Title 14

PUBLIC UTILITIES

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Chapter 14.04

SEWER SERVICE CHARGES

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Section 14.04.010 Definitions.

For the purposes of this chapter the following words and phrases shall have the meanings ascribed to them in this section:

"Apartment house" is defined to be any building containing three or more dwelling units with separate plumbing facilities, but shall not include any building commonly known as a hotel, motel or auto court;

"Dwelling unit" is defined to be a suite of one or more rooms which is occupied or intended to be occupied by one person or one family;

"Premises" refers to and includes a lot or parcel of land, a building or an establishment;

"Rooming house" is defined as being any building other than apartment houses, motel, hotel or auto court, where two or more rooms are rented to others for lodging purposes by the person in charge of such building;

"Sewage" is defined as a combination of water or waterborne wastes conducted from a premises;

"Sewerage system" means those pipe lines, plant facilities and appurtenances constructed, maintained and operated by the City primarily for the collection of sewage and the conveyance thereof to the sewage treatment plant for the treatment of the sewage. (Prior code § 27.2)

Section 14.04.020 Applicability of chapter.

The charges fixed by this chapter shall be applicable only to premises connected to and being served by the sewerage system of the City. (Prior code § 27.6)

Section 14.04.030 Establishment by resolution.

Every person whose premises are served by a connection with the system of sewerage of the City whereby the sewage or industrial water wastes or either or both are disposed of by the City through the sewage treatment plant or otherwise shall pay a sewer service charge as set by resolution by the City Council.

The City Council shall set such charge by resolution and may from time to time, in its discretion, revise such charges. In setting such charges the City Council shall take into consideration the amount and type of sewage discharged into the system by a particular type of land usage and may also take into consideration any factor such as added pumping costs which might justify a charge in one area of the City which might vary from charges in other areas of the City. In setting such charge the City Council may make allowances for vacancies in apartment...
houses served by master electric meters wherein the number of vacant dwelling units cannot readily be ascertained by the City. (Prior code § 27.7)

**Section 14.04.040 Disconnection for nonpayment.**

In the event that any person shall fail to pay any charge provided for in this chapter, when the same becomes due, the City may, in addition to any other remedies it has, cut off any of its services, and shall not resume the same until all delinquent charges together with any charges necessitated by resumption of such services and facilities have been fully paid. (Prior code § 27.9)

**Section 14.04.050 Disposition of funds--Sewer service fund established.**

All funds and moneys received from the collection of sewer service charges as established by this Chapter, shall be deposited with the City Treasurer who shall establish and maintain a separate fund and account to be known as "The Sewer Service Fund." The money of such fund may be used for the retirement of sewer bonds and for payment of interest thereon and for the acquisition, operation, maintenance, construction and reconstruction of the sewerage system; provided, however, that such revenue shall not be used for the acquisition or construction of new local street sewers or laterals as distinguished from main trunk, interceptor and outfall sewers. (Prior code § 27.10)

**Section 14.04.060 Collection of charges by Public Utilities Department.**

It shall be the duty of the Public Utilities Department of the City to collect all charges provided for in this Chapter. (Prior code § 27.15)

**Section 14.04.070 Billing and payment procedures.**

Where possible the charges fixed by this chapter for any premises shall be collected with the charges and rates for water service fixed by the City to such premises, and the charges fixed by this chapter shall be billed on the same bill as is prepared for charges for water service and shall be due and payable at the same time that such charges for water service are due and payable. The charges fixed by this chapter for any single-family dwelling or dwelling units served with electricity by the City shall be billed upon the same bill as is prepared for charges for electric service and shall be due and payable at the same time that such charges for electric service are due and payable. If premises are served neither with electric service nor water service by the City, the charges fixed by this chapter shall be billed to and collected from the occupant of such premises. (Prior code § 27.16)

**Section 14.04.080 Deposit to insure payment.**

The City Council shall have the right to require any person liable to pay any charge fixed by this chapter to make a reasonable deposit with the Public Utilities Department to insure a collection of any charge so fixed. (Prior code § 27.18)
Chapter 14.08

SEWER CONNECTIONS AND PERMITS

Sections:

14.08.010 Sewers required to be constructed as condition of approval of subdivisions--Costs.
14.08.020 Maintenance of house sewer connections--Right of entry of inspectors.
14.08.030 Connection to public sewer required.
14.08.040 Renting unconnected premises.
14.08.050 Connection permit required.
14.08.060 Application for connection permit.
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14.08.080 Determination of cost--No charge under certain conditions.
14.08.090 Cost to be computed when property not assessed or assessment not paid.
14.08.100 How cost computed--Issuance and contents of permit.
14.08.110 Recovery of cost upon subsequent payment of construction assessment.
14.08.120 Off-site trunk lines and general plant facilities charges.
14.08.130 When fees in Section 14.08.120 payable.
14.08.140 Time limit for construction of connection.
14.08.150 Receipt and disposition of funds.

