "Restaurant" shall mean a stand-alone facility that sells prepared foods and drinks for immediate consumption, including stationary lunch counters and refreshments stands, selling prepared foods and drinks for immediate consumption.

(rr) The phrase "Retail Gasoline Outlet" shall mean any retail facility engaged in selling gasoline and lubricating oils.

(ss) The word "Runoff" shall mean any runoff, including stormwater and dry weather flows that reaches a receiving water body or subsurface. During dry weather, it is typically comprised of many base flow components that are either contaminated with pollutants, or that are uncontaminated.

(tt) The phrase "Source Control BMP's" shall mean operational practices that prevent pollution by reducing potential pollutants at the source.

(uu) The phrase "State Board" shall mean the State Water Resources Control Board.

(vv) The phrase "Storm Drain System" shall mean streets, gutters, conduits, natural or artificial drains, channels and watercourses, or other facilities that are owned, operated, maintained or controlled by any permittee and used for the purpose of collecting, storing, transporting, or disposing of storm water.

(ww) The word "Stormwater" shall mean water which originates from atmospheric moisture (rainfall or snowmelt) and that falls onto land, water, or other substances.

(xx) The phrase "Stormwater Pollution Prevention Plan (SWPPP)" shall mean a plan required by and for which contents are specified in the State of California General Permit for Storm Water Discharges Associated with Industrial Activities, and the General Permit for Storm Water Discharges Associated with Construction Activities. The purpose of the plan is to help identify the sources of pollution that affect the quality of stormwater discharges from a site, and to describe and ensure the implementation of practices to reduce pollutants in stormwater discharges.

(yy) The phrase "Stormwater Runoff" shall mean surface runoff and drainage associated with rain or other precipitation events.

(zz) The acronym "USEPA" shall mean the United States Environmental Protection Agency.

(aaa) The phrase "Watershed Management Area Plan" shall mean a plan for implementation of permit requirements based on the Countywide Storm Water Management Plan ("SWMP"), but further addressing specific issues involving pollutants of concern and Best Management Practices unique to the specific Watershed Management Area.

**Section 3** Section 52.03 of Chapter 52 of the Santa Fe Springs Municipal Code is hereby deleted and replaced with the following new Section 52.03:

§ 52.03 ILLICIT DISCHARGES AND CONNECTIONS.

- (a) No person or company shall cause, facilitate or permit any illicit discharge to the municipal storm drain system.
- (b) No person or company shall construct, utilize, maintain, operate or permit the existence of any illicit connection on any premises owned or operated by such person or company.
- (c) Any illicit connection constructed, utilized, maintained, operated or permitted to be operated on any premises owned or operated by any person, from and after the date of the adoption of this chapter, shall be terminated and removed and/or otherwise sealed in a manner approved by the Director of Public Works.
- (d) No person or company shall cause, facilitate or permit any discharge of untreated wash waters to the MS4 when gas stations, auto repair garages, or other types of automotive service facilities are cleaned or maintained.
- (e) No person or company shall cause, facilitate or permit any discharge of untreated wastewater to the MS4 from any mobile auto washing, steam cleaning, mobile carpet cleaning, and other such mobile commercial and industrial operations.
- (f) All persons shall use Best Management Practices to avoid, to the maximum extent practicable, any discharge to the municipal storm drain system from property owned or operated by such person, where there has been an unmitigated release or a threat of release of leaking oils or other petroleum fluids, including but not limited to, used oils, transmission oils, waste oils, cutting oils, kerosene, diesel, gasoline or antifreeze, from any machinery and/or equipment, including motor vehicles located in or on industrial sites or facilities within the City.
- (g) No person shall discharge, cause, facilitate or permit to be discharged any commercial or municipal swimming pool filter backwash to the municipal storm drain system.
- (h) No person shall use, store, maintain or discharge or cause, facilitate or permit to be discharged, any hazardous substance in an area that creates a release or a threat of a release of such hazardous substances into the municipal storm drain system.
- (i) No person shall discharge, or cause, facilitate or permit to be discharged into the municipal storm drain system any untreated waste water from the washing or cleaning of concrete trucks.
- (j) No person shall discharge, or cause, facilitate or permit to be discharged any leaves, dirt, or other landscape debris into the municipal storm drain system.

