

CHAPTER 18

SEWERS AND SEWAGE DISPOSAL

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Article I. In General

18-1 Short title. This chapter shall be known and may be cited as the Sewer use Ordinance. (Ord. 455)

18-2 Definitions. For the purposes of this chapter the following words and phrases shall have the meaning respectively ascribed to them by this section. The present tense includes the past and future tenses; and the future, the present. The masculine gender includes the feminine and neuter. The singular number includes the plural, and the plural includes the singular. “Shall” is mandatory and “may” is permissive. (Ord. 455)

a) Department means the Department of Public Works of the City of Imperial.

b) City means the City of Imperial, California.

c) Superintendent means the superintendent of Public Works of the City.

d) Sewerage system means all construction and appurtenant equipment utilized in the collection, transportation, pumping, treatment, detention and final disposal of sewage for the City.

e) Waste means solid, liquid or gaseous substances discharged or flowing into the sewerage systems.

f) Industrial waste means solid, liquid or gaseous substances discharged or flowing from an industrial, manufacturing or commercial premises resulting from manufacturing, processing, refining, treating, recovery or development of natural or artificial resources of whatever nature and which falls under the provisions of the industrial waste discharge permit section of this code.

g) Person means any person, firm, company, association, corporation, political subdivision, municipal corporation, district, state of the United States or any department or agency thereof.

h) Premises means any lot, piece, or parcel of land, building or establishment.

i) Sewer lateral means a sewer, within a public street or right-of-way, proposed to connect any parcel, lot or part of a lot with the main line sewer.

j) House drain means a sewer wholly within private property proposed to connect any building to a sewer lateral. (Ord. 455)

18-3 Establishment of rules and regulation. The Superintendent is authorized and empowered to adopt such rules and regulations as may be deemed reasonably necessary to maintain, operate and protect the sewerage system; to control and regulate the proper use thereof; and to provide for the establishment of minimum discharge requirements and the issuance of permits where not otherwise provided for herein. Such rules and regulations shall be deemed temporary, subject to review and approval by the City Council.
(Ord. 455)

18-4 Standard Specifications for Public Works Construction – adopted by reference. That certain document, three copies of which are on file in the Office of the City Clerk, marked and designated as “Standard Specifications for Public Works Construction, 1976 Edition”, published by Building News Incorporated, 3055 Overland Avenue, Los Angeles, California 90034 (Tel. [213] 870-9871) as hereinafter modified, amended, added to and reissued, be and the same is adopted as the Standard Specifications for the design and installation of sewerage facilities in the City of Imperial and each and all of the provisions, conditions and regulations thereof are referred to, adopted and made a part hereof as if fully set out in this section.
(Ord. 455)

Article II. Connections

18-5 Separate connections. There shall be a separate sewer connection for each lot or building site in the City of Imperial unless authorized otherwise by action of the City Council. The design, construction and testing of sewer connection shall conform to the Standard Specifications for Public Works Construction, current edition, as adopted and set forth in the City Ordinance Code and shall result in an installation having a maximum water infiltration/exfiltration rate of 200 gallons per day per inch of pipe diameter per mile.
(Ord. 455)

18-6 Unauthorized connections or alterations. It shall be unlawful and a violation of this Code for the owner or occupant of any land, lot or premises within the city to connect with the city sanitation system nor shall anyone alter or repair any sewer mains and lateral, except as provided for herein and in the Ordinance Code of the City of Imperial.
(Ord. 455)

18-7 Unlawful private disposal systems. Except as specifically authorized by the City Council, it shall be unlawful and a violation of this Code to connect or cause to be connected any cesspool, septic tanks, seepage pit, drain file, holding tank or other private sewerage system to any part of the City Sewerage System, directly or indirectly, nor shall any private sewerage disposal system be maintained or operated on any premises within the City for which a connection to the City sewerage system is available within 100 lineal feet from said premises.
(Ord. 604)

18-8 Connections to uncontaminated fluid sources. It shall be unlawful and a violation of this Code to connect or cause to be connected any artesian well, aquifer, storm drain, roof drain, evaporative cooler or other source of uncontaminated water or other uncontaminated fluids to any part of the City Sewerage System, nor shall any connection

be permitted which encourages the direct wasting of water or other uncontaminated fluids to the City Sewerage System. (Ord. 455)