Section 14.08.010 Sewers required to be constructed as condition of approval of subdivisions--Costs.

Subdividers and developers required to install sewers as conditions of approval of subdivisions, records of surveys, conditional use permits, etc., shall design such sewers as specified by the City Engineer and shall construct such size and capacity as required by the City Engineer; provided, that when the installation of sanitary sewers of increased size are required to serve additional areas, the cost of such increase shall be paid for by the City. The City Engineer shall determine the pro rata cost between the developer and the City, but shall not allow City participation in the construction cost of any sanitary sewer of eight-inch diameter in single-family residential developments or ten-inch diameter in other types of development. Reimbursements for oversizes shall be computed by the City Engineer on the basis of actual pipe price differentials between the sizes required and those maximums set forth in this section, plus twenty percent of this price differential. (Prior code § 27.1-1)

Section 14.08.020 Maintenance of house sewer connections--Right of entry of inspectors.

All persons shall keep their house connections (sewer lateral line from the house to the connection at the property line) in good order at their own expense and shall be liable for damages which may result from failure to do so. A City inspector shall be admitted at all reasonable hours at all parts of any premises connected with the sewerage system for the purpose of checking any facilities mentioned in this chapter and establishing sewer service charges as provided in Chapter 14.04. The City shall maintain the collection system beginning at the property line to the point of connection to the main sewer line. (Ord. 7005 § 1, 2008; Prior code § 27.14)
Section 14.08.030  Connection to public sewer required.

A. No one shall occupy a house or any other structure in the City or camp or live on any premises within the City, unless such house or other structure or such premises be properly connected to a public sewer whenever the property on which such house, other structure or premises is situated abuts upon a public or private street or alley or other right-of-way in which there exists a public sewer to which connection may be made; provided, however, if a house or structure is served by a satisfactorily functioning septic system, such connection to a public sewer system will not be required until the septic system for such house or other structure fails.

B. Anyone desiring to obtain a building permit for an addition to any existing house or structure shall be allowed to use a properly functioning septic system.

C. Anyone desiring to obtain a building permit for a new house or structure shall connect to the public sewer system when the property on which such house or structure is situated is not more than one hundred sixty feet from the public sewer and the right-of-way admits such connection, or if the house or structure is located within an area where the use of a septic tank poses a potential contamination risk to the City's drinking water wells in the area, as specified by resolution of City Council. All new houses or structures located within such area must be properly connected to the public sewer system, even if the property on which such house or structure is situated more than one hundred sixty feet from the public sewer and/or the right of way must be altered to admit such connection. (Ord. 6623 § 1, 2002; Ord. 6172 § 1, 1994; prior code § 27.28)

Section 14.08.040  Renting unconnected premises.

It is unlawful for anyone either as owner or agent, to rent any such house or other structure or premises not connected with a sewer as required in Section 14.08.030. (Prior code § 27.29)

Section 14.08.050  Connection permit required.

It is unlawful for any person to connect any property with any public sewer without first obtaining a connection permit from the City Engineer. (Prior code § 27.30)

Section 14.08.060  Application for connection permit.

Any person desiring to connect any property with any public sewer shall, before making any connection thereto, make application therefor to the City Engineer and, concurrently with the issuance of the permit, shall pay to the City Engineer any required connection charge. The application for the permit shall be in writing on a form provided by the City Engineer and shall contain a correct legal description of the land which is to be included in the permit. (Ord. 4066 § 1, 1973; prior code § 27.31)

Section 14.08.070  Connection permit application for large areas developed pursuant to subdivision maps.