(k) No person shall discharge, or cause, facilitate or permit to be discharged any pesticide, fungicide or herbicide presently banned by the United States Environmental Protection Agency or the California Department of Pesticide Regulation into the municipal storm drain system.

(l) All owners or operators of industrial and/or commercial property shall use BMPs in the use, maintenance, repair and operation of all machinery and equipment utilized on such property, in order to minimize and eliminate the discharge of pollutants to the municipal storm drain system.

(m) All owners and operators of industrial and/or commercial motor vehicle parking lots containing more than twenty-five parking spaces shall conduct regular sweeping and other similar measures to minimize the discharge of pollutants and other debris into the municipal storm drain system.

(n) Except as otherwise permitted under federal, state or local law, no owner or operator of an industrial or commercial premises within the City shall discharge or cause, facilitate or permit to be discharged any non-stormwater runoff into the municipal storm drain system.

(o) Exempted Discharges. The following non-stormwater discharges are not considered illicit discharges, and are not prohibited by this chapter:

1. Flows from riparian habitats or wetlands;
2. Diverted stream flows;
3. Springs;
4. Rising ground waters;
5. Uncontaminated groundwater infiltration;
6. Discharges or flows from emergency fire fighting activities;
7. Landscape irrigation;
8. Water line flushing;
9. Potable water sources provided the discharges are managed in accordance with an approved industry-wide standard pollution prevention practices developed by the American Water Works Association, California-Nevada Section, or equivalent document, and in accordance with any other requirements that may be established by the City;
10. Foundation drains;
11. Footing drains;
12. Air conditioning condensate;
13. Irrigation water;
14. Lawn watering;
15. Water from crawl space pumps;
16. Dechlorinated swimming pool discharges;
17. Individual residential car washing;
18. Street washing (including sidewalk washing).

(p) Any person who violates the terms of this section shall immediately commence all appropriate response action to investigate, assess, remove and/or remediate any pollutants discharged as a result of such violation, and shall reimburse the City or other appropriate governmental agency, for all costs incurred in investigating, assessing, monitoring and/or removing, cleaning up, treating or remediating any pollutants resulting from such violation, including all reasonable attorney's fees and environmental and related consulting fees incurred in connection therewith.

(q) In order to control spills, dumping, or disposal of materials, into the MS4, the following are prohibited or required:

1. Prohibit littering;
  2. Prohibit the disposal of leaves, dirt, or other landscape debris into a storm drain;
  3. Prohibit the discharge to the MS4 of any pesticide, fungicide, or herbicide banned by the ISOPIA or the California Department of Pesticide Regulation;
  4. Require proper disposal of food wastes;
  5. Prohibit the disposal of hazardous wastes into trash containers used for municipal trash disposal so as not to cause a discharge to the MS4; and
  6. Require, in areas exposed to stormwater, the use of BMPs and/or removal and lawful disposal of all fuels, chemicals, fuel and chemical wastes, animal wastes, garbage, batteries, and other materials which have potential adverse impacts on water quality.
- Penalty, see § 52.99

**Section 4** Section 52.10 entitled Adopt by Reference SUSMP of Chapter 52 of the Santa Fe Springs Municipal Code is hereby deleted.

**Section 5** Section 52.20 of Chapter 52 of the Santa Fe Springs Municipal Code is hereby added:

§ 52.20 RESPONSIBILITY FOR ADMINISTRATION.

(a) The responsibility for the administration, oversight and implementation of this Chapter is delegated to the Director, and his or her authorized agent, deputy or representative.

**Section 6** Section 52.21 of Chapter 52 of the Santa Fe Springs Municipal Code is hereby added:

§ 52.21 NOTIFICATION.

(a) Immediate Notification. Any person who intentionally, negligently or otherwise violates any provision of this Chapter resulting in a discharge of a pollutant or pollutants to the municipal storm drain system shall immediately notify the Director or his or her designee by telephone or in person, and shall identify at that time the location of the discharge, the date and time of the discharge, the type, concentration and volume of pollutant discharged, as well as any corrective action taken as a result of the illicit discharge. Written notification of such discharge information shall thereafter be provided to the Director or his or her designee within forty-eight hours of the discharge.

