

ORDINANCE NO. 910

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA REPEALING ORDINANCE 91 AND ORDINANCE 488 THE SANITARY SEWER AND INDUSTRIAL WASTE ORDINANCE OF THE CITY OF LANCASTER AND ADOPTING CHAPTERS 13.07, 13.08 AND 13.09 AS THE SANITARY SEWER AND INDUSTRIAL WASTE ORDINANCE

WHEREAS, The City Council on October 10 , 2006 approved submitting a Notice of Intent to comply with the State Mandated Waste Discharge Requirements (WDRs) as they pertain to sanitary sewers; and,

WHEREAS, The City of Lancaster owns and operates its sanitary sewer system; and,

WHEREAS, The WDRs require a Sanitary Sewer Management Plan be prepared for the City which includes demonstrating the City has legal authority to operate and maintain its sanitary sewer system with respect to: illicit discharges in to the sewer, design of the sewers and connection thereto, access for maintenance and inspection, limitations of fats, oils and grease and other debris being placed in the sewers and enforcement of any violations of the sewer ordinance; and,

WHEREAS, The City of Lancaster adopted by its Ordinance 91 the Los Angeles County Ordinance 6130 as the City's Sanitary Sewer and Industrial Waste Ordinance and Ordinance 91 was amended by Ordinance 488.

THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

- Section 1. Purpose and Intent. It is the purpose and intent of the City Council that Ordinance 91, and Ordinance 488 shall be repealed in their entirety and be replaced with **Exhibit "A"** attached hereto.
- Section 2. That the City finds that this Ordinance is in the public interest of protecting the health, safety and welfare of the citizens of the city and that it meets the requirements of the WDRs with respect to legal authority for the sanitary sewers in the city.
- Section 3. That the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

I, Geri K. Bryan, CMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and placed upon its second reading and adoption at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
GERI K. BRYAN, CMC  
City Clerk  
City of Lancaster

\_\_\_\_\_  
R. REX PARRIS  
Mayor  
City of Lancaster

STATE OF CALIFORNIA            }  
COUNTY OF LOS ANGELES    } ss  
CITY OF LANCASTER            }

CERTIFICATION OF ORDINANCE  
CITY COUNCIL

I, \_\_\_\_\_, \_\_\_\_\_ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. 910, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(seal)

\_\_\_\_\_

Exhibit "A"

**CHAPTER 13.07 SANITARY SEWERS**

**Article 1 DEFINITIONS**

**13.07.010 Definitions applicable to Chapter.**

The definitions in this Chapter shall govern the construction of Chapters 13.07, 13.08 and 13.09, and any permits issued thereunder unless otherwise apparent from the context.

A. "Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.

B "Cesspool" means and is a lined excavation in the ground which receives the discharge of a drainage system, or part thereof, so designed as to retain the organic matter and solids discharging therein, but permitting the liquids to seep through the bottom and sides, and constructed pursuant to the provisions of the Plumbing Ordinance set out at Chapter 15.20 of this code.

C. "Chimney" means a vertical section of a sewer pipe extending either from a vertical tee set 90 degrees to the main line or from a long-radius one-quarter bend set vertically at the curb of property line, and in either case suitably reinforced with concrete.

D. "City" means City of Lancaster

E. "Council" means the City Council of the City of Lancaster

F. "City Engineer" means the City Engineer of the City of Lancaster or his/her designated representative.

G "County engineer" means the director of public works of the county of Los Angeles, or his authorized deputy, agent, representative or inspector.

H. "County health officer" means the County health officer of the county of Los Angeles, or his duly authorized representative.

I. "Director" means the Director of Public Works of the City of Lancaster, or his authorized deputy, agent, representative or inspector.

J. "Domestic sewage" means the waterborne wastes derived from ordinary living processes, and of such character as to permit satisfactory disposal, without special treatment, into the public sewer or by means of a private sewage disposal system.

K. "Effluent" means the liquid flowing out of any treatment plant or facility constructed and operated for the partial or complete treatment of sewage or industrial waste.

L. "Septic tank effluent" is effluent from private septic tanks and shall be considered, for the purposes of this chapter involving the discharge of septic tank effluent to a Septic Tank Effluent Pumping pressure sewer system (STEP), the same as industrial waste. Whenever this chapter refers to industrial waste, the reference shall include septic tank effluent.

M. "EPA" means the United States Environmental Protection Agency

N. "Frontage" means the length or width in feet applied to a lot based on the benefit received from the abutting sewer, as determined by the Director.

O. "House lateral" means that part of the sewer piping within the street or right-of-way which extends from the property or sewer right-of-way line to a connection with the main-line sewer.

P. "Indirect discharge" or "discharge" into a sewer means the introduction of pollutants into a POTW from any nondomestic source regulated under Chapter 307(b), (c) or (d) of the Act.

Q. "Industrial building" means any building, structure or works which is, or which is designed to be used for the manufacture, processing or distribution of materials, equipment, supplies, food or commodities of any description; or which is used or designed to be used as a school, sanitarium, hospital, penal institution or charitable institution, together with all appurtenances thereto and the surrounding premises under the same ownership or control.

R. "Industrial connection sewer" means that part of the sewer piping within the street or right-of-way which extends from the property or sewer right-of-way line to a connection with the main-line sewer through which is discharged industrial waste.

S. "Industrial user" or "user" means a source of indirect discharge.

T. "Industrial waste" means any and all waste substances, liquid or solid, except domestic sewage, and includes among other things radioactive wastes and explosive, noxious or toxic gas when present in the sewage system.

U. "Industrial waste treatment facility" means any works or device for the treatment, storage or control of industrial waste within a site prior to disposal.

V. "Inspector" means the authorized inspector, deputy, agent or representative of the Director.

W. "Interceptor" means and is a device designed and installed so as to separate and retain deleterious, hazardous or undesirable matter from wastes.

X. "Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources:

1. Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
2. Is therefore a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Chapter 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Chapter II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including the state regulations contained in any sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, and the Marine Protection, Research and Sanctuaries Act.

AA. "Licensed contractor" means a contractor having a valid license issued pursuant to Chapter 9, Division 3, of the Business and Professions Code, state of California, which license includes the activities listed on the permit applied for.

AB. "Lot" means any piece or parcel of land bounded, defined or shown upon a map or deed recorded or filed in the office of the county recorder of Los Angeles County located within the corporate boundaries of the City of Lancaster; provided, however, that in the event any building or structure covers more area than a lot as defined above, the term "lot" shall include all such pieces or parcels of land upon which said building or structure is wholly or partly located together with the yards, courts and other unoccupied spaces legally required for the building or structure.

AC. "Main-line sewer" means any public sewer in a dedicated right-of-way in which changes in alignment and grade occur only at manholes, or where angle points or curves between manholes have been approved by the Director. Such sewers are generally eight inches or more in diameter.

AD. "National Categorical Pretreatment Standard," "NCPS," "National Pretreatment Standard," "Pretreatment Standard," or "Standard" means any regulation containing pollutant

discharge limits promulgated by the EPA in accordance with Chapter 307(b) and (c) of the Act which applies to industrial users. This term includes prohibitive discharge limits established pursuant to Chapter 403.5 of Chapter 40 of the Code of Federal Regulations.

AE. “New source” means any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Chapter 307(c) of the Act applicable to such source.

AF. “NPDES permit” means a National Pollution Discharge Elimination System permit issued pursuant to Chapter 402 of the Act.

AG. “Off-site disposal” means the disposal or removal of industrial wastes or other materials regulated by this Chapter to a site other than the premises where the wastes were generated, whether or not such site is under the control of the industrial waste disposal permittee.

AH. “On-site disposal” means the management, treatment, control or disposal, other than to the public sewer system, of industrial wastes or other materials within the premises named in an industrial waste disposal permit, whether or not the wastes were generated at the permitted site or by the permittee.

AI. “Ordinance” means an ordinance of the City of Lancaster.

AJ. “Pass through” means a discharge which exits the POTW into the waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation.)

AK. “Permittee” means the person to whom a permit has been issued pursuant to the provisions of this Chapter.

AL. “Person” means an individual human being, a firm, partnership or corporation, his or their heirs, executors, administrators, assigns, officers or agents, the City of Lancaster, the county of Los Angeles, and any municipal, quasi-municipal or government agency, or district or officers thereof.

AM. “Pollution of underground or surface waters” means affecting the chemical, physical, biological and radiological integrity of such waters by man-made or man-induced activities.

AN. “Publicly owned treatment works” or “POTW” means a treatment works as defined by Title 212 of the Act, which is owned by a state or municipality (as defined by Title 502(4) of the Act). This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant. For the purpose of this Title, “POTW” shall also include any sewers that convey wastewaters to the POTW from outside the municipality by contract.

AO. “Pretreatment” or “treatment” means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW or other disposal facility. The reduction or alteration can be obtained by physical, chemical or biological processes or process changes by use of an industrial waste treatment facility or other means, except as prohibited by 40 CFR Title 403.6(d).

AP. “Public sewer” means a main-line sanitary sewer, dedicated to public use.

AQ. “Radioactive material” is defined to be any material composed of or containing chemical elements which spontaneously change their atomic structure by the emission of alpha or beta particles or gamma rays or any other particles or rays or forms of energy.

AR. “Rainwater diversion system” means any device designated to prevent the entry of storm waters into the public sewer system or other waste disposal or treatment systems, and to redirect storm flows to appropriate areas.

AS. “Saddle” shall mean:

1. “Wye saddle” means a short pipe-fitting with a shoulder at one end to allow the application of the fitting to a hole tapped in the main-line sewer such that the short pipe shall form a 45-degree angle from the main-line sewer pipe.

Or

2. “Tee saddle” means a short pipe-fitting with a shoulder at one end to allow the application of the fitting to a hole tapped in the main-line sewer such that the short pipe shall form a 90-degree angle from the main-line sewer pipe.

AT. Not Used

AU. “Seepage pit” means a line-excavation in the ground which receives the discharge of a septic tank, so designed as to permit the effluent from the septic tank to seep through its bottom and sides.

AV. “Septic tank” means a watertight receptacle which receives the discharge from a sewerage system, designed and constructed so as to retain solids, digest organic matter through a period of detention, and allow the liquids to discharge either into the soil outside of the tank through a drain field system or one or more seepage pits, or into a STEP system.

AW. “Sewage” means any waterborne or liquid wastes, including domestic sewage and industrial waste, but does not include or mean stormwater, groundwater, and roof or yard drainage.

AX. “Sewer disposal” means the disposal of industrial wastes or other materials into the public sewer system by means of a direct connection to the public sewer system from the premises named in an industrial waste disposal permit.