Application for sewer connection permits to service large areas to be developed pursuant to a subdivision map, parcel map, conditional use permit or other similar proceeding shall be filed at the time the applicant initiates such proceedings. In the event no City sewer is immediately available, the applicant shall provide engineering plans for construction of necessary extensions to the nearest feasible sewer facility. Applicants for development of industrial areas may request the City to construct the required extension. Applicants for development of nonindustrial areas shall construct the required extension at their own cost. Applicants who have constructed a sewer extension may apply to the City for a reimbursement contract to recover a portion of future fees paid for connections to the extension.
The City may approve such a contract containing such provisions as may be approved by the City Council.  (Ord. 4591 § 1, 1978; prior code § 27.31-1)

Section 14.08.080  Determination of cost--No charge under certain conditions.

The City Engineer shall consider each application for a connection permit and determine whether the public sewer is of such capacity and construction that the desired connection may be made in accordance with proper engineering and construction practices and whether the property has been assessed or the owner of the property has contributed to the cost of the construction of the sewer.

No charge or fee for the permit which is based upon benefits to the land shall be charged if the engineer determines that:

A. The land is a part of an assessment district upon which the cost of construction of the sewer was assessed according to benefits derived from the construction of the sewer as a local or district sewer as distinguished from an outfall sewer; or

B. The owner of the land or his predecessor in interest either constructed the sewer or contributed to the cost of its construction in an amount commensurate with the benefits to be derived from the permitted connection;

C. The desired connection is to be made to a public sewer other than a City sewer.  

(Ord. 4066 § 2, 1973; prior code § 27.32)

Section 14.08.090  Cost to be computed when property not assessed or assessment not paid.

If the City Engineer determines that the property described in the application for the permit to be connected to a City sewer has not been assessed or its owner has not paid for the construction of the sewer, as mentioned in Section 14.08.080, he shall compute the amount of the charge to be made for the permit.  The amount of the charge shall be computed according to the benefit to the land and shall be computed by the City Engineer according to such method as may be adopted by him and which is in substantial compliance with the generally accepted methods of making and spreading assessments in proceedings under the Improvement Act of 1911 and similar acts, upon the basis of district assessments, as distinguished from the front foot assessments.  (Ord. 4066 § 3, 1973; prior code § 27.33)

Section 14.08.100  How cost computed--Issuance and contents of permit.

The City Engineer shall compute the amount of connection charge by determining the number of units of benefit to the land described in the application for a connection permit, considering the width, depth, size and shape of the parcel of land and its location with reference to the sewer and by applying to the determined number of units of benefit a factor per unit as set by resolution of the City Council.

Upon payment of such amount, the City Engineer may issue the requested permit.  The permit shall include a correct legal description of the parcel of land which may be connected with the public sewer by one or more permitted connections for the connection charge paid upon issuance of the permit.  (Ord. 5898 § 1, 1991; Ord. 5770 § 1, 1989; Ord. 5554 § 1, 1987; Ord. 5366 § 1, 1985; Ord. 4966 § 1, 1981; Ord. 4742 § 1, 1979; Ord. 4485 § 1, 1977; Ord. 4291 § 1, 1976; Ord. 4290 § 1, 1976; Ord. 4124 § 1, 1974; Ord. 4091 § 1, 1974; Ord. 3901 § 1, 1972; Ord. 3419 § 1, 1966; prior code § 27.34)

Section 14.08.110  Recovery of cost upon subsequent payment of construction assessment.

In case any connection charge provided for in Sections 14.08.090 and 14.08.100 is paid
and thereafter an assessment district is created and a public sewer is constructed and such property is assessed for such construction work, the owner of the property, on application to the City Engineer on or before two years following the creation of the assessment district, shall be entitled to have repaid to him from the City Treasury the amount paid to the City for such connection charge. (Prior code § 27.35)

Section 14.08.120 Off-site trunk lines and general plant facilities charges.

Any person desiring a permit to connect property with a City sewer in addition to all other fees but subject to the same limitations imposed herein shall pay for off-site trunk lines and general plant facilities required for the disposal of sanitary sewage an amount as established by the City Council by resolution.

The charges applied in this section shall also apply pro rata to any alteration or addition resulting in an additional dwelling unit in a hotel or motel development.

