



Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: September 11, 2000

FROM: CITY MANAGER

SUBJECT: AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 8.70.090 OF THE PASADENA MUNICIPAL CODE REGARDING STORM WATER AND URBAN RUNOFF CONTROL FOR NEW CONSTRUCTION, AND AUTHORIZATION OF SERVICE FEES RELATED THERETO

TITLE OF PROPOSED ORDINANCE

An Ordinance of the City of Pasadena Amending Section 8.70.90 of the Pasadena Municipal Code Regarding Storm Water and Urban Runoff Control for New Construction, and Authorization of Service Fees Related Thereto.

BACKGROUND:

In July 1996, the California Region Water Control Board, Los Angeles Region, issued a municipal separate storm sewer system permit, the purpose of which is to control and minimize the discharge of pollutants associated with storm water and urban runoff. The City of Pasadena is a co-permittee and is subject to the regulations of the Regional Board. On January 26, 2000 the Regional Board adopted a Board Resolution which required the co-permittees to adopt ordinances to implement the Stand Urban Water Mitigation Plan (SUSMP).

REASON WHY LEGISLATION IS NEEDED:

The City of Pasadena must comply with the Regional Board Requirement to adopt an ordinance to implement the SUSMP.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:

The proposed ordinance amendment will affect those employees of Public Works and the Planning and Permitting Department who conduct plan checks, inspection and enforcement.

MEETING OF 9/11/2000

AGENDA ITEM NO. 4.A.3. &
9.A.1.

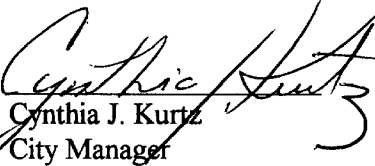
ENVIRONMENTAL IMPACT:

The proposed ordinance amendment falls under the general rule 15061(b)(3) that CEQA applies only to projects that have potential for causing significant effect on the environment. Since the proposed ordinance will improve the environment and that therefore there is no possibility the proposed ordinance will have a significant effect on the environment, it is not subject to CEQA.

FISCAL AND SERVICE IMPACT

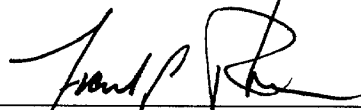
Fiscal and service impact for the implementation of the new regulations in the proposed ordinance is unknown. However, it is believed that plan checking, inspection and enforcement costs will be incurred. The proposed ordinance provides for this by authorizing a service fee. At this time staff will perform the work using existing fees. Staff will present any necessary increases to the City Council as par of the General Fee Schedule revision for FY 2002.

Respectfully submitted,



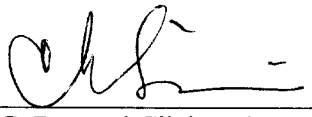
Cynthia J. Kurtz
City Manager

Prepared by:



Frank L. Rhemrev
Assistant City Attorney

Concurrence:



C. Bernard Gilpin, Director
Public Works and Transportation

Introduced by Councilmember:

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 8.70.090 OF THE PASADENA MUNICIPAL CODE REGARDING STORM WATER AND URBAN RUNOFF CONTROL FOR NEW CONSTRUCTION AND AUTHORIZATION OF SERVICE FEES RELATED THERETO

WHEREAS, the State Water Resources Control Board and nine regional control boards adopt policies and plans relating to water quality control in the state, which together comprise the uniform water quality guidelines for California; and

WHEREAS, these boards also implement portion of the federal Water Pollution Control Act, as amended (the Clean Water Act), and administer the National Pollutant Discharge Elimination System (NPDES) permit program, and

WHEREAS, in July 1996, the California Regional Water Quality Control Board, Los Angeles Region, issued a municipal separate storm sewer system permit (Los Angeles County MS4 Permit) to the County of Los Angeles, as Principal Permittee, and eighty-five incorporated cities, including the City of Pasadena, as co-permittees to control and minimize the discharge of pollutants associated with storm water and urban runoff; and

WHEREAS, on January 26, 2000, the Regional Board adopted Board Resolution No. R-00-02, approving the Standard Urban Storm Water Mitigation Plan (SUSMP); and

WHEREAS, all Los Angeles County permittees have until September 8, 2000, to adopt ordinances to implement the SUSMP requirements, with new regulations taking effect no later than October 8, 2000;

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NOW, THEREFORE, the People of the City of Pasadena ordain as follows:

SECTION 1. Section 8.70.090 (Reduction of pollutants in storm water) of Chapter 8.70 (Storm Water Management and Discharge Control) of the Pasadena Municipal Code is hereby amended by adding thereto Subsection "E", to read as follows:

"E. **Cleaning Requirements for Private Drains and Catch Basins.**

Persons owning or operating drainage facilities are directly connected to the public storm drain system shall clean those facilities between May 1 and September 30 of each year, and re-clean those facilities, as needed, before their sumps are forty percent full of material. This requirement includes, but is not limited to, catch basins, culverts and parkway drains."

SECTION 2. Section 8.70 of said code is amended by adding a new section 8.70.097 to read as follows:

"8.70.097 Standard Urban Storm Water Mitigation Plan.

A. Regulations pertaining to the implementation of the Standard Urban Storm Water Mitigation Plan (SUSMP), as approved and amended from time-to-time by the California Regional Water Quality Control Board, Los Angeles Region, shall be adopted by resolution of the City Council.

B. The costs incurred by the city in implementing the provisions of the Standard Urban Storm Water Mitigation Plan, as approved and amended from time-to-time by the California Regional Water Quality Control Board, Los Angeles Region, may be defrayed by the collection of service fees and charges which shall not exceed the cost of the service provided. All such service fees and charges shall be adopted by resolution of

the City Council.”

SECTION 3. The City Council hereby declares that, should any provision, section, subsection, paragraph, sentence, clause, phrase or word of this ordinance or any part thereof, be rendered or declared invalid or unconstitutional by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, such decision or action shall not effect the validity of the remaining section or portions of this ordinance or part thereof. The City Council hereby declares that it would have independently adopted the remaining provisions, section, subsections, paragraphs, sentences, clauses, phrases or words of this ordinance irrespective of the fact that any or more provisions, sections, subsections, paragraphs, sentences, clauses, phrases or words may be declared invalid or unconstitutional.

SECTION 4. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 5. This ordinance shall take effect upon its publication.

Signed and approved this _____ day of _____, 2000.

William J. Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held _____, 2000, by the following vote:

YES:

NOES:

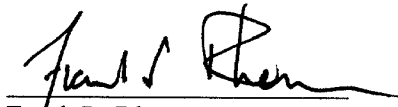
ABSENT:

ABSTAIN:

Published:

Jane Rodriguez, CMC
City Clerk

APPROVED AS TO FORM:



Frank L. Rhemrev
Assistant City Attorney