AY. “Sewage pumping plant” means any works or device used to raise sewage from a lower to a higher level or to overcome friction in a pipeline.

AZ. “Shall” is mandatory and “may” is permissive.

AAA. “STEP system” means a Septic Tank Effluent Pumping system which is a public sewer system, operating under pressure and especially designed to receive effluent from private septic tanks.

AAB. “Standard Industrial Classification” or “SIC” means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, as amended or the new replacement classification system promulgated as the North American Industry Classification System (NAICS).

AAC. “Tapping” means the forming of a tee or wye branch connection to a main-line sewer by installing a tee or wye saddle after the sewer is in place.

AAD. “Tee” or “T” means a fitting for a branch on which the spur joins the barrel of the pipe at an angle of approximately 90 degrees.

AAE. “Trunk sewer” means a sewer under the jurisdiction of the County Sanitation Districts of Los Angeles.

AAF. “Uncontrolled discharge” means any discharge, intentional or accidental, occurring in such a manner that the discharger is unable to determine or regulate the quantity, quality or effects of the discharge.

AAG. "Water pollution control plant" means any works or device for treating sewage except any industrial waste treatment facility, and except any private sewage disposal system covered by the Plumbing Code.

AAH. "Wye" or "Y" means a fitting for a branch on which the spur joins the barrel of the pipe at an angle of approximately 45 degrees.

## **Article 2 GENERAL PROVISIONS**

### **13.07.020 Chapter for citation.**

The ordinance codified in Chapters 13.07, 13.08 and 13.09 shall be known as the "Sanitary Sewer and Industrial Waste Ordinance," and may be cited as such.

### **13.07.030 Applicability of Chapter provisions.**

The provisions of this Chapter shall apply to the discharge, deposit or disposal of all wastes, including any material which may cause pollution of underground or surface waters, in, upon or affecting the City of Lancaster; and the design, construction, alteration, use and maintenance of public sewers and house laterals, industrial connection sewers, water pollution control plants, sewage pumping plants, industrial liquid-waste pretreatment plants, sand and grease interceptors, and appurtenances; the issuance of permits and the collection of fees therefor, and fees to pay the cost of checking plans, inspecting the construction and making record plans of the facilities permitted hereunder or as provided elsewhere in this code; and providing penalties for violation of any of the provisions of this Chapter.

### **13.07.040 References to additions and amendments.**

Whenever reference is made to any portion of the ordinance codified in this Chapter or in Chapter 13.08, such reference applies to all amendments and additions thereto now or hereafter made.

### **13.07.050 Time limits--Extension permitted when.**

Any time limit provided for in the provisions of this Chapter or Chapter 13.08 may be extended by mutual written consent of both the Director and the permittee or applicant, or other person affected.

### **13.07.060 Maintenance of facilities--Applicability of provisions.**

A. The requirements contained in this Chapter and Chapter 13.08 covering the maintenance of, sanitary sewer collection system pipelines, sewage pumping plants, industrial waste pretreatment plants, or other appurtenances, shall apply to all such facilities now existing or hereafter constructed. All such facilities shall be maintained by the owners thereof in a safe and sanitary condition, and all devices or safeguards which are required by this Chapter for the operation of such facilities shall be maintained in good working order.

B. This Chapter or Chapter 13.08 shall not be construed as permitting the removal or non maintenance of any devices or safeguards on existing facilities unless authorized in writing by the Director.

**13.07.090 Inspection to ascertain compliance--Access required--Acceptance of permit conditions.**

A. The Director may inspect, as often as he deems necessary, every main-line sewer, sewage pumping plant, industrial waste pretreatment plant or facility, industrial sewer connection, interceptor, or other similar appurtenances to ascertain whether such facilities are maintained and operated in accordance with the provisions of this Chapter. All persons shall permit and provide the Director with access to all such facilities at reasonable times.

B. An applicant, by accepting a permit issued pursuant to this Chapter does thereby consent and agree to entry upon the premises described in the permit by the Director at all reasonable times for the purpose of:

1. Inspection, sampling, flow measurement or examination of records;
2. Placing on the premises devices for monitoring, flow measurement or metering;
3. Inspecting and copying any records, reports, test results or other information required to carry out the provisions of this Chapter; and
4. Photographing any waste, waste container, vehicle, waste treatment process, discharge location, or violation discovered during an inspection.

**13.07.100 Enforcement--Director powers.**

The Director shall enforce all the provisions of Chapters 13.07, 13.08 and 13.09, and for such purpose shall have the powers of a peace officer. Such powers shall not limit or otherwise affect the powers and duties of the county health officer.

**13.07.110 Delegation of powers.**

Whenever a power is granted to or a duty is imposed upon the Director, by provisions of this Chapter, the power may be exercised or the duty may be performed by a deputy of the officer or a person authorized pursuant to law by the officer, unless this Chapter expressly provides otherwise.

**13.07.120 Identification for inspectors and maintenance personnel.**

The Director shall provide means of identification of inspectors and sewer maintenance personnel which shall identify them as such. Inspectors and sewer maintenance personnel shall identify themselves upon request, when entering upon the work of any contractor or property owner for any inspection or work required by this Chapter.

**13.07.130 Notice service procedures.**

Unless otherwise provided in this Chapter, any notice required to be given by the Director under this Chapter shall be in writing, and served in the manner provided in the Code of Civil Procedure for the service of process, or by registered or certified mail. If served by mail, the



notice shall be sent to the last address known to the Director. Where the address is unknown, service may be made as above provided upon the owner of record of the property.

**13.07.140 Obstructing access to facilities prohibited.**

No object, whether a permanent structure, or a temporary structure, or any object which is difficult of removal, shall be located on a sewer easement or placed in such a position as to interfere with the ready and easy access to any facility described in Section 13.07.090. Any such obstruction, upon request of the Director, shall be immediately removed by the violator at no expense to the City, and shall not be replaced.

**13.07.150 Interference with inspectors prohibited when.**

No person in the City shall, during reasonable hours, refuse, resist or attempt to resist the entrance of the Director into any building, factory, plant, yard, field or other place or portions thereof in the performance of his duty within the power conferred upon him by law or by this Chapter.

**13.07.160 Violation--Penalty- Continued violations.- Injunctive relief**

Every person violating any provision of this Chapter or any condition or limitation of permit issued pursuant thereto is guilty of a misdemeanor, and upon conviction is punishable by fine established at Chapter 1.12.020.

**13.07.180 Severability.**

If any provision of the ordinance codified in this Chapter, or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

**13.07.200 Notification of uncontrolled discharges required.**

A. In the event of an uncontrolled discharge, the person, discharger or permittee shall within three (3) hours notify the Director of the incident by telephone. The notification shall include location of discharge, type of material, concentration and volume, and corrective actions taken.

B. Within 10 days after the uncontrolled discharge, the discharger or permittee shall submit to the Director a detailed written report describing the cause of the discharge, corrective action taken and measures to be taken to prevent future occurrences. Such notification shall not relieve the discharger or permittee of liability or fines incurred as a result of the uncontrolled discharge.

C. Notification of the Director does not relieve the person, discharger or permittee from notifying other agencies as required by Law within the time frame required by the various agencies.

**13.07.210 Confidential information--Public access.**

Information and data concerning an industrial user obtained from reports, questionnaires, permit applications, permits, monitoring programs and inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Director that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user. Wastewater constituents and characteristics will not be recognized as confidential information.

**Article 3 ADMINISTRATION, PERMITS AND FEES**

**13.07.250 Permits--Issuance authorized when.**

If it appears from the application for any permit required by this Chapter that the work to be performed thereunder is to be done according to the provisions of this Chapter, the Director, upon receipt of the fees hereinafter required, shall issue such permit.

**13.07.260 Fees--Records required--Disposition of funds.**

The Director shall keep in proper books a permanent and accurate account of all fees received under this Chapter, giving the names and addresses of the persons on whose accounts the same were paid, the date and amount thereof, and the number of permits granted, if any, which books shall be open to public inspection. The Director shall pay all fees received by him into the City treasury and take the treasurer's receipt therefor.

**13.07.270 Fees--Estimated valuation procedures.**

Whenever the fees required by this Chapter are based on valuations, the Director shall determine the estimated valuation in all cases, and for such purposes he shall be guided by approved estimating practices.

**13.07.280 Fees--Reimbursement authorized when--Procedures for awarding contracts.**

A. The Director may recommend that the Council, by the adoption of a resolution or the approval of an agreement, authorize reimbursement to a subdivider, school district, special assessment district or person, either by direct payment or deferred reimbursement, for a portion of the cost of constructing sanitary sewers for public use where such sewers can or will be used by areas outside of the area for which the sewers are being installed; such authorization action shall conform with the requirements of the applicable state laws, shall include the establishment of a reimbursement district and collection rates to be applied, and shall provide that notice be published inviting sealed bids on the work proposed and that the bids be publicly opened.

B. The procedure for the receipt of bids and the award of contract for work to be done by a special assessment district or any public agency directly controlled by state law shall be as required by the particular laws applicable; for all other projects, the Director shall receive and analyze the bids, and authorize the principals involved to award the contract to the lowest

responsible bidder. In the event that the low bid received exceeds the engineer’s estimate by more than 10 percent, the Director shall notify the principals involved of the increase over the estimated cost. If the principals involved and the Director agree, the contract may be awarded to the lowest responsible bidder, otherwise all bids shall be rejected and the proposal readvertised for new bids.

**13.07.290 Certificate of final inspection--Conditions.**

When it appears to the satisfaction of the Director that all work done under the permit has been constructed according to and meets the requirements of all the applicable provisions of this Chapter, and that all fees have been paid, the Director, if requested, shall cause to be issued to the permittee constructing such work a certificate of final inspection. The certificate shall recite that such work as is covered by the permit has been constructed according to this Chapter, and that said work is in an approved condition.

**13.07.300 Refund procedures.**

A. In the event that any person shall have paid a fee as required under the Chapters set forth below and no work or processing has been done on these functions by the Director and the project has been formally abandoned or cancelled, such person, upon presentation to the Director of a request in writing, on special provided forms, shall be entitled to a refund in an amount equal to 75 percent of the fee actually paid:

<b>Chapter</b>	<b>Type of Fee</b>
13.08.	Sewer construction permit fees
13.08.	Tap fee
13.08.	Manhole reconstruction inspection charges
13.08.	Plan checking fees
13.08.	Sewer easement processing fees
13.08.	Special studies--Preparation and checking fees
13.08.	Reimbursement processing fees
13.08.	Charges for sewer maintenance
13.08.	Industrial waste disposal permit--Application fee.