The charges applied in this section shall also apply pro rata to any alteration or addition to any commercial, institutional or industrial development requiring a new building permit whether or not there are sewer facilities in the addition or enlargement. (Ord. 7229 § 17, 2013; Ord. 4859 § 1, 1980; Ord. 4516 § 1, 1978; Ord. 4468 § 1, 1977; Ord. 4066 § 4, 1973; Ord. 3419 § 2, 1966; Ord. 3350 § 1, 1966; prior code § 27.35-1)

Section 14.08.130 When fees in Section 14.08.120 payable.

Payment of the fees specified in Section 14.08.120 for subdivisions shall be made prior to City Council approval of the final subdivision map. Payment of the above-specified fees on other than subdivisions shall be paid at the time of the permit issuance. (Prior code § 27.35-2)

Section 14.08.140 Time limit for construction of connection.

Any property owner making application for a permit, as provided for in this chapter, must make the connection from the public sewer to the property line within six months from the issuance of such permit; otherwise such permit shall, upon the expiration of such time, become null and void. (Prior code § 27.36)

Section 14.08.150 Receipt and disposition of funds.

The City Engineer is empowered to collect and receive the money for connection charges provided for in this chapter, and all money so collected shall be deposited by the City Engineer with the City Treasurer and shall be placed by the City Treasurer in the sewer service fund of the City. (Prior code § 27.37)
Chapter 14.12

DISCHARGE OF WASTES INTO THE PUBLIC SEWER AND STORM DRAIN SYSTEMS

Sections:

I. Preamble – Definitions

14.12.120 Definitions.

II. General Provisions

14.12.200 Administration.
14.12.250 Drain Screen Requirements.
14.12.280 Prohibited Restaurant Surface Discharges.
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III. Industrial Waste

14.12.345 Limitation on Wastewater Strength.
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IV. Enforcement

14.12.505 Violations of Discharge Limitations.
14.12.530 Termination of Service.
14.12.545 Criminal Penalties.
14.12.565 Damage to Facilities or Interruption of Normal Operations.
14.12.570 Appeals.
I. Preamble - Definitions

Section 14.12.110 Purpose--Implementation of Regional Board Resolution.

The sewer system of the County of Riverside through Riverside County Service Area ("CSA") 152-C and through agreement with the City of Riverside discharges treated effluent from the City of Riverside’s Regional Water Quality Control Plant into permeable soil structures and surface waters of the State, in particular the Santa Ana River. The chemical nature of this effluent affects the quality of water flowing in the receiving stream as well as the quality of underground waters in the vicinity.

The California Regional Water Quality Control Board, Santa Ana Region, hereinafter called the “Regional Board” has established discharge limitations for the chemical content of sewage effluent discharged by the City. These limitations are set forth from time to time in duly enacted resolutions and orders of the Regional Board.

In order to conform to such sewage effluent discharge limitations and requirements, the City must regulate the discharge of waste to the POTW and the flow of waste into its storm drain system.

A. This Chapter shall provide for the regulation of wastewater discharge in accordance with the federal government’s objectives of general pretreatment regulations as stated in Section 403.2 of Title 40 of the Code of Federal Regulations (CFR) which are for the following purposes:

1. To prevent the introduction of pollutants into the City’s publicly owned treatment works (POTW) which will interfere with the operation of the POTW, including interference with its use or disposal of municipal biosolids;

2. To prevent the introduction of pollutants into the POTW which will pass through the treatment works, inadequately treated, to the receiving waters or otherwise be incompatible with such works;

3. To improve opportunities to recycle and reclaim municipal and industrial wastewater and biosolids;

4. To enable the City to comply with its NPDES Permit conditions, biosolids use and disposal requirements, and any other federal or state laws to which the POTW is subjected;

5. To enable the City to control the privileges to any use of the POTW; and

6. To protect and preserve the health and safety of the citizens and personnel of the City and the Community Services Districts.

B. This Chapter shall apply to all users of the POTW. This Chapter authorizes:

1. The issuance of Industrial User Permits;

2. Monitoring, compliance, and enforcement activities;

3. Administrative review procedures;

4. Industrial waste plan check review services;

5. User reporting requirements;

6. The establishment of fees; and

7. The equitable distribution of costs resulting from the program established herein.

(Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

14.12.120 Definitions.

Unless the context specifically indicates otherwise, the meaning of the terms used in this Chapter shall be as follows:

1. **Analytical Methods** means the sample analysis techniques prescribed in 40 CFR Part 136. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be
performed using validated analytical methods, approved by the City, or any other applicable 
sampling and analytical procedures, including procedures suggested by the City or other 
parties as approved by the EPA.

