



# City of San Leandro

Meeting Date: March 5, 2018

## Staff Report

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**File Number:** 18-076 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.B.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Debbie Pollart  
Public Works Director

**FINANCE REVIEW:** Not Applicable

**TITLE:** Staff Report for an Ordinance Amending Title 3, Chapter 14 of the San Leandro Municipal Code Relating to Uniform Wastewater Discharge Regulations (Inclusion of Prior-Approved Text and Minor Updates)

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### SUMMARY AND RECOMMENDATIONS

Regulatory updates have occurred since this portion of the San Leandro Municipal Code (SLMC) was last approved by Ordinance in 2014. The proposed amendment will also reinstate previously adopted language from 2011, that had been inadvertently omitted during the 2014 update. To correct these issues, Title 3, Health and Safety, Chapter 14 (Uniform Wastewater Discharge Regulations (UWDR) needs to be amended. Staff recommends that the City Council approve an Ordinance amending certain portions of Title 3, Chapter 14 of the SLMC relating to UWDR.

### BACKGROUND

It was recently brought to staff's attention that during a 2014 update to Title 3, Chapter 14 of the San Leandro Municipal Code (SLMC) related to Uniform Wastewater Discharge Regulations, a pre-2011 version of the code was used. In using the incorrect version of the SLMC in which to make changes, text adopted by the City Council in 2011 was inadvertently omitted with the 2014 update. This action re-instates the missing language and includes additional minor revisions to the SLMC resulting from regulatory updates that have occurred since 2014.

### Previous Actions

- March 19, 2001 Ordinance No. 2001-05 amended Title 3, Chapter 14, UWDR
- December 5, 2011 Ordinance No. 2011-12 amended Section 3-14-640, UWDR
- November 3, 2014 Ordinance No. 2014-020 repealed and reenacted Title 3, Chapter 14, UWDR

**Applicable General Plan Policies**

- General Plan Policy EH-4.6, Illicit Discharges. Control illicit discharges into the City’s stormwater system through inspections, compliance evaluations, enforcement programs, and tracking activities.
- General Plan Policy EH-4.7, Pre-Treatment Requirements. Maintain and enforce pre-treatment requirements for industries as needed to minimize the discharge of potentially toxic materials into the City’s sanitary sewer system.

**Fiscal Impacts**

There are no fiscal impacts associated with these recommendations.

**ATTACHMENT(S)**

**Attachment to Ordinance**

- Title 3, Chapter 14, UWDR, with additions in underline and deletions in strikethrough text.

**PREPARED BY:** Debbie Pollart, Director, Public Works Department



# City of San Leandro

Meeting Date: March 5, 2018

## Ordinance

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**File Number:** 18-077 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:**

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Debbie Pollart  
Public Works Director

**FINANCE REVIEW:** Not Applicable

**TITLE:** ORDINANCE Amending Title 3, Chapter 14 of the San Leandro Municipal Code  
Relating to Uniform Wastewater Discharge Regulations

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The City Council of the City of San Leandro does **ORDAIN** as follows:

**SECTION 1. PURPOSE.** On November 17, 2014, the City Council approved Ordinance No. 2014-020, repealing and reenacting Title 3 (Health and Safety), Chapter 14 of the San Leandro Municipal Code relating to Uniform Wastewater Discharge Regulations. This action incorporates previously approved language and also makes minor amendments necessitated by changes in regulations.

**SECTION 2. AMENDMENT OF CODE.** Title 3, Chapter 14 of the San Leandro Municipal Code is hereby amended as follows:

3-14-200 Definitions.

**Total Toxic Pollutant Organics (TTO).**

3-14-300 General Discharge Prohibitions.

A user may not introduce into the POTW any pollutant~~(s)~~ which causes pass through or interference.

3-14-340 Limitations on Use of Garbage Grinders.

Waste from garbage grinders shall not be discharged into the sanitary sewer except where:

- ~~(a) W~~wastes are generated in preparation of food consumed in a residence for household use~~;~~ ~~or~~
- ~~(b) The user has an existing garbage grinder that predates the original adoption of this section and has approval for that specific use from the City. Such grinders must be repaired or replaced as necessary in order to at all times ensure that the waste is shredded to a degree that all particles will be carried freely under normal flow conditions prevailing in the City sanitary sewer system. Garbage grinders shall not be used for grinding plastic, paper products, inert materials, garden refuse, and waste products resulting from the handling, storage and sale of equipment.~~

~~At any time the property or business subject to subsection (b) changes ownership, the existing garbage grinders on the property shall be removed and no new garbage grinders may be installed.~~

### 3-14-370 Proper Disposal of Sludge and Spent Chemicals Hazardous Waste.

~~The disposal of sludge, spent chemicals and hazardous materials generated shall comply with all applicable State, Federal and local laws, regulations and ordinances including Section 405 of the Clean Water Act; Subtitles C and D of the Resource Conservation and Recovery Act; and Title 22 California Code of Regulations, Division 4, Chapter 30 of the California Administrative Code. A record of disposal shall be maintained and available for review by City staff.~~

Users shall not discharge to the sewer system any substance that could affect the POTW's effluent and cause violation of its NPDES permit requirements or cause it to be in non-compliance with sludge use, recycle, or disposal criteria pursuant to regulations developed under Sections 204(b) and 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act. A record of disposal shall be maintained onsite and available for review by the City.

### 3-14-605 Notification of Accidental or Slug Discharge.

Users shall immediately notify the POTW upon any changes at their facilities affecting the potential for a slug discharge or accidentally discharging wastes in violation of these regulations and/or discharging a slug load to enable counter measures to be taken by the City to minimize damage to the sewerage system and the receiving waters. This notification does not relieve the user of the responsibility of notifying all other required agencies as outlined in the California Code of Regulations, Title 19, and other applicable regulations.

The initial notification shall be followed, within ~~fifteen (15)~~ five (5) days of the date of occurrence, by a detailed written statement to the Manager describing the causes of the accidental discharge and the measures being taken to prevent future occurrences. Such notification will not relieve users of liability for any expense, loss or damage, or for any

finances imposed by the City, or for other violations of Federal, State, or local laws where applicable.

### 3-14-640 Private Sewer Laterals and Sewer Overflows.

The operation, maintenance, and repair of private sewer laterals are the responsibility of the property owner or user. The reconnection of a property owner's or user's private sewer lateral to a relocated City Sanitary Sewer main upon a determination by the City Engineer that conditions related to particular sections of Sanitary Sewer or the Sewerage System require the necessary and appropriate reconnection shall be the responsibility of the City. In such instances, the City's responsibility shall be limited to reimbursing a property owner's or user's costs to reconnect from the Premises to the POTW. Any person responsible for a sewer overflow shall take immediate action to contain, control, and cease the unauthorized discharge and institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, with the cost borne by the discharger. When deemed necessary by the Manager, clean-up of the discharge may be initiated

**SECTION 3. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of San Leandro hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof is declared invalid or unenforceable.

**SECTION 4. EFFECTIVE DATE AND PUBLICATION.** This ordinance shall take effect thirty (30) days after adoption. The City Clerk is directed to publish the title once and post a complete copy thereof on the City Council Chamber bulletin board for five (5) days prior to adoption.