Except that refunds and credits for plan check and inspection fees shall be in accordance with Chapter 16.28 of the Municipal Code.

B. In the event that the Director has commenced any plan checking or other work for which a fee was paid, or the contractor has commenced work on the construction, no portion of the fee shall be refunded.

C. Refund requests must be submitted within a one-year period after the date the fee was paid.

D. The Director shall satisfy himself as to the right of such person to a refund, and each refund shall be paid as provided by law for the payment of claims against the City.

**13.07.310 Educational work--Performance authorized when.**

The Director may perform educational work, and may cooperate with civic organizations, industries, water companies and public agencies whenever, in the opinion of the Director, such work and cooperation is essential to the development of standards or procedures which will prevent creation of a public nuisance, or menace to the public health or safety, or pollution of underground or surface waters.

**13.07.320 Joint action with other public agencies.**

The Director may contact, confer, and negotiate with officials of any public agency and may recommend to the Council a contract by which the City and one or more public agencies may jointly exercise any powers pertinent to the enforcement of the provisions of this Chapter and any similar statute, ordinance, rule or regulation of such public agencies, common to all. The Director may enter into agreements with other public agencies for the purpose of control of industrial waste disposal and may in conjunction with such agencies issue joint permits for industrial waste disposal to satisfy the requirements of this Chapter. The Director may also recommend to the Council a contract between the City and any city within the county.

**CHAPTER 13.08 SANITARY SEWERS AND INDUSTRIAL WASTE**

**ARTICLE 1 SEWER CONSTRUCTION PERMIT**

**13.08.005 Findings.**

The ordinance codified in this Chapter is necessary to protect public health and safety, and to prevent endangerment of public and private property.

**13.08.010 Sanitary sewer policy.**

It is the policy of the City of Lancaster that all new buildings, constructed for human occupancy, be connected to a public sewer. That all such sewers shall be designed and constructed according to the provisions of this Chapter 13.08 and Title 15 of the Municipal Code of the City of Lancaster. All sanitary sewers including pumping stations, constructed and dedicated for public use shall be operated and maintained by the City of Lancaster and the benefitting property owner shall bear the cost thereof as provided in Chapter 13.09.

**13.08.015 Definitions.**

The definitions in this Chapter shall be the same as those included in Section 13.07.010 and govern the construction of this Chapter unless separately defined in this Chapter or apparent from the context.

**13.08.020 Required when--Period of validity.**

A. No person other than the person specifically excepted by this Chapter shall commence, do or cause to be done, construct or cause to be constructed, use or cause to be used, alter or cause to be altered any public sewer, main-line sewer, house lateral, sewage pumping plant, or

other similar appurtenance in the City of Lancaster without first obtaining a sewer construction permit from the Director.

B. A sewer construction permit issued by the Director shall expire one year from the date of issuance, except when the plans were approved in accordance with an agreement either with another governmental agency, or for a subdivision as required by the Subdivision Ordinance set out at Title 16 of this code, or reimbursement in accordance with 13.07.280, the permit shall be valid for the period specified in the agreement.

**13.08.018 Not required when.**

The provisions of this Article 1 requiring permits shall not apply to contractors constructing public sewers and appurtenances under contracts awarded by the Council and entered into under proceedings had or taken pursuant to any of the special procedure statutes of this state providing for the construction of sewers and the assessing of the expense thereof against the lands benefited thereby, or under contracts between the contractor and Council.

**13.08.025 Application--Form and contents.**

A. Any person requiring a sewer construction permit shall make written application to the Director.

B. The Director shall provide printed application forms for the permits provided for by this Chapter, indicating thereon the information to be furnished by the applicant. The Director may require, in addition to the information furnished by the printed form, any additional information from the applicant which will enable the Director to determine that the proposed work or use complies with the provisions of this Chapter.

**13.08.030 Plan approval prerequisite to issuance.**

No sewer construction permit shall be issued until the Director has checked and approved the plans in accordance with 13.08.215 and the other applicable provisions of this Code.

**13.08.035 Tapping fee payment required when.**

A. When, in the opinion of the Director, it is necessary to connect a house lateral to a public sewer at a point where no connection facility has been provided, application for a city encroachment permit shall be submitted and a fee shall be paid by the applicant before the permit is issued for the construction and inspection of the house lateral.

B. Tapping of the public sewer as required on sewer plans approved by the Director shall be constructed by a licensed contractor under inspection of the Director.

**13.08.040 Permit from other agencies required.**

Before granting any permit for the construction, installation, repair or removal of any sewer, or appurtenances thereto, which will necessitate any excavation or fill, in, upon or under any public street, highway or right-of-way under the jurisdiction of another public agency, the

Director shall require the applicant to first obtain a permit from the agency having jurisdiction.

**13.08.045 Requirements for pumping plants.**

Before granting a permit for the construction of any sewage pumping plant the Director shall check and approve the plans or required modification thereof as to their compliance with city, county, state and other governmental laws or ordinances, and shall require that the facilities be adequate in every respect for the use intended.

**13.08.050 Excessive discharge of sewage--Conditional permit requirements.**

A. Any person proposing to have sewage discharged from any property to a public sewer in quantities or at a rate greater than the capacity for which the sewer was designed, when proportioned to such property, and which such additional quantity will immediately overload the sewer, shall be denied a permit to connect any facilities to the sewer which will discharge more than the proportionate share allotted to the property. However, if such additional discharge will not immediately but may in the future overload the sewer, a conditional permit to connect to the sewer may be issued after the owner of the property agrees by a covenant satisfactory to the Director recorded against the land to construct or to share in the cost of construction of additional sewer capacity at such future time as the Director determines that an overload situation exists or is imminent.

B. The owner of the property shall supply a faithful performance bond guaranteeing compliance with the terms of the covenant, in a penal sum which, in the opinion of the Director, equals the future cost of construction of sewer facilities to carry such additional discharge.

C. The faithful performance bond shall be kept in full force and effect until such additional discharge is discontinued or until such additional sewer facilities are completed, and this obligation shall pass to succeeding owners of the property.

D. If any owner fails to supply and keep in effect the required faithful performance bond or fails to comply with the terms of the covenant, the conditional permit allowing such additional discharge may be revoked, and the continuing of such additional discharge thereafter will constitute a violation of this Chapter.

E. The provisions of this Chapter shall also apply to any property previously connected to a public sewer, the discharge from which is later proposed to be increased or is found to have been increased substantially beyond the proportionate share of public sewer capacity allotted to the property.

F. Any property from E above discharging more than that permitted may be charged an additional charge to cover the cost of maintenance. Such additional charge shall not exceed that Sewer Service Charge per Chapter 13.09 based on the specific use of the property.

**13.08.055 Nontransferability of permits.**

Permits issued under this Chapter are not transferable from one person to another person or from one location to another location.

**ARTICLE 2 FEES AND DEPOSITS**

**13.08.060 Connection to public sewer--Payment of fees required.**

Any person desiring to connect any lot to a public sewer shall, as a prerequisite to obtaining the permits required by the Plumbing Code set out at Chapter 15.20, pay all fees or charges which may be required by the City of Lancaster.

**13.08.065 Sewer construction permit fees.**

Before granting any permit for the construction of main-line sewer, house lateral sewer, sewage pumping plant, and whenever a permit for any industrial waste treatment or disposal facility is required by the Director the Director shall collect the appropriate fees as established from time to time by the City Council in the Fee Resolution, from the applicant to cover the cost of field inspection of the proposed construction, procuring or preparing record plans, and all overhead and indirect costs.

**13.08.070 Connection charges--Designated.**

Connection Charge -- No permit shall be issued for the direct connection of any lot to a public sewer which has been constructed at no cost to such lot or to a trunk sewer in which capacity has been assigned by the owner thereof to the City of Lancaster until, in addition to any other fees required by this Chapter and by any other ordinance or resolution, there has been paid a connection charge for the lot sought to be connected if said lot is rectangular and has an average depth of 100 feet or more. If the shape of lot is other than the usual rectangular shape or unusual in area and the strict adherence to the above-mentioned provision would require payment of an amount not commensurate with the benefits to be received, the provisions of this Chapter as the amount to be charged may be modified as determined by the Director. The connection charge shall be determined by the City. The City shall, by resolution, from time to time establish the connection charge required under the provisions of this Chapter.

Property owned by a public entity and being used by such entity in the performance of a governmental function is not exempt from the requirements of this Chapter.

**13.08.072. Area and connection charges in reimbursement districts.**

A. If any property is in a sewer reimbursement district which was formed by the Board of Supervisors of the County of Los Angeles or the Council prior to July 1, 2008 or by the Council after July 1, 2008, no permit shall be issued for the connection of such property to a public sewer until, in addition to any other fees required by this Chapter and by the Plumbing Code set out at Chapter 15.20, all area charges and frontage charges required by this section have been paid.

B. An area charge computed by the area rates established for the reimbursement district shall be collected, whether or not additional public sewer is being constructed to serve the property. If the property is in more than one reimbursement district, an area charge shall be collected for each district.

C. Additionally, if the reimbursement agreement provides for frontage reimbursement, any lot located in the frontage reimbursement area and seeking direct house connection to any public sewer shall pay a reimbursement district connection charge in the amount specified below.

D. The reimbursement district connection charge shall be computed at the rate as established from time to time by the City Council in the Fee Resolution. If a reimbursement district connection charge is collected as provided in this section, then the connection charge required by Section 13.08.70 shall not be collected.

**13.08.075 Connections to trunk sewers--Permit requirements.**

No permit shall be issued for the direct connection of any lot to a trunk sewer until the applicant has first obtained a permit for such connection from the agency or owner of such trunk sewer.

**13.08.080 Sewer connection permit--Determination of capacity--Agreement on future assessments.**

No permit shall be issued for the direct connection of any lot to a public sewer which was not designed for and intended to directly serve such lot unless the Director first determines that there is additional capacity available in such sewer beyond that required to serve the property for which it was designed.

**13.08.085 Sewer connection permit--Charges for portions of property.**

Whenever a sewer connection permit is requested for only a portion of a lot and the Director finds that only such portion will be benefited by a sewer connection, and that both the area of such portion and the remaining area of such lot conform to the requirements of the Chapter 17, Zoning, a house sewer connection permit may be issued for such portion and all charges required shall be based on the dimensions of such portion as determined by the Director.

**13.08.090 Tap fee.**

The Director shall collect from the applicant a fee as established by Resolution of the Council to tap the public sewer.