2. **Authorized Representative** means:
   A. A responsible corporate officer, if the user is a corporation, of the level of 
president, secretary, treasurer, or vice president in charge of a principal business function, or 
any other person who performs similar policy or decision making functions for the corporation;
   B. A general partner, managing member or proprietor if the user is a partnership, 
limited liability company or sole proprietorship respectively;
   C. If the user is a federal, state, or local government facility: a director, highest 
appointed official, employee designated to oversee the operation and performance of the 
activities of the government facility, or his or her designee.
   D. A duly Authorized Representative of the individual designated in paragraph A., B. 
or C. If the person is a manager of one or more manufacturing, production, or operating 
facilities, provided, the manager is authorized to make management decisions which govern 
the operation of the regulated facility including having the explicit or implicit duty of making 
major capital investment recommendations, and initiate and direct other comprehensive 
measures to assure long-term environmental compliance with environmental law and 
regulations; can ensure that the necessary systems are established or actions taken to gather 
complete and accurate information for control mechanism requirements; and where authority to 
sign documents has been assigned or delegated to the manager in accordance with corporate 
procedures.

3. **Best Management Practices (BMPs)** means schedules of activities, prohibitions 
of practices, maintenance procedures, and other management practices to implement the 
prohibitions listed in Section 14.12.335 of this Chapter. BMPs also include treatment 
requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, 
sludge or waste disposal, or drainage from raw materials storage. POTWs may develop 
BMPs, which shall be considered local limits and Pretreatment Standards for the purposes of 
this Ordinance.

4. **Biochemical Oxygen Demand (BOD)** means the quantity of oxygen, expressed 
in mg/L, required to biologically oxidize material in a waste sample measured under standard 
laboratory methods of five days at twenty degrees Centigrade.

5. **Bypass** means the intentional diversion of waste streams from any point of a 
user's pretreatment facility.

6. **Categorical Industrial User** means all industrial users subject to National 
Categorical Pretreatment Standards promulgated by the EPA in accordance with Sections 307 
(b) and (c) of the Clean Water Act (33 U.S.C. Sec.1317 et seq.), and as listed by the EPA under 
the appropriate subpart of 40 CFR Chapter I, Subchapter N.

7. **Certification Statement** means the following text from 40 CFR Part 
403.6(a)(2)(ii):

   “I certify under penalty of law that this document and all 
   attachments were prepared under my direction or supervision in 
   accordance with a system designed to assure that qualified personnel 
   properly gather and evaluate the information submitted. Based on my 
   inquiry of the person or persons who manage the system, or those
persons directly responsible for gathering the information, the information
submitted is, to the best of my knowledge and belief, true, accurate, and
complete. I am aware that there are significant penalties for submitting
false information, including the possibility of fine and imprisonment for
knowing violations."

8. **Chemical Oxygen Demand (COD)** means the quantity of oxygen, expressed in
   mg/L required to chemically oxidize material in a waste sample or wastewater sample, under
   specific conditions of an oxidizing agent, temperature, and time.

9. **City Attorney** means the City Attorney for the City or an authorized
   representative, deputy, or agent appointed by the City Attorney.

10. **Class I User** means an industrial user with an annual average industrial
    wastewater discharge of twenty-five thousand gallons or more per day; a Significant Industrial
    User; and a Categorical Industrial User which has a federally regulated process wastestream
    discharge.

11. **Class II User** means an industrial user with an annual average industrial
    wastewater discharge between ten thousand and twenty-four thousand nine hundred ninety-nine
    gallons per day.

12. **Class III User** means an industrial user with an annual average industrial
    wastewater discharge between one and nine thousand nine hundred ninety-nine gallons per day
    where the industrial discharge has a reasonable potential for adversely affecting the POTW's
    operation or violating any pretreatment standard, prohibition, or requirement of this Chapter.