(b) Written Report. All persons violating this chapter shall within ten calendar days after any such discharge of a pollutant or pollutants, file with the Director a detailed written report describing the cause of the discharge, the date and time of the discharge, the type, concentration and volume of pollutant discharged, the location of the discharge, any specific information necessary in connection with the location to fully explain the potential impacts from the discharge, and any corrective action or other measures taken in connection with the discharge, including any measures taken to prevent similar discharges in the future. Submission of this written report shall not be deemed to be a waiver or release of any person for liability, fines or other obligations imposed under this Chapter, or otherwise in the City's Code or under state or federal law.

**Section 7** Section 52.22 of Chapter 52 of the Santa Fe Springs Municipal Code is hereby added:

§ 52.22 LITTERING.

(a) No person shall discharge, cause or permit to be discharged any refuse, hazardous waste, or infectious waste into the municipal storm drain system, including into any street, alley, alleyway, sidewalk, inlet, catch basin, or drainage structure or facility which is a part thereof, or onto any public or private property, except through the discarding, depositing, disposal or placement in containers, barrels and/or bins to be used for the proper containment and transportation of such waste material, and except for the disposal of such waste at properly licensed and permitted solid and/or hazardous waste facilities.

(b) Any person violating subsection (a) of this section shall immediately cause the proper collection and abatement of such waste materials and shall remedy and cleanup any premises and/or any portion of the municipal storm drain system directly or indirectly affected by such discharge.

(c) Any and all costs and expenses incurred by the City in assessing and abating a violation of this section may be assessed against all violating persons, including all administrative expenses and legal fees and costs incurred by the City in assessing and abating the discharge and in enforcing the terms of this section, including litigation fees and costs.

**Section 8** Section 52.23 of Chapter 52 of the Santa Fe Springs Municipal Code is hereby added:

§ 52.23 USE OF DISCONTINUED OR BANNED CHEMICALS.

(a) No person shall use or apply any pesticide, herbicide or fungicide on any public or private property within the City, the manufacture of which has been prohibited by the United States Environmental Protection Agency and/or the California Department of Pesticide Regulation.

**Section 9** Section 52.24 of Chapter 52 of the Santa Fe Springs Municipal Code is hereby added:

§ 52.24 POLLUTANT SOURCE REDUCTION

(a) Treatment Systems. All persons who own, operate or maintain stormwater clarifiers, separators, sediment ponds and other stormwater treatment systems shall at all times maintain such systems in good working order and repair. Such systems shall be constructed and installed in a manner so as to, at all times, permit easy and safe access for proper maintenance, repair and inspection.

(b) New Development and Construction

1. Copies of Documents. All persons engaged in construction activity within the City requiring a State Construction Activity Stormwater Permit shall have at the construction site available for review (i) a copy of the Notice of Intent for the State Construction Activities Storm Water Permit, (ii) the waste discharge identification number issued by the State Water Resources Control Board and (iii) copies of the Storm Water Pollution Prevention Plan and Storm Water Monitoring Plan as required by the Permit.

2. All persons engaged in construction activity within the City shall implement Best Management Practices to avoid, to the maximum extent practicable, the discharge of Pollutants to the MS4, in accordance with a grading plan approved by the City Engineer for such project.

3. Urban Runoff Mitigation Plan. All applicants for New Development and Redevelopment Projects shall submit an Urban Runoff Mitigation Plan with their project application to the City. The Urban Runoff Mitigation Plan shall be submitted to the Director for review and approval and shall comply with all requirements of the City's Municipal NPDES permit, including any applicable Standard Urban Stormwater Mitigation Plan ("SUSMP") or other similar plan, developed as part of, or pursuant to the City's Municipal NPDES permit. Copies of the City's Municipal NPDES permit and any applicable SUSMP or other similar plan, are on file with the City Clerk and the Director for review.

The Urban Runoff Mitigation Plan shall be designed to reduce projected runoff for the project through incorporation of design elements or principles, in accordance with the goals set forth in the City's Municipal NPDES permit and any applicable SUSMP or other similar plan. Applicants shall refer to the most recent edition of the Construction Best Management Practices Handbook, produced and published by the Stormwater Quality Task Force, for specific guidance on selecting Best Management Practices for reducing pollutants in stormwater runoff from urbanized areas. Urban Runoff Mitigation Plans may include the development of a regional approach as means of complying with Best Management practices and any applicable numerical design standard or requirement, where such a regional approach is to be approved by both the Director and the Regional Board.