**13.08.095 Manhole reconstruction inspection charges.**

A. A permit shall be obtained from the Director wherever construction, reconstruction or adjustment is to be performed adjacent to an existing sewer manhole, to ascertain that the sewer lines and manholes have been thoroughly cleaned and the manholes have been satisfactorily constructed, reconstructed or adjusted to City standards.



B. This inspection is also required for construction of industrial waste measuring manholes, reconstruction or adjustment of any portion of a manhole due to service connections or grading or paving operation, or any other work which in the opinion of the Director may cause damage to a manhole.

C. The fee shall be as established by Resolution of the Council. These fees shall cover the costs of field inspection, and all overhead and indirect costs.

**13.08.100 Future assessments for additional benefits.**

In the event that any lot which has paid any charges required under Chapter 13.08 receives additional benefit from any public or trunk sewer, nothing contained in this Chapter shall relieve the property owner from future payment of charges as herein provided nor from a special assessment levied under a statute of the state of California for such additional benefit.

**13.08.105 Plan checking fees.**

Any person required by this Chapter to have plans checked and processed shall pay the fee established by the City Council for this service and as required by Chapter 16.28 of the Lancaster Municipal Code.

**13.08.110 Sewer easement processing fees.**

A. For each private contract requiring the processing of sewer easements, the Director shall collect from the applicant the fee established by the City Council for this service and as required by Chapter 16.28 of the Lancaster Municipal Code. For each private contract requiring the vacation of a sewer easement, the Director of Public Works shall collect from the applicant the fee established by the City Council for this service and as required by Chapter 16.28 of the Lancaster Municipal Code.

**13.08.115 Special studies--Preparation and checking fees.**

A. Before proceeding with the preparation of a sewer area, reimbursement, or other special study, the Director shall collect from the person making the request for the work the fee established by the City Council for this service and as required by Chapter 16.28 of the Lancaster Municipal Code.

B. If the cost of doing the work exceeds the fee originally collected; a supplemental fee shall be collected to cover the additional cost as determined by the Director.

C. If the Director determines that a flow measurement of this existing system is required, there will be an additional cost as determined by the Director.

D. Studies prepared by others and submitted for checking by the Director shall be subject to the fee requirements stated above.

**13.08.120 Reimbursement processing fees.**

For each private contract requiring reimbursement under 13.07.280, the applicant shall pay, in addition to the plan checking fee, the fee established by the City Council for this service and as required by Chapter 16.28 of the Lancaster Municipal Code.

**13.08.125 Charges for sewer maintenance.**

A. Any person who desires to place a newly constructed public sewer system in operation prior to the availability of sewer maintenance revenue from the property to be served by such sewer system, shall pay a sewer maintenance charge in an amount determined by the Director to cover such cost of maintaining such system from the time the sewer is placed in operation until the property so benefited is included on the next available property tax rolls and revenue becomes available.

B. Such charge shall be computed by multiplying the sewage service charge, as annually determined by the City Council, times the number of sewage units determined in Chapter 13.09 to be discharging from the subject property.

C. If a sewage pumping plant is included in the computations, an additional sum shall be paid as determined by the Director to cover the maintenance and operation costs until the property benefited can be included in a maintenance district and revenue becomes available.

D. If the newly constructed sewers are in an area served by an existing sewage pumping plant an additional sum shall be paid as determined by the Director to cover the additional maintenance and operation costs of the pumping station until the property benefited can be included on the next available property tax rolls and revenue becomes available.

**13.08.130 Deposit of collected moneys.**

All money received pursuant to 13.07, 13.08 and 13.09 except as otherwise provide for in this Chapter shall be deposited with the Director of Finance and credited to the City Sewer Fund.

**13.08.135 City sewer fund--Use restrictions.**

Money deposited in the City Sewer Fund, as provided in Section 13.09.040, may be expended by the Director, contingent upon receipt and availability of such funds, to accomplish the purpose set forth in Section 5471 of the Health and Safety Code, for which no other provisions have been made or for such other sewer purposes that the Council may authorize not in conflict with existing laws.

**13.08.140 Recordkeeping requirements.**

The Director and the Director of Finance shall keep a permanent record of all applications and a permanent and accurate account of all payments received under this Chapter.

## **ARTICLE 3 DESIGN STANDARDS**

### **13.08.175 New main-line sewers.**

New main-line sewers shall conform to the requirements of this Article 3 unless otherwise specifically excepted.

### **13.08.180 Sewage pumping plants.**

New sewage pumping plants shall conform to the requirements of this Article 3 unless otherwise specifically excepted.

### **13.08.185 New house laterals.**

New house laterals shall conform to the requirements of this Article 3 unless otherwise covered by the Plumbing Code, Chapter 15.20 et seq, of the Municipal code, as amended.

### **13.08.190 Condominium sewers.**

New condominium developments shall be served with main-line sewers and house lateral sewers such that each building will have a separate and independent connection to a main-line sewer.

### **13.08.195 Large lots--Sewer service requirements.**

Where a lot is of sufficient size that the Zoning Ordinance, as set out at Title 17 of this code does not prohibit its division into smaller parcels, each of such possible parcels into which such lot legally may be divided, upon which one or more buildings containing plumbing facilities are or may be located, shall be considered as a separate lot. Separate house laterals shall be constructed to the main-line sewer for each of such possible parcels except where the owner has filed an affidavit as provided in the Plumbing Code (see Chapter 15.20). If the main-line sewer does not extend to a point from which such possible parcels can be served in accordance with the requirements of Chapter 13.08 the main-line sewer must be extended in compliance with Chapter 13.08.

### **13.08.98 Participation in project--Letter requirements.**

A. A "letter of participation," prepared on a form provided by the Director, shall be submitted before approval of public sewer plans describing all properties which have participated in the cost of the project.

B. All such properties listed will be exempt from the connection charge only, specified in Section 13.08.070.

C. The "letter of participation" shall not be revised after the sewers have been accepted for public use by the Council.

D. Exception: The "letter of participation" shall not be revised after a reimbursement agreement authorized under Section 13.07.280 has been approved by the Council. Listed

participants will be exempt from the reimbursement district connection charges specified in Section 13.08.72 established for that project in which they have participated.

**13.08.200 Dedication of sewers.**

A. An offer of dedication of sewers to the City shall be included in the agreement to construct sewers for a new subdivision which accompanies the faithful performance security guaranteeing the construction required as a condition for the recordation of the tract map or parcel map.

B. Before plans for the construction of any other public main-line sewer are approved by the Director, the person causing such plans to be prepared shall present an “offer of dedication,” signed and acknowledged, on forms provided by the Director.

C. When the construction of the sewer, has been completed and accepted by the Council, the sewer becomes a public sewer.

D. No sewer shall be accepted for dedication by the City unless such sewer has been constructed in conformity with the requirements of Chapter 13.08.

**13.08.205 Exceptions to requirements authorized when.**

If a literal compliance with any engineering requirement of this Chapter is impossible or impractical because of peculiar conditions in no way the fault of the person requesting an exception, and the purposes of this Chapter may be accomplished and public safety secured by an alternate construction or procedure, and the Director so finds that such alternate complies with sound engineering practice, he may grant an exception permitting such alternate construction or procedure.

**13.08.210 Plan preparation by registered civil engineer.**

Any plans submitted for approval under the provisions of this Chapter shall be prepared by or under the direction of and shall be signed by a registered civil engineer of the state of California.

**13.08.215 Sewer plans.**

A. Before a sewer construction permit required by 13.08.020 may be issued, plans for the proposed construction shall be submitted to and approved by the Director, unless the Director determines that plans are not necessary.

B. After the fees required by 13.08.105 has been paid, the Director shall check the submitted plans for compliance with the requirements of this ordinance and other applicable laws and ordinances of the county, state, or other governmental jurisdiction.

C. If plan corrections and other requirements necessary for plan approval have not been completed within one year after the checked plans are returned by the of Public Works Department, it shall constitute abandonment of the work and the Director shall so notify the person who has submitted the plans.

D. Approval of a sewer plan shall expire two years from the date of the approval, unless construction of the facilities has commenced.

E. Resubmission of abandoned and expired plans shall be subject to new plan check fees as specified in 13.08.020.

**13.08.220 Sewer easement requirements.**

A. A person desiring to construct a sewer in an easement under the provisions of this Chapter shall present to the Director a request for processing, sufficient information to enable the preparation of a written description, and the fee specified in 13.08.110.

B. The location and dimensions of sanitary sewer easements shall be sufficient to provide present and future sewer service to abutting areas and adequate access for maintenance as determined by the Director.

C. Until the required easements have been properly executed and recorded:

1. No plans shall be approved by the Director for sewer facilities to be constructed by any person across the property of others;

2. No sewer facilities shall be accepted for public use, nor placed in use by any person.

**13.08.225 Main-line sewers--Size specifications.**

A. The size of main-line sewer pipe shall be determined by standards of design and the coefficients determined by the Director, but in no case shall it be less than eight inches inside diameter. Individual building, commercial or industrial plant capacities shall be the determining factor when they exceed the coefficients shown.

B. The coefficient to be used for any zoned area not listed will be determined by the Director based upon the intended development and use.

C. The Director shall determine which of the coefficients or combination of coefficients shall be used for design, as determined by the established or proposed zoning in the study area. Any modifications to these coefficients due to topography, development or hazard areas shall be approved by the Director.

**13.08.230 Main-line sewers--Minimum velocity.**

A mainline sewer shall be designed to provide a minimum velocity of two feet per second for pipes flowing one-half full, except that the Director may approve a gradient that will develop a lower velocity if he finds that a gradient that will develop a velocity of two feet per second is unobtainable.

**13.08.235 Bench marks and elevations.**

A bench mark shall be shown on the profile sheets. The elevations shall be based on NAVD 88 Datum or a datum acceptable to the Utility Services Manager. The bench mark shall be a published benchmark near the project area used in the design of the project and adequate to construct the work. The bench mark description shall state the bench mark datum, County Quad name, adjustment year and description. The elevation of the sewer at the point where the system is to be discharged shall be shown as determined in the field from the above shown datum.

**13.08.240 Soil conditions.**

Soil conditions, particularly in areas known to have high groundwater tables, rock, or filled ground, shall be prospected, and the results shown on the profile, if required by the Director.

**13.08.245 Grades.**

The slope of the sewer shall be shown on the plans in feet of fall per 100 feet of horizontal distance, expressed as a percentage. Slopes used expressed in percentages shall be divisible, without remainder, by four in the hundredth column. For example, 0.36 percent complies with this Chapter.