13. **Class IV User** means any industrial or Categorical Industrial User that has a
    manufacturing or production process or procedure that generates wastewater and/or waste and
    that wastewater and/or waste is not discharged to the POTW due to the user's reclamation,
    recycling, segregation, and/or off-site site disposal of the wastewater and/or waste; or a user
    subject to categorical pretreatment standards under 40 CFR Part 403.6 and 40 CFR Chapter I,
    subchapter N and that never discharges more than 100 gallons per day of total categorical
    wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater) and has:
    1) consistently complied with all applicable categorical Pretreatment Standards and
       Requirements; 2) has submitted a certification statement required by 40 CFR Part 403.12(q)
       together with any additional information necessary to support the certification statement; and 3)
       has never discharged any untreated concentrated wastewater.

14. **Class V User** means an industrial user that has a temporary need to discharge
    wastewater to the POTW. The temporary period shall be from one to one hundred eighty days.

15. **Class VI User** means an industrial user that hauls wastewater by truck or other
    means from septic tanks, cesspools, seepage pits, and private disposal systems.

16. **Collection Agency** means a public agency with which the City has an
    interjurisdictional agreement addressing that agency's sewage collection and discharge to the
    City for transmission, treatment, and disposal.

17. **Collection System** means all pipes, sewers and conveyance systems conveying
    wastewater, owned and maintained by either the City or by tributary Community Services
    Districts contracting with the City for sewer service, but not including sewer lateral line
    connections.

18. **Combined Wastestream Formula** means the formula, as outlined in the general
    pretreatment regulations of the Clean Water Act, 40 CFR 403.6(e), for determining wastewater
discharge limitations for Categorical Industrial Users whose effluent is a mixture of regulated, unregulated, and dilution wastewater as defined in the formula.

19. **Community Services District** means the Edgemont Community Services District, Jurupa Community Services District, Rubidoux Community Services District, or any other district which contracts with the City for sewer service.

20. **Compliance Schedule** means a time schedule enforceable under this Chapter containing increments of progress, i.e. milestones, in the form of dates. These milestones shall be for the commencement and/or completion of major events leading to the construction and operation of additional pretreatment facilities or the implementation of policies, procedures or operational management techniques required for the user to comply with all applicable federal, state or local environmental regulations which may directly or indirectly affect the quality of the user's wastewater effluent.

21. **Composite Sample** means a series of grab samples of equal volume taken at a predetermined time or flow rate for a predetermined period of time, which are combined into one sample.

22. **Confined Space**, pursuant to California Code of Regulations, Title 8, Section 5157, subsection b, means a space that:
   A. Is large enough and so configured that a person can bodily enter and perform assigned work;
   B. Has limited or restricted means for entry or exit (for example, tanks vessels, silos, storage bins, hoppers, vaults, and pits are spaces that may have limited means of entry); and
   C. Is not designed for continuous occupancy by a person.

23. **Conventional Pollutants** means BOD, COD, total suspended solids, pH, fecal coliform, oil and grease, total nitrogen and such additional pollutants as are now or may be in the future specified and controlled in the City’s NPDES permit for its POTW where said POTW has been designed and used to reduce or remove such pollutants.

24. **Cooling Water** means all water used solely for the purpose of cooling a manufacturing process, equipment, or product.

25. **De Minimus User** means any user whose industrial wastewater discharge is less than one hundred gallons per day and is not regulated by a federal categorical pretreatment standard or Industrial User Group Permit.

26. **Dilution** means the increase in use of process water or any other means to dilute a wastestream as a partial or complete substitute for adequate treatment to achieve discharge requirements.

27. **Director** means the Public Works Director of the City or an authorized representative, deputy, or agent appointed by the Public Works Director.

28. **Domestic Septic Wastes** means all domestic wastes contained in septic tanks, cesspools, seepage pits, holding tanks and private disposal systems.

29. **Domestic Wastewater** means wastewater from private residences and wastewater from other premises resulting from the use of water for personal washing, sanitary purposes or the discharge of human excrement and related matter. Domestic wastewater when analyzed by standard methods shall contain no more than two hundred fifty-nine mg/L of total suspended solids, two hundred twenty-eight mg/L of BOD and four hundred fifty-five mg/L of COD.

30. **Effluent** means treated wastewater flowing from treatment facilities, a POTW, or a user's pretreatment equipment.

31. **Emergency** means facts or circumstances that City reasonably determines create an imminent threat of harm to public health or safety, the environment or the POTW.

32. **EPA** means the United States Environmental Protection Agency.

33. **Federal Categorical Pretreatment Standard** means the National Pretreatment Standards, established by the EPA, specifying quantities or concentrations of pollutants or
pollutant properties which may be