18-9 Sewer permits. Individual sewer permits are required for each new connection of a sewer lateral or sanitary house drain to the City Sewerage System. Sewer permits shall be issued by the Superintendent of Public Works or his duly authorized representative only after insuring that all provisions of this Ordinance and other applicable section of the City Ordinance Code have been fully satisfied and that all fees have been paid in full. (Ord. 455)

18-10 On private property and in public rights-of-way. All connections to the existing City Sewerage System involving work within public rights-of-way shall be made by property owner and/or applicant under the supervision of the Superintendent of Public Works Construction. An encroachment permit must be obtained by the applicant prior to initiating any work with public rights-of-way. Applicant shall be responsible for all costs incurred in making any connection and shall be required to reimburse the City in full for any costs incurred by the City resulting from the applicant's work within the right-of-way. Property owner is responsible for sewer service connections from the sewer service lateral from house to the main line. All work performed on individual sewer service lines within private property shall be done by the property owner at his sole expense and in accordance with the Standard Specifications, the Uniform Plumbing Code and the Ordinance and Code of the City of Imperial. (Ord. 462)

18-11 Responsibility for stoppage and sewer lateral. Individual sewer users are responsible for maintenance of individual service lines to the main line. In the event of stoppage in the sewer lateral or house drain, it shall be the responsibility of the property owner or occupant to take reasonable steps in locating and clearing the stoppage to the junction with the main line. If clearing the stoppage to the junction with the main line. If unsuccessful, the Superintendent of Public Works should be notified. (Ord. 462)

Article III. Discharge Requirements.

18-12 Excessive discharge of uncontaminated fluids. It shall be unlawful and a violation of this Code to waste any unreasonable or excessive amount of uncontaminated water or other fluids into the sewerage system or to discharge water used for cooling refrigeration units, electrical or desert coolers, evaporative coolers or other similar devices. (Ord. 455)

18-13 Strength of sanitary waste discharge. Unless provided otherwise by special discharge permit, it shall be unlawful and a violation of this Code for any user to discharge excessively concentrated sanitary waste into the sewerage system or wastes having concentrations of pollutants significantly greater than domestic sewage. Such discharge shall be deemed excessively concentrated when it exceeds concentrations of 250 milligrams of biochemical oxygen demand per liter or 300 milligrams of suspended solids per liter. (Ord. 455)

18-14 Toxic and noxious chemical discharge. It shall be unlawful and a violation of this Code for any person to discharge chemicals or toxic or noxious or odoriferous materials other than domestic human waste into the City Sanitation and Sewerage System, except as hereinafter provided for in the industrial discharge sections.

Article IV. Industrial Discharge.

18-15 Permit required. It shall be unlawful for any person to connect or cause to be connected to or otherwise discharge into or cause to be discharged into the sewerage system of the City of Imperial any industrial waste unless such person has theretofore filed with the Department of Public Works of the City an application for an industrial waste discharge permit and the Superintendent has issued such a permit. (Ord. 455)

18-16 Issuance of permit; conditions. No permit shall be issued to any person proposing to discharge industrial wastes into the City of Imperial's sewerage system whereby the discharge or elements thereof constitute a hazard or danger to the health or safety of any person or to the property of any person; nor shall a permit be issued if such discharge will impair the capacity, construction, use or proper performance of the sewerage system or be otherwise detrimental or injurious to such system; nor shall a permit be issued unless the applicant has complied with all federal, state, and local laws and with the provisions of this article and with all the applicable rules and regulations adopted as provided in this chapter. The industrial waste discharge permit shall be revocable and shall contain discharge standards related to flow and strength and may contain such additional conditions or restrictions as the Superintendent deems necessary to assure compliance with said laws, rules and regulations, including the requirement that the permittee, at his expense and in a form acceptable to the Superintendent, provide periodic analyses of waste discharged in the sewerage system. All discharges of industrial waste shall inform the Superintendent, in writing, of any significant or qualitative change in types or quantities of industrial waste to be discharged into the sewerage system 24 hours prior to such change in discharge. The superintendent shall evaluate each such notification received as to its affect on the sewerage system and may temporarily wave certain restrictions and conditions upon the discharger provided, however, that at no time shall such action permit discharges which are injurious to the sewerage system or fail to comply with the City's current N.P.D.E.S. discharge requirements and the rules and regulations adopted pursuant thereto. (Ord. 455)