**13.08.250 Main-line sewers--Alignment and location in street.**

Where design considerations permit, main-line sewers shall have a straight alignment, and shall be located five feet from and on the northerly and easterly sides of the centerlines of streets or alleys, except on major or secondary highways where separate sewers shall be located in the roadway six feet from each curb line.

**13.08.255 Main-line sewers--Depth.**

A. The minimum depth for mainline sewers shall be seven and one-half feet.

B. Where groundwater is present, the depth for residential main-line sewers may be sufficient to provide for a house lateral with a minimum depth of at least five feet below the curb grade or centerline of street or alley grade at the property line.

C. Exceptions to the above minimum may be made only as set forth in 13.08.205.

**13.08.260 House laterals--Specifications generally.**

A. For each lot, a six-inch internal diameter house lateral sewer shall be provided in the street, straight in alignment and grade between the main-line sewer and the property line, with minimum depths as required by 13.08.265, and at right angles to the mainline sewer whenever possible.

B. Exception: House laterals constructed in the street under the provisions of the Plumbing Code, (as set out at Chapter 15.20) or house laterals provided in the street for lots restricted to single-family residential use under the provisions of the Zoning Ordinance, Title 17, may have an internal diameter of four inches.

**13.08.265 House laterals--Depth.**

A. The depth of house laterals at the property line shall be sufficient to provide service to the lowest or farthest point to be served on the lot at a minimum grade of two percent, with the top of the pipe not less than one foot below the ground surface at any point.

B. The minimum depth for house laterals at the property line shall be six feet below the curb grade or the centerline of street or alley grade, except as set forth in 13.08.255 for locations where groundwater is present.

C. Where street-widening lines have been established by the Zoning Ordinance, as set out at Title 17 of this code, the minimum depth shall be measured at such established line. If house laterals are constructed before the existing street is widened, the depth at the property line shall be such that extension at the same straight grade and alignment to the new property line will produce the required depth.

**13.08.270 End structures--Location specifications.**

End structures shall be placed at whichever of the following locations is farthest up grade:

A. Not less than 10 feet upgrade from the downgrade lot line of the last lot being served;

B. Not more than 40 feet downgrade from the upgrade lot line of the last lot being served, if there may be a future extension of the main-line sewer;

C. At a location where the house lateral and building sewer can be constructed in a straight alignment at right angles to the main-line sewer.

D. End structures shall be manholes.

**13.08.275 Manhole structures.**

Manhole structures shall be placed in the main-line sewer at all changes of alignment and gradient; the maximum distance between structures shall be not more than 350 feet. All structures shall be designed according to the standard drawings for structures on file in the office of the Director. Exceptions to the above requirements may be made only on approval of the Director.

**13.08.280 Substructures**

All substructures which will be encountered in the construction or which will be installed as part of the improvement shall be shown and designated on the plan. Large substructures which require special treatment in the design of the sewer shall also be shown in the profile. The engineer who has prepared the plans shall submit to the Director a statement that he has determined from each utility or other company having substructures in the affected area that the location and size of such structures, as shown on the submitted plans, are the same as shown upon such company's records.

**13.08.285 Pipe materials--Approval required.**

A. All pipe other than vitrified clay or cast iron shall first have been approved for use by the Director and shall be equivalent to vitrified clay or cast iron pipe in strength, effectiveness, durability and safety in accordance with the use intended.

B. Before approving any pipe, the Director may require satisfactory proof that such pipe is suitable for use, including actual tests performed by an independent and approved testing laboratory at no expense to the City.

**13.08.290 Vitrified clay pipe--Installation specifications.**

A. Vitrified clay pipe, main-line and house lateral sewers, shall be constructed of the class designated as extra-strength pipe.

B. Sewer pipe installed under a railway shall be encased in concrete, or encased in a steel pipe backfilled with sand, or encased by other approved means which will protect the pipe to the same extent to the satisfaction of the railway company.

C. Sewer pipe installed under a conduit or other structure, or at depths greater than 20 feet or in other locations where the Director determines that additional protection is required, shall be reinforced with a concrete cradle, or encased in concrete, or reinforced by other approved means which will protect the pipe to the same extent.

D. Sewer pipe installed in streets or public easements with the top of the pipe less than four feet below the surface, as determined during construction or indicated on the plans, shall be encased in concrete, or other approved means to protect the pipe.

**ARTICLE 4 INSPECTION**

**13.08.325 Materials and construction--Conformity with standard specifications.**

All material used in any work done under provisions of this Chapter shall be new, first-class material and shall conform to, and the manner of construction shall meet all the requirements prescribed by this Chapter, by the Standard Specifications for Public Works Construction, and by Special Provisions and Standard Plans on file in the office of the Director. All such work shall be approved by the Director before a certificate of final inspection will be issued.



**13.08.330 Inspection by Director of Public Works--Requirements.**

A. All work done under the provisions of this Chapter shall be subject to inspection by and shall meet the approval of the Director; provided, however, that approval by the Director shall not relieve the permittee or any other person from complying with all of the applicable provisions of the Plumbing Code set out at Chapter 15.20 et seq. of this code, and no provision of this Chapter supersedes, affects or modifies in any way the provisions of said Plumbing Code.

B. After the fee required by Section 13.08.065 has been paid and the permit issued, the Director shall inspect the construction for compliance with the requirements of this Chapter.

**13.08.332 Notice to City when ready for inspection.**

The permittee shall notify the Director at least 48 hours prior to the time any inspection is to be made.

**13.08.335 Work to be convenient and uncovered.**

At the time of the inspection the permittee shall have all work uncovered and convenient, and shall give the Director every facility to make a thorough inspection.

**13.08.340 Using facilities before inspection prohibited--Exceptions.**

No sewer or other facility constructed under the provisions of this Chapter shall be placed in use until the work has been approved by the Director and has been accepted for maintenance by the City Council. Exceptions to this requirement may be made only when the work is substantially complete and has been inspected, and if the Director determines that the best interests of the public will be served by permitting such use prior to completion of the work. Such approval, prior to completion, shall make the properties being served by the sewer subject to the Sewer Service Charge required by Chapter 13.09. The charge will be placed on the next available tax rolls for the subject properties.

**13.08.342 CCTV inspection of sewers prior to acceptance.**

All new main line sewers shall be video inspected by the contractor to the requirements of the city prior to being placed into operation or accepted for maintenance. Videos will clearly show the quality of work and cleanliness of the pipe. Pipe that is determined to have defective joints or cracked, broken, dirty or otherwise be unacceptable shall be repaired and or cleaned to the satisfaction of the Director prior to being placed into operation. Video requirements shall be as referenced in the latest version of the Engineering Design Guidelines prepared by the Director.

**13.08.345 Correction of defective work.**

If the construction does not conform to the provisions of this Chapter, or if the permittee fails to prosecute the work with such diligence to insure its completion within the time specified, the Director shall notify the permittee, in writing, to comply. If the permittee fails to comply within five business days after the written notice, the permit shall be suspended or revoked in accordance with the procedures set forth in 13.08.600, 13.08.605, 13.08.610 and 13.08.625

and no further work shall be done by the permittee until the suspension is removed either by correction of the work or after appeal and public hearing in accordance with the procedures set forth in 13.08.620.

## **ARTICLE 5 MAINTENANCE**

### **13.08.375 Injuring or removing sewers or equipment.**

An unauthorized person shall not remove or cause to be removed, or injure or cause to be injured, any portion of any public sewer, sewage pumping plant, or any appurtenances thereto.

### **13.08.380 Manholes—Opening or entering prohibited.**

An unauthorized person shall not open or enter, or cause to be opened or entered, for any purpose whatsoever, any manhole in any public sewer.

### **13.08.385 Reconnection following violations--Conditions--Cost reimbursement.**

Whenever an industrial connection sewer has been disconnected from the public sewer by the Director for failure to comply with the provisions of this Chapter, reconnection shall be made only upon issuance of a permit as elsewhere in this Chapter provided. Before such permit is issued, the applicant shall reimburse the City for the cost of the disconnection made, and the Director may require the installation of a manhole for the purpose of measuring the flow, or for making periodic tests of the wastes from such connection.

### **13.08.390 Reimbursement for repairs and maintenance following violations.**

Whenever an industrial sewer connection permittee by reason of violation of 13.08.730 of this code, or any other person by reason of violation of 13.08.375, causes obstruction, damage or destruction of a public sewer, or any appurtenances thereto, or pumping plants in connection therewith, he shall reimburse the City in which damage occurred for the cost of flushing, cleaning, repairing and reconstruction of such sewer or facility, made necessary by such violation, within 30 days after the Director has rendered an invoice for the same. The amount when paid shall be deposited into the City Sewer Fund.

## **13.08.500 INDUSTRIAL WASTE**

### **Article 6 PERMITS**

### **13.08.500 Discharge of offensive or damaging substances prohibited.**

A person shall not discharge or deposit or cause or suffer to be discharged or deposited at any time or allow the continued existence of a deposit of any material which may create a public nuisance, or menace to the public health or safety, or which may pollute underground or surface waters, or which may cause damage to any storm-drain channel or public or private property.

**13.08.505 Dilution prohibited.**

No person shall discharge or cause to be discharged any water or other substance added for the purpose of diluting any industrial waste to achieve compliance with limitations imposed by the provisions of this Chapter.

**13.08.510 Construction of new industrial buildings--Information required.**

Every person applying for a permit pursuant to the provisions of the Building Code, as set out at Title 15 of this code, for construction of a new industrial building or for an addition or alteration to an existing industrial building shall furnish to the Director such plans, information, data, statements or affidavits as the Director may require for determination of the nature and quantity of industrial waste involved and the facilities to be provided for the disposal thereof.

**13.08.515 Construction of new industrial buildings--Building permit issuance prerequisites.**

An application for a permit pursuant to the Building Code to construct a new industrial building or for an addition or alteration to an existing industrial building will not be approved until provision has been made for the installation of such pretreatment facilities and disposal methods or both as, in the opinion of the Director, are necessary to carry out the provisions and intent of this Article 6.

**13.08.520 Permit to discharge industrial waste--Issuance conditions.**

A. The Director may issue a permit containing limitations or conditions, or both, in addition to those recommended by the county health officer, or may modify an existing permit by the addition of or elimination of such conditions and limitations as may be necessary to accomplish the purpose of this Chapter; but in a permit covering the discharge deposit or disposal of wastes other than to the public sewer he shall include all limitations and conditions recommended by the county health officer.

B. Permits for the discharge of industrial wastes to a public sewer shall state the maximum permissible rate of discharge.

C. The Director may impose a permit expiration date not to exceed a term of five years where the Director determines such a date is necessary to insure compliance with all applicable laws and regulations governing the disposal of industrial wastes. Application for renewal of such a permit shall be made not later than 180 days prior to the expiration date of the existing permit.

**13.08.525 Change of facts--Notification to Director.**

Every person having a permit issued pursuant to this chapter either automatically or otherwise within five days shall notify the Director in writing of any change in any facts which are required to be stated in an application for a permit.

**13.08.530 Revised permit--Application required when.**

A permittee shall submit to the Director an application for revised industrial waste disposal permit and obtain approval prior to affecting any of the following waste-discharge conditions:

- A. Change in method of disposal;
- B. Change in disposal point for non sewerred discharge;
- C. Change in discharge volume affecting treatment or storage facilities; or
- D. Change in character of the waste discharge.

**13.08.540 Expiration of application.**

An application for an industrial waste disposal permit for which no permit is issued within 180 days following the date of application submittal shall expire by limitation. The application and other information submitted may thereafter be returned to the applicant or destroyed. The Director may extend the time for action by the applicant for a period not to exceed 180 days upon written request by the applicant showing that circumstances directly related to the processing of the application but beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit all necessary application forms and other data and pay a new application fee and plan review fee. No application shall be extended more than once.

**13.08.545 Grant or denial--Notice to applicant.**

A. The Director shall either grant or deny a permit within 30 days after all fees required by this Chapter have been paid and upon the receipt of the application complete with all supplemental data.

B. The Director shall notify the applicant whenever he grants a permit, denies a permit, grants a permit subject to special conditions or limitations, or adds to or eliminates any conditions or limitations of an existing permit.

**13.08.550 Hearing--Time limit for request.**

Within 30 days after receipt of notice of denial of a permit, granting of a permit subject to conditions or limitations, or the addition of conditions or limitations to an existing permit, the applicant or permittee may file with the City Council a written demand for a public hearing. If he does not do so, he shall be deemed to have consented to the action of the Director, and such action shall be final.

**13.08.555 Hearing--Notice requirements.**

Within 30 days after application for a hearing has been requested, the Council shall give notice of the time and place of public hearings to the applicant or permittee, the Director, and the county health officer when matters pertaining to public health are involved, at least 20 days in advance of the date set for such hearing.

**13.08.560 Hearing--Conduct--Board determination authority.**

After a public hearing requested by an applicant or a permittee, the Council may:

- A. Confirm the action of the Director in denying a permit or issuance of a permit subject to special conditions and limitations;
- B. Instruct the Director to issue a permit without conditions or limitations or with such special conditions and limitations as the Council may designate;
- C. Continue suspension of an existing permit invoked by the Director pending correction of objectionable conditions by the permittee;
- D. Remove the suspension of an existing permit invoked by the Director pending correction of objectionable conditions by the permittee;
- E. Deny that objectionable conditions exist and reinstate an existing permit;
- F. Revoke an existing permit on any of the following grounds:
  - 1. Failure of the permittee to correct conditions as required by the Director,
  - 2. Conditions which would justify the denial of a permit,
  - 3. Fraud or deceit was employed in the obtaining of a permit,
  - 4. Any other violation of this Chapter or of any permit, license or exception granted hereunder.

**13.08.565 Failure to obtain permit deemed violation when.**

A person who is required to, but does not have a permit and who has been notified by the Director that he is required to obtain a permit pursuant to the provisions of this Chapter shall immediately submit to the Director an application and fee as required by this Chapter for such permit, and shall rectify and cure all such violations. Failure to do so shall constitute a willful violation of this Chapter.

**13.08.570 Successor in interest--New permit required.**

The successor in title or interest of a premises for which a permit had previously been granted shall file with the Director a new permit application, in accordance with the provisions of 13.08.690 or 13.08.790, within 30 days after assumption of such title or interest, and shall furnish plans and data as may be required by the Director. If it appears from the application, data, and/or inspection of the facility that the succeeding operation and disposal practices comply with the provisions of this Chapter, the Director, upon receipt of the fees hereinafter required, shall issue such permit. The Director may issue an interim permit pursuant to 13.08.575 to allow continued operations during the permit processing period.

**13.08.575 Interim permit--Ongoing discharge.**

Upon determination that any person is discharging industrial wastewater directly or indirectly to a facility regulated by this Chapter without a valid permit or upon receipt of an application for a permit for an ongoing discharge, an interim permit may be issued by the Director to allow the continuation of such discharge during the application review period, subject to such conditions, limitations, restrictions, and other provisions or requirements which the Director determines are necessary or advisable to protect the City sewage collection system and to assure compliance with all federal, state and local laws and that the continuation of such discharge will not be detrimental to the public health and safety. An interim permit is revocable by the Director at any time. Any person whose interim permit is revoked shall immediately cease and desist all unpermitted discharge of industrial waste. Unless revoked by the Director, the interim permit shall be enforceable until such time as a permit is issued or denied by the Director and shall be subject to annual inspection fees pursuant to 13.08.650. The discharger shall immediately comply with all of the provisions and requirements of such interim permit, and if the discharger has not already applied for a permit, shall apply for a permit within 30 days from the issuance of the interim permit.

**13.08.580 Permit not transferable from one location to another.**

Permits issued under this chapter are not transferable from one location to another, and discharge of wastes shall be made strictly in accordance with all provisions contained in the permit, at the location specifically designated therein.

**13.08.585 Monitoring and sampling--Pre-notification.**

Any permittee required by the Director, by permit or otherwise, to engage in periodic monitoring or sampling of a discharge shall notify the Director by telephone at least 48 hours in advance of any monitoring or sampling to be done. Prior to the commencement of any sampling or monitoring, the Director may request that the permittee furnish the Director a split sample and all supporting data. Each permittee shall submit to the Director, certified under penalty of perjury by the permittee, its monitoring and sampling reports or other requested data.

**13.08.590 Notice to correct violations.**

A. The Director may serve notice of violation upon the person owning or operating premises describing the conditions and requiring prompt correction thereof, when he finds that:

1. Industrial waste, effluent, or any other material is being maintained, discharged or deposited in such a manner as to create, or if allowed to continue will create, any one or more of the following conditions:

- a. A public nuisance,
- b. A menace to the public safety,
- c. Pollution of underground or surface waters,
- d. Adverse effect or damage to any public sewer, storm drain, channel, or public or private property; or that:

2. The permittee has failed to conform with conditions or limitations of any permit issued in accordance with this Chapter;

3. The industrial waste disposal permit was issued in error, or on the basis of incorrect information supplied, or in violation of any ordinance, law or regulation.

B. Failure to comply with such notice shall constitute a willful violation of this Chapter.

**13.08.595 Investigation of complaints--Correction of violations.**

Notwithstanding any exception mentioned in this Article 6, the Director shall promptly investigate every complaint charging violation of any of the provisions of this Article 6, and shall take action to correct any violation discovered.

**13.08.600 Suspension of permit--Conditions.**

When the conditions described in 13.08.590 are so aggravated that immediate cessation of operation is necessary and the Director so finds, he shall suspend the permit. He shall serve notice of such suspension on the permittee. The Director may also suspend a permit if objectionable conditions listed in a notice to correct, served in accordance with 13.08.590, and are not corrected within the time specified in such notice.

**13.08.605 Suspension of permit--Notice.**

The Director shall immediately notify the permittee of suspension of permit or recommendation to the Council that such permit be revoked, or both.

**13.08.610 Discontinuance of discharge or deposit required when.**

A person whose permit has been suspended, or who has been notified of violation, as provided in this Chapter, shall immediately discontinue the deposit or discharge of industrial waste, sewage, or effluent, or use of any described facility, and shall not resume such deposit or discharge, or use of the described facility, until a permit has been issued or reinstated by the Director or Council as hereinafter provided. Failure so to do shall constitute willful violation of this Chapter.

**13.08.615 Rights of permittee following notice of violation or suspension.**

Within the time specified in the notice of violation or suspension, the permittee shall:

A. Correct and remedy the conditions so specified, to the satisfaction of the Director; or

B. File with the Council a denial that all of the conditions so specified exist, request a public hearing, and correct the conditions which the permittee admits do exist; or

C. File with the Council a denial that any of the conditions so specified exist and request a public hearing.

**13.08.620 Reinstatement of suspended permit.**

The Director shall reinstate a suspended permit when all violations are corrected and all fees required by this Chapter have been paid.

**13.08.625 Revocation of permit--Recommendation by Director.**

The Director may recommend to the Council that a permit be revoked.

**13.08.630 Cancellation of permit and facility closure--Conditions.**

A. A person owning or operating premises containing industrial waste treatment or disposal facilities operated under a valid permit issued under the provisions of this Article may file a written application with the Director to cancel such permit upon termination of operations and/or closure of the permitted facility. Upon receipt of such an application, the Director shall investigate and cancel the permit if he determines that:

1. All industrial-waste producing operations have ceased;
2. Any industrial waste treatment facilities have been removed or rendered inoperable to prevent further use;
3. All permits to abandon or disconnect, as may be required by the Plumbing Code, have been obtained;
4. Any industrial wastes remaining on the premises have been removed to a legal point of disposal;
5. All fees required by this Article 6 due up to the date of closure of the facility have been paid;
6. The applicant has demonstrated that no environmental contamination has occurred by the previous operation of the treatment facility or that any contamination found has been mitigated.

B. Should the Director deny an application for a permit cancellation or closure of the facility, the owner or operator of any facilities required by the permit shall maintain these facilities in good operating condition and pay all fees required by this Chapter to maintain a valid permit.

**Article 7 FEES AND DEPOSITS**

**13.08.635 Industrial waste disposal permit--Application fee--Schedule.**

The Director shall collect a permit application fee, as set by Resolution of the City Council, for each application received. Such fee shall be separate and apart from any fee or deposit collected for industrial waste plan review or imposed under provisions of the Plumbing Code, between the applicant and other public agency. Such application fee shall not be refundable even though the application be denied except as provided in 13.07.300.

**13.08.640 Successor in interest or revision--Application fee.**

The application fee for a permit application by a successor in interest where the Director finds that the succeeding operation is essentially the same as the preceding permitted operation in quantity, strength and method of disposal for industrial wastes generated, shall be the amount set forth by Resolution of the City Council for permit revision.



**13.08.645 Industrial waste plan review--Fee schedule.**

A. The Director shall collect a plan review fee, as set forth in a Resolution of the City Council for each set of plans received for any single site or location. Such plan review fee shall be applied to any submittal required by the Director pursuant to this Chapter and shall not be refundable even though the submittal be rejected or the project terminated except as provided in 13.07.300.