4. City Review and Plan Approval:

a. Prior to the issuance of a Building Permit for a New Development or Redevelopment Project, the City shall evaluate the proposed project using the applicable SUSMP, guidelines, and BMP list approved by the Regional Board, and erosion and grading requirements of the City Building Official or Director to determine (i) its potential to generate the flow of Pollutants into the municipal storm drain system during and after construction, and

(ii) how well the Urban Runoff Mitigation Plan for the proposed project meets the goals of this Chapter. Each plan will be evaluated on its own merits according to the particular characteristics of the project and the site to be developed. Based upon the review, the City may impose conditions upon the issuance of the building permit, in addition to any required by the State Construction Activities Stormwater Permit for the project, in order to minimize the flow of pollutants into the municipal storm drain system.

b. No grading permit for development with a disturbed area of five acres or greater shall be issued unless the applicant can show that a Notice of Intent to comply with the State Construction Activities Stormwater Permit has been filed and that a Stormwater Pollution Prevention Plan has been prepared for the project.

c. If no building permit has been issued or no construction has begun on a project within a period of one hundred and eighty (180) days of approval of an Urban Runoff Mitigation Plan, the Urban Runoff Mitigation Plan for that project shall expire. The Director may extend the time by written extension for action by the applicant for a period not to exceed one hundred and eighty (180) days upon written request by the applicant shall resubmit all necessary forms and other data and pay a new plan review fee.

d. The following Best Management Practices shall apply to all construction projects within the City, and shall be required from the time of demolition of existing structures or commencement of construction until receipt of a Certificate of Occupancy.

1. Sediment, construction waste, and other pollutants from construction activities shall be retained on the construction site to the maximum extent practicable.

2. Structural controls such as sediment barriers, plastic sheeting, detention ponds, dikes, filter beams and similar controls shall be utilized to the maximum extent practicable in order to minimize the escape of sediment and other pollutants from the site.

3. All excavated soil shall be located on the site in a manner that minimizes the amount of sediment running onto the street, drainage facilities or adjacent properties. Soil piles shall be covered with plastic or similar materials until the soil is either used or removed from the site.

4. No washing of construction or other vehicles is permitted adjacent to a construction site. No water from the washing of construction or other vehicles is permitted to run off the construction site, or to otherwise enter the municipal storm drain system.

e. As a condition to granting a construction permit, the City may set reasonable limits on the clearing of natural vegetation from construction sites, in order to reduce the potential for soil erosion. These limits may include, but are not limited to, regulating the length of time soil is allowed to remain bare or prohibiting bare soil.

f. The Director may require, prior to the issuance of any building or grading permit, preparation of an appropriate Wet Weather Erosion Control, stormwater pollution prevention or other plan consistent with Countywide Development Construction Guidance provisions and the goals of this Chapter.

g. Full or partial waivers of compliance with the requirements of this section may be obtained by persons who apply in writing and show that incorporation of design elements that address the objectives set forth above is an economic or physical impossibility due to the particular configuration of the site or due to irreconcilable conflicts with other City requirements. All such requests for waivers must be approved, in writing, by the Director of Planning, the Director of Public Works, and the Director of Building and Safety.

**Section 10** Section 52.25 of Chapter 52 of the Santa Fe Springs Municipal Code is hereby added:

§ 52.25 INSPECTION AND ENFORCEMENT

(a) Inspections. The City Manager or the Director, or any designee thereof, may, on twenty-four hour oral or written notice, unless exigent circumstances justify a shorter time period, enter upon and inspect any private premises for the purposes of verifying compliance with the terms and conditions of this Chapter. Such inspection may include, but is not limited to:

1. Identifying products produced, processes conducted, chemicals and materials used, stored or maintained on the subject premises;
2. Identifying point of discharge of all waste water, non-stormwater, processed water systems and pollutants;
3. Investigating the natural slope of the premises, including drainage patterns and man-made conveyance systems;
4. Establishing location of all point of discharge from the premises, whether by surface runoff or through a storm drain system;
5. Locating any illicit connection or illicit discharge;
6. A vehicle, truck, trailer, tank or other mobile equipment;
7. All records of the owner or occupant of public or private property relating to chemicals or processes presently or previously stored or occurring on the property including materials and/or chemical inventories, facilities maps of schematics and diagrams, material safety datasheets, hazardous waste manifests, business plans, pollution prevention plans, state general permits, stormwater pollution prevention plans, and any and all records relating to illicit connections, illicit discharges or any other source of contribution or potential contribution of pollutants to the municipal storm drain system;
8. Inspecting, sampling and testing any area runoff, soils area (including groundwater testing), process discharge materials with any waste storage area (including any container contents), and/or treatment system discharges for the purpose of determining the potential for contribution of pollutants to the municipal storm drain system;
9. Inspecting the integrity of all storm drain and sanitary sewer systems, any connection to other pipelines on the property, including the use of dye and smoke tests, video surveys, photographs or videotapes, and the taking of measurements, drawings or any other records reasonably necessary to document conditions as they exist on the premises;
10. The institution and maintenance of monitoring devices for the purpose of measuring any discharge or potential source of discharge to the municipal storm drain system;
11. Evaluating compliance with this Chapter or the Clean Water Act.

(b) Enforcement.

1. Any violation of this Chapter is a misdemeanor and shall be punishable by either a fine of up to one thousand dollars or six months in the county jail, or both.
2. Any person who may otherwise be charged with a misdemeanor as a result of a violation of this Chapter may be charged, at the discretion of the prosecuting attorney, with an infraction punishable by a fine of not more than one hundred dollars for the first violation, two hundred dollars for the second violation and two hundred fifty dollars for each additional violation thereafter.

3. As a part of any sentence, other penalty imposed or the award of any damage, the court may also order that restitution be paid to the City or any injured person, or, in the case of a violator who is a minor, by the minor's parent or lawfully designated guardian or custodian. Restitution may include the amount of any reward.

4. In the event any violation of this Chapter constitutes an imminent danger to public health, safety, or the environment, the City Manager or Director of Public Works, or any authorized agent thereof, may enter upon the premises from which the violation emanates, abate the violation and danger created to the public safety or the environment, and restore any premises affected by the alleged violation, without notice to or consent from the owner or occupant of the premises. An imminent danger shall include but is not limited to, exigent circumstances created by the discharge of pollutants, where such discharge presents a significant and immediate threat to the public health or safety, or the environment.

5. Violations of this Chapter may further be deemed to be a public nuisance which may be abated by administrative or civil or criminal action in accordance with the terms and provisions of this code and state law.

6. All costs and fees incurred by the City as a result of any violation of this Chapter which constitutes a nuisance, including all administrative fees and expenses and legal fees and expenses, shall become a lien against the subject premises from which the nuisance emanated and a personal obligation against the owner, in accordance with Government Code Section 38773.1 and 38773.5. The owner of record of the premises subject to any lien shall receive notice of the lien prior to recording as required by Government Code Section 38773.1. The City Attorney is authorized to collect nuisance abatement costs or enforce a nuisance lien in an action brought for money judgment, or by delivery to the county assessor of a special assessment against the premises in accordance with the conditions and requirements of Government Code Section 3873.5.

7. Any person acting in violation of this Chapter may also be acting in violation of the Clean Water Act or the California Porter-Cologne Act (California Water Code Section 13000 et seq.) and the regulations thereunder, and other laws and regulations, and may be subject to damages, fines and penalties, including civil liability under such other laws. The City Attorney is authorized to file a citizen's suit pursuant to the Clean Water Act, seeking penalties, damage and orders compelling compliance and appropriate relief.

8. The City Attorney is authorized to file in a court of competent jurisdiction a civil action seeking an injunction against any violation or threatened or continuing violation of this Chapter. Any temporary, preliminary or permanent injunction issued pursuant hereto may include an order for reimbursement to the City for all costs of inspection, investigation, monitoring, treatment, abatement, removal or remediation undertaken by, or at the expense of the City, and may include all legal expenses and fees and any and all costs incurred relating to the restoration or remediation of the environment.

9. Each separate discharge in violation of this Chapter and each day a violation of this Chapter exists, without correction, shall constitute a new and separate violation punishable as a separate infraction, misdemeanor and/or civil violation.

10. The City may utilize any and all other remedies as otherwise provided by law.

**Section 11.** Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance, or any part thereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining section or portions of this Chapter or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

**Section 12.** The City Clerk shall certify to the adoption of Ordinance No. 915, and shall cause the same to be posted in at least three (3) public places in the City, such posting to be completed not later than 15 days after the passage hereof.

PASSED, APPROVED, AND ADOPTED this 12th day of January, 2001  
by the following vote:

AYES: Burton, Gonzalez, Kernes, Minnehan, Putnam

NOES: None

ABSENT: None

  
MAYOR

  
CITY CLERK

ORDINANCE NO. 913

AN ORDINANCE OF THE CITY OF SANTA FE SPRINGS,  
CALIFORNIA, ADOPTING BY REFERENCE THE  
STANDARD URBAN STORMWATER MITIGATION PLANS  
SUBMITTED BY THE COUNTY OF LOS ANGELES TO THE  
REGIONAL WATER QUALITY CONTROL BOARD IN AUGUST 1999

THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS HEREBY ORDAINS  
AS FOLLOWS:

Section 1. The City Council hereby adopts by reference the "Standard Urban Stormwater Mitigation Plans" submitted by the County of Los Angeles to the Regional Water Quality Control Board in August, 1999, and in so doing adds the following new Section 52.10 to the City Code:

52.10 STANDARD URBAN STORMWATER MITIGATION PLANS.

- (A) The Standard Urban Stormwater Mitigation Plans ("SUSMP") submitted by the County of Los Angeles to the Regional Water Quality Control Board in August, 1999, shall be the City's SUSMP. The City shall maintain a copy of the SUSMP in the office of the City Clerk.
- (B) In the event of any conflict between any provision of SUSMP and any other provision of the City Code, the SUSMP shall prevail.

Section 2. The City Clerk shall certify to the adoption of Ordinance No. 913, and shall cause the same to be posted in at least three (3) public places in the City, such posting to be completed not later than 15 days after the passage hereof.

PASSED, APPROVED and ADOPTED this 24th day of August, 2000 by the following vote:

AYES: Councilmembers Burton, Gonzalez, Kernes, Minnehan, Mayor Putnam

NOES: None

ABSENT: None

  
MAYOR

ATTEST:

  
CITY CLERK

ORDINANCE NO. 928

AN URGENCY ORDINANCE OF THE CITY OF SANTA FE SPRINGS  
AMENDING CHAPTER 52 OF THE CITY CODE TO IMPLEMENT THE NEW  
REQUIREMENTS OF THE 2001 NATIONAL POLLUTANT DISCHARGE  
ELIMINATION SYSTEM (NPDES) MUNICIPAL STORMWATER PERMIT

WHEREAS, on December 13, 2001, the Los Angeles County Regional Water Quality Control Board issued its Order No. 01-182 concerning the NPDES Permit under which the City is a Permittee; and

WHEREAS, the City, along with 48 other cities and the County of Los Angeles, has challenged the legality of the NPDES Permit, by filing a petition with the State Water Resources Control Board (the "State Board"); and

WHEREAS, the petitioners asked the State Board for a stay in implementing the new requirements (the "New Requirements") of the NPDES Permit; and

WHEREAS, the State Board denied the request for a stay, which action requires that the petitioners, including the City, implement the New Requirements; and

WHEREAS, Order No. 01-182 requires that the City act by August 1, 2002, so that the New Requirements are implemented not later than September 2, 2002; and

WHEREAS, there is a current and immediate threat to the public health, safety and welfare, in that the City will not be able to implement the New Requirements by September 2 unless the City Council takes action on an urgency basis at this time.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council hereby adopts and ratifies each of the findings set forth above.

Section 2. The City Council hereby amends Chapter 52 of the City Code, by adopting by reference all of the New Requirements which require implementation by September 2, 2002, with such provisions to take effect immediately.

Section 3. With respect to conflicts between the current provisions of Chapter 52 and the New Requirements, the New Requirements shall prevail.

Section 4. The staff is directed to prepare an Ordinance, for adoption on an urgency basis at one of the regular City Council meetings to be held in August, to make specific changes to Chapter 52, to supersede the changes by reference adopted by this Ordinance.

Section 5. This Ordinance shall take effect immediately upon its adoption.

Section 6. The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted in at least three (3) public places in the City, such posting to be completed not later than 15 days after the passage hereof.

PASSED AND ADOPTED THIS 25<sup>th</sup> day of July, 2002. by the following roll call vote:

AYES: Councilmembers Gonzalez, Minnehan, Putnam, Velasco, Mayor Kernes

NOES: None

ABSENT: None



MAYOR

ATTEST:



CITY CLERK