18-17 Term of permit. Industrial waste discharge permits issued in accordance with this Code shall be valid for a period of five years from the date of issue unless revoked or suspended for cause as provided for hereinafter. (Ord. 455)

Article V. Enforcement

18-18 Superintendent to enforce. The Superintendent is charged with the duty of enforcing the provisions of this Code and the rules and regulations adopted as provided herein. The Superintendent and his duly authorized agents and employees are authorized and shall be permitted to enter on all properties at all reasonable times for the purpose of

inspection, observation,, measurement, sampling, testing or other reasons to assure the enforcement and proper application of all provisions of this article and the rules and regulations adopted by the Superintendent as provided in this Code. Any violation of this Code or any violation of discharge provisions contained in permits issued pursuant hereto shall be cause for enforcement action by the Superintendent. Such enforcement may result in any or all of the following actions taken at the Superintendent's discretion; revocation or suspension of sewer permit; disconnection of sewer lateral; discontinuance of other City Provided services; filing of civil charges; filing of criminal charge. (Ord. 455)

18-19 Violation; disconnection of facilities; reconnection charge. The superintendent may disconnect from the public sewerage system any industrial or non-industrial sewer connection or other facility which is constructed, connected or used without a valid permit, or is constructed, connected or used contrary to any of the provisions of a permit issued pursuant hereto, or contrary to the provisions of any applicable federal, state or local law or this chapter or the rules and regulations adopted as provided for in the chapter. When a premises has been disconnected, it shall not be reconnected until the violation for which it was disconnected has ceased or been remedied and a reasonable charge for disconnection and reconnection, as established by regulation adopted by the Superintended, has been paid. (Ord. 455)

18-20 Notice of intention to disconnect. The Superintendent shall give not less than five (5) days notice of intention to disconnect the premises or to suspend or revoke a permit, stating the reasons therefore, and may grant a reasonable time for elimination of the violation; provided, however, that the Superintendent determines that the danger is imminent and such action is necessary for the immediate protection of the health, safety or welfare of the person or property or for the protection of the sewerage system any premises may be disconnected and service terminated concurrently with the giving of such notice. Notice shall be given to the occupant of the premises, if any, and to the record owner of the property as shown on the last equalized assessment roll of the county by United States mail, registered or certified, return receipt requested, postage prepaid or by posting such notice on the premises. (Ord. 455)

18-21 Liability of persons for damage to the sewerage system. Any person, firm or corporation violating any provision of this Code or any rule or regulation adopted as provided herein is guilty of a misdemeanor and upon conviction thereof, shall be punished as provided in Section 1-7 of the City Ordinance Code. Said person, firm, corporation shall be further redressed through civil action from all damage to the sewerage system incurred as a result of such violation and for any costs involved in the maintenance of repair resulting therefrom (Ord. 455)

Article VI. Rates

18-22 User charges. The monthly sewer user charge for all users of the City Sewerage System shall be set by resolution of the City Council. (Ord. 455)

18-23 Connection charges. Sewer connection fees for new connections to the City Sewerage System shall be set by resolution of the City Council (Ord. 455)

18-24 Wastewater capacity fee. At the time application is made for connection to the City wastewater system, the applicant shall pay the City a wastewater treatment plant capacity fee. City shall hold such a fee in an account set aside to provide for future wastewater treatment plant growth. The amount of such fee shall be set by resolution of the City Council.

Such fees shall also be paid before a building permit will be issued for any building or addition that creates and intensified use of property over that which was previously existing on the building site within a five year period immediately proceeding said permit date. The City staff is authorized, when substantiating documentation is submitted by the developer/owner of prior number of bedrooms and/or square footage of building for commercial or industrial development, to credit the developer or owner for that prior usage against the wastewater capacity fee so long as said prior usage occurred on the property within five years of the requested development. Said intensified use is applicable to the scheduled fees and said intensified use is defined as a development for which a building permit must be issued and which will result in a net increase in occupancy and/or impact to the wastewater system. (Ord. 561)

18-25 Temporary deferral of payment of wastewater capacity fee. Due to the temporary and acute nationwide slowdown in the housing market, and notwithstanding any other requirements of Chapter, 18, Article VI, the City Manager shall have the authority to consider and approve requests to defer payment of wastewater capacity fees to the earlier of final inspection, Certificate of Occupancy, or one year from the date the deferral is approved by the City manager. This section shall automatically expire and be of no force and effect after such date as specified by Resolution. (Ord. 768)