B. The Director may impose a reinstatement fee of one-half of the plan review fee if the applicant fails to correct any plans or submittal upon written notice of correction or request for additional information by the Director after three attempts have been made to gain such correction.

**13.08.650 Annual inspection fee--Scheduling and billing.**

A. For each industrial waste disposal permit issued by the Director, an annual inspection fee as determined by Resolution of the City Council shall be due and payable to the City annually, in advance, on a billing date to be determined by the Director.

B. Immediately upon issuance of a new permit, the permittee shall be billed the above inspection fee for the first annual billing period.

\* Industries subject to National Categorical Pretreatment Standards (NCPS) and not regulated by a joint permit pursuant to 13.08.720, shall have fee amounts governed by the NCPS facility designations. Where an industry or process falls into more than one fee class category, the higher fee shall prevail unless the Director determines a lesser amount is appropriate.

**13.08.660 Wastewater sampling and analysis fee.**

The Director may charge the discharger a fee established by Resolution of the City Council for each analysis performed by or on behalf of the Director on wastewater samples taken from the discharger.

**13.08.665 Annual inspection fee, wastewater sampling and analysis fee and miscellaneous service fee--Payment time--Penalties for delinquency.**

All inspection fees required by 13.08.650 of this code, wastewater sampling and analysis fees required by 13.08.660 and any applicable miscellaneous fees shall be due and payable on the billing date as established by those Sections or by the due date indicated on any invoices issued. Fees not paid within 30 calendar days from the invoice date shall be considered delinquent. Delinquent fees shall be subject to penalty fee as established by city council for each 30-day period beyond the invoicing date that the fee is due. Permits for which the inspection fee is delinquent for 60 days or more are subject to suspension as provided in 13.08.600.

**13.08.670 Annual inspection fee--Refund conditions.**

Upon cancellation of permit pursuant to 13.08.630, and upon written request of the permittee, the Director shall refund a portion of the current paid annual inspection fee as determined from the table below:

<b>Days From Previous Payment Date</b>	<b>Percent Required</b>
1--60	75%
61--150	50%
151--240	25%
241 or more	0%

**Article 8 DISCHARGE TO PUBLIC SEWERS**

**13.08.675 Application of Article 8 provisions.**

The provisions of this Article 8 of Chapter 13.08 shall pertain to the disposal of industrial waste to the public sewer only.

**13.08.680 Permit--Required when.**

A. A person shall obtain a permit from the Director prior to the discharge of industrial waste to a public sewer.

B. The Director shall not grant such a permit unless he finds that sufficient capacity exists in the public sewer to allow for such industrial waste, as determined by the requirements of 13.08.050.

C. A separate permit shall be required for each connection discharging industrial wastes to the public sewer.

D. For the purpose of this Chapter, discharges resulting from garbage grinders powered by motors of one horsepower or less, and grease interceptors installed in restaurants in accordance with the provisions of the Los Angeles County Plumbing Code prior to July 1, 2008 or the City of Lancaster Plumbing Code thereafter where such facilities are not required by other provisions of this Chapter, are not considered to be industrial waste discharges.

E. A person shall obtain a permit from the Director to maintain an existing but non-used industrial waste connection to the public sewer. The annual inspection fee for such permit shall be as established by Resolution of the City Council. The connection shall be removed upon the expiration or revocation of such permit pursuant to the criteria established by 13.08.630.

**13.08.685 Permit--Application forms--Information required.**

A. The Director shall provide printed application forms for the permit required by this Article 8, indicating thereon the information to be furnished by the applicant. In conjunction therewith, the applicant may be required to furnish the following:

1. The name and address of the applicant;
2. The name and address of the discharger;
3. The address or location of the premises where the discharge will take place;
4. The North American Industrial Classification System (NAICS) classification designation (formerly the Standard Industrial Classification (SIC)) of the discharger;
5. Information with respect to constituents and characteristics of wastewater proposed to be discharged, including but not limited to those referred to in this Part 3. Sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended, and by laboratories certified by the state of California. In the absence of a state certification process, the Director may certify a laboratory to perform necessary sampling and analysis;
6. Time and duration of the proposed discharge or discharges;
7. Average daily and five-minute peak wastewater flow rates, including daily, monthly and seasonal variation, if any;
8. Each byproduct waste of the discharges by type, amount and rate of production;
9. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, storm drains, connections and appurtenances by their size, location and elevation;
10. Description of activities, facilities and plant processes on the applicant's premises, including all pollutants which could be discharged;
11. Detailed plans showing pretreatment facilities, sampling facilities, uncontrolled discharge containment facilities, and operating procedures;
12. Identification of the nature and concentration of any pollutant located at the premises of the discharger (and/or applicant if different) if that pollutant is prohibited from discharge under this Part 3, or any proposed discharge which is regulated by any applicable local limit, plus a statement specifying whether the specific limitations set forth in said local limits are being met, and, if not, what operation and maintenance (O&M) or pretreatment is proposed by the discharger to cause compliance;
13. The shortest time scheduled by which the discharger shall provide the necessary additional pretreatment or O&M, if additional pretreatment or O&M will be required to meet the regulations in this Division 2. Any completion date in such a proposed schedule shall not be later than the compliance date established by the applicable regulations. The schedule shall provide for reporting increments in progress in the form of dates for commencement and completion of major events leading to the construction and operation of additional pretreatment necessary for the discharger to meet the applicable regulation (e.g., hiring an engineer, completing preliminary and final plans, executing contract for major components, commencing construction, completing construction);

14. Each product of the discharger by type, amount, and rate of production;
15. Type and amount of raw materials processed by the discharger (average and maximum per day);
16. Number of employees, hours of operation of plant, and hours of operation of the proposed pretreatment system;
17. Copies of any current NPDES permit, Antelope Valley Air Quality Management District permit, Regional Water Quality Control Board permit, fire department business plan, health department license and State Department of Public Health permit for the subject premises;
18. The name, business address and motor vehicle driver's license number of the authorized representative;
19. Any other information deemed by the director to be necessary to evaluate the permit application.

The application shall be signed under penalty of perjury by the authorized representative of the discharger.

B. For the purpose of this Chapter, the Director may utilize joint permit application forms under agreements established with other public agencies as provided in Chapter 13.07.320.

**13.08.690 Permit--Issuance conditions.**

If it appears from the application and supporting information submitted for any permit required by this chapter that the proposed disposal complies with the provisions of this Chapter and other applicable laws and ordinances, the Director, upon receipt of the fees hereinafter required, shall issue such permit.

**13.08.695 Determination of type of liquid waste.**

Before granting an industrial waste disposal permit to any applicant, the Director shall determine either that the waste is one which will not damage or destroy the public sewer, or cause an unwarranted increase in the cost of maintenance of the public sewer, or retard or inhibit the treatment of the sewage, or is one that can be made acceptable by pretreatment.

**13.08.700 Pretreatment--Plans prerequisite to permit issuance when.**

In event pretreatment or special facilities are required to make the waste acceptable as provided under the provisions of this Chapter the applicant for an industrial waste disposal permit may be required to furnish plans showing the method of collections and pretreatment proposed to be used, and a permit shall not be issued until said plans or required modification thereof have been checked and approved by the Director.

**13.08.705 Permit--Revocation conditions.**

By following the procedure set forth in Article 6 of this chapter, the Director may recommend the revocation of and the Council may revoke any permit if, after a public hearing, if a public hearing is requested, or otherwise, after due investigation, the Council finds:

- A. A failure of the permittee to correct conditions as required by the Director; or
- B. Conditions which would justify the denial of a permit; or
- C. Fraud or deceit was employed in obtaining the permit; or
- D. Any other violation of this Article 8 or of any conditions of any permit including the one to be revoked, license or exception granted hereunder.

**13.08.710 Public participation--Notification of significant violations.**

At least annually, the Director shall provide public notification, in the largest daily newspaper published in the municipality in which a POTW is located, of industrial users of the POTW which, during the previous 12 months, were significantly violating applicable pretreatment standards or other pretreatment requirements, as provided in 40 CFR 403.8. The Director need not provide such notification if a notice meeting all applicable EPA requirements has been published by the POTW operator. The cost of such public notification shall be collected by the Director from the discharger causing such violation and/or notification.

**13.08.715 Disconnection following permit revocation.**

If a permit is revoked, the Director may disconnect from the public sewer any industrial connection sewer which was connected pursuant to such permit.

**13.08.720 Pretreatment--Standards and criteria.**

The Director may establish uniform minimum standards and criteria for the application of such standards for pretreatment of specific industrial waste discharges. The provision of this Chapter shall not prohibit the Director from requiring additional pretreatment to accomplish the objective of 13.08.695.

**13.08.725 Rainwater diversion systems--Authorized when.**

The Director may authorize the installation of a rainwater diversion system in lieu of roofing to prevent the discharge of stormwaters to the sewer system where roofing is impractical, in conflict with existing laws or regulations, may create a hazardous or unsafe working condition, or may cause undue hardship on the applicant, providing the Director finds that:

- A. The applicant has applied for an industrial waste disposal permit and has submitted all plans and specifications of the proposed system;
- B. The system provides for continuous 24-hour protection to the public sewer system;
- C. The system meets minimum operational and component standards as may be established pursuant to 13.08.720; and
- D. Pollution of underground or surface waters, nor damage to any streets, gutters, storm drains, channels or any public or private property will not be caused by the diverted storm flows.

**13.08.730 Deposit of certain substances prohibited.**

A person shall not place, throw or deposit, or cause or permit to be placed, thrown or deposited in any public sewer or main-line sewer any dead animal, offal, or garbage, fish, fruit or vegetable waste, or other solid matters, or materials or obstructions of any kind whatever of such nature as shall clog, obstruct or fill such sewer, or which shall interfere with or prevent the effective use or operation thereof. A person shall not cause or permit to be deposited or discharged into any such sewer any water or sewage, or liquid waste of any kind containing chemicals, greases, oils, fats, tars or other matters in solution or suspension, which may clog, obstruct or fill the same, or which may in any way damage or interfere with or prevent the effective use thereof, or which may necessitate or require frequent repair, cleaning out or flushing of such sewer to render the same operative, or which may obstruct or cause an unwarranted increase in the cost of treatment of the sewage, or which may introduce into a POTW any pollutant(s) which cause pass through or interference. Stormwater runoff shall not be discharged into a sanitary sewer.

**13.08.735 National Categorical Pretreatment Standards (NCPS)--Compliance.**

Upon the promulgation of mandatory NCPS for any industrial subcategory, the NCPS, if more restrictive than limitations imposed by this division, shall apply. The Director may impose a phased compliance schedule to insure that affected industries meet the NCPS. Failure to meet the phased compliance schedule may result in permit suspension or revocation. Those dischargers subject to NCPS shall comply with all reporting requirements in accordance with the General Pretreatment Regulations for Existing and New Sources of Pollution (Chapter 40, Code of Federal Regulations, Part 403). Facilities subject to this division and regulated by joint permits issued in conjunction with other agencies pursuant to 13.07.320 may meet the requirements of this Chapter as set forth in such joint permit and by furnishing such evidence of compliance as may be required by the Director.

**13.08.740 Compliance with local limits.**

No person shall introduce or cause to be introduced wastewater to the sewer system or a POTW that exceeds specific local limits which have been developed by the receiving POTW. Said local limits shall not apply where more restrictive limitations are imposed by permit or National Categorical Pretreatment Standards.

**13.08.745 Toxic substances.**

All toxic chemical substances shall be retained or rendered acceptable before discharge into the public sewer.

**13.08.750 Control of pH.**

No person shall discharge acids or alkali materials into the public sewer until the pH has been controlled to a level not less than 6.0 nor at or higher than a level which the Director finds excessive. No discharge shall have any corrosive or detrimental characteristics that may cause injury to wastewater treatment, inspection or maintenance personnel or may cause damage to structures, equipment or other physical facilities of the public sewer system.

**13.08.755 Temperature restrictions.**

A person shall not discharge into the public sewer effluent exceeding a temperature of 140 degrees Fahrenheit or which will exceed 104 degrees Fahrenheit at the point of entry into the POTW treatment plant.

**13.08.760 Cooling water.**

No uncontaminated cooling water shall be discharged into a public sanitary sewer.

**13.08.762 Recycled water-Fire hydrant flushing.**

Recycled water discharge from recycled water systems may be discharged into the public sewer system upon approval of the Director. Fire hydrant flushing water may be discharged into the sewer system upon approval of the Director.

**13.08.765 Ground garbage.**

Garbage resulting from the preparation of food may be discharged into the public sewer (but not into a STEP sewer system unless as septic tank effluent) if ground to a fineness sufficient to pass through a three-eighths-inch screen. Excessive or unnecessarily large quantities of water shall not be used to flush ground garbage into the sewer.

**Article 9 OTHER METHODS OF DISPOSAL**

**13.08.770 Applicability of Article 9 provisions.**

The provisions of this Article 9 shall pertain to the disposal, discharge or deposit of all industrial waste except where such wastes are discharged to a public sewer in accordance with the provisions of Article 8 of this chapter.

**13.08.775 Depositing or discharging wastes prohibited without permit.**

A person shall not maintain a deposit of waste material, or discharge or deposit or cause or suffer to be discharged or deposited, except as otherwise provided in this Chapter, any waste material or effluent in or upon the territory of the City of Lancaster, or into streams or bodies of surface or subsurface water, or storm drains, or flood control channels, where the same is deposited upon or may be carried through or upon territory of the City without first securing, in the manner provided in this chapter, a permit from the Director so to do, and at all times having an unrevoked permit therefor, unless otherwise exempted by the provisions of this chapter.

**13.08.780 Maintenance of existing, non-used facility for industrial waste deposit, discharge or storage.**

A person shall obtain a permit from the Director to maintain an existing but nonused facility designed or formerly used for the deposit, discharge or storage of industrial wastes. The annual inspection fee for such permit shall be as established by Resolution of the Council

Exception: Such permit is not required when, to the satisfaction of the Director, compliance with the permit cancellation criteria of 13.08.630 has been provided.

**13.08.785 Permit--Not required when.**

No permit shall be required for the disposal of waste which consists only of domestic sewage into septic tanks or cesspools constructed pursuant to the provisions of the Plumbing Code, as set out at Title 15 of this code.

**13.08.790 Permit--Application--Form and contents.**

Any person requiring a permit under the provisions of this Article 9 shall make written application therefor to the Director, giving such information as the Director may require. The Director shall provide printed application forms, indicating thereon the information to be furnished by the applicant. The Director may require from the applicant, in addition to the information furnished on the printed form, any additional information including detailed plans and specifications which will enable the Director to determine that the proposed discharge or deposit and plan of operation complies with the provisions of 13.08 and other applicable laws and ordinances.

**13.08.795 Permit--Plans required with application when.**

A. The Director may require that an application for a permit to dispose of industrial waste shall be accompanied by suitable plans showing the proposed method of collection, treatment and disposal, and a permit shall not be issued until said plans or required modification thereof have been checked and approved by the Director.

B. The Director may submit the application or plans, or both, to any public agency for comment or recommendation.

**13.08.800 Use of public property--Permit required when.**

Whenever facilities for the discharge of industrial waste connect to structures, or encroach on the property or rights-of-way owned or controlled by a public agency, the Director may either:

A. Require that the applicant obtain a property-use permit, license, easement, or other right to use said properties prior to the issuance of a permit to dispose of industrial waste; or

B. Issue such permit subject to the execution of a property-use permit, license, easement, or other right to use said properties.

**13.08.805 Notification of public agencies required.**

Whenever an application for permit is filed, the Director shall notify the county health officer and such other public agencies as in his opinion may be affected, and shall request a prompt reply containing their recommendations. Upon request, he shall secure from the applicant and furnish to the affected department or agency such additional plans or information as it may require, relative to such application.



**13.08.810 Investigation by other public agencies.**

Whenever notified that an application for permit has been filed, the county health officer, and any public agency determined to be affected shall make such investigations as in their opinions are required. The health officer and such other public agencies shall, within a timely manner of the filing of the application, make and file reports of their investigations with the Director. Such reports shall narrate all facts found, and shall recommend that the application be denied, or be granted in whole or in part, and if granted, subject to what conditions, if any. Such report may also disclaim interest in the application.

**13.08.815 Deposits creating menace to public health--Notice requirements.**

When the county health officer finds that industrial waste or effluent, or any other material, is being discharged or deposited in such manner as to create a menace to the public health, he may serve notice of violation upon the person owning or operating the premises, describing the conditions, and requiring the prompt correction thereof and shall so notify the Director.

**13.08.820 Permit--Issuance conditions.**

The Director shall issue a permit as required by this Chapter if he determines that all of the following conditions have been met:

- A. All fees or deposits hereinafter required have been paid;
- B. Recommendations and conditions of any other public agency, as contained in their reports, if any, have been met. The Director may waive this provision except as to the requirements of the county health officer;
- C. The material to be discharged or deposited does not or will not, in the opinion of the county health officer, constitute a potential public nuisance or menace to the public health and safety, and will not violate other provisions of the Health and Safety Code of the state of California;
- D. The material to be discharged or deposited does not or will not involve disposal of any toxic materials or chemicals in such manner as to cause pollution of any stream, watercourse, lake, or other body of water, or underground or surface water storage reservoir, either natural or artificial;
- E. The material to be discharged or deposited does not or will not damage or adversely affect any storm drain, channel, or any public or private property;
- F. Under existing circumstances and conditions it is necessary and reasonable to dispose of such waste matter.

## **Article 10 INDUSTRIAL WASTE TREATMENT PLANTS AND FACILITIES**

### **13.08.825 Installation--Required when.**

Industrial waste treatment plants or facilities shall be installed whenever the Director shall find as a fact that such facilities are required to safeguard the public health; prevent pollution of streams or bodies of surface or underground water; prevent pollution of water wells or storage reservoirs, either natural or artificial; prevent damage or increased maintenance costs in the sewerage system; prevent damage to public or private property; prevent a public nuisance; or to comply with applicable regulations of any other public agency.

### **13.08.830 Pretreatment--Standards and criteria.**

The Director may establish uniform minimum standards and criteria for the application of such standards for pretreatment of specific industrial waste discharges. The provisions of this Chapter shall not prohibit the Director from requiring additional pretreatment to accomplish the objective of 13.08.695 of this Chapter.

### **13.08.835 Facilities not required when.**

Installation of industrial waste treatment facilities may not be required if the Director determines that:

- A. The waste is prohibited for discharge to the available systems by this Chapter or other applicable ordinances or regulations;
- B. The affected industry has guaranteed to separately dispose of any objectionable waste to legal points of disposal;
- C. Adequate facilities are to be provided for the collection and containment of such wastes, and that provisions have been made to prevent intentional or accidental discharge of such wastes to the sewer system, ground surface, surface or underground water supplies, rivers, channels, storm drains, public streets or gutters;
- D. An application for industrial waste disposal permit has been filed in accordance with Article 9 of this chapter; and
- E. All fees required by this Chapter have been paid.

### **13.08. 840 Installation--Access of inspection and maintenance.**

Interceptors or other industrial waste treatment facilities shall be so installed and constructed that they shall be at all times easily accessible for inspection and maintenance.

### **13.08.845 Separation of domestic and industrial wastes.**

All domestic wastes from restrooms, showers, drinking fountains, etc., shall be kept separate from all industrial wastes until the industrial wastes have passed through any required pretreatment facilities.

**13.08.850 Operation and maintenance.**

All industrial waste treatment facilities or, and all appurtenances thereto, existing as of July 1, 2008, or hereafter constructed under jurisdiction of this Chapter shall be maintained, by the owner or person having jurisdiction of the property affected, in good operating condition and in a safe and sanitary condition at all times. All devices and safeguards which are required by this Chapter for the operation thereof, and all records of such operation, shall be maintained in good order.

**13.08.855 Inspection and testing.**

The Director may make tests of industrial wastes, and or periodic inspections of industrial waste treatment plants or facilities to determine whether such treatment plants or facilities are maintained in accordance with the requirements of this Chapter. The Director shall also make periodic tests on samples of sewage, industrial waste or effluents obtained at the point of discharge or deposit to determine whether such discharges or deposits are made in accordance with the provisions of this Chapter.

**13.08.860 Right of entry for inspection authorized when.**

A. The Director shall be permitted at all reasonable hours to inspect water pollution control plants and industrial waste treatment plants or facilities, and to enter and inspect the place, enclosure or structure where industrial wastes or effluent are discharged or deposited.

B. A person shall not refuse to permit, and shall not hinder or obstruct in any way, any reasonable inspection or investigation of such treatment plant or facilities or deposits or discharges by the Director.

**13.08.865 Owner's safety regulations--Compliance by inspector.**

Inspector shall comply with any special safety regulations brought to his attention by the owner or operator.

**13.08.870 Test manholes or other structures.**

The Director may require the installation of a test manhole or other structure through which all industrial waste shall pass. Said structure shall be so designed that flows may be measured and samples readily obtained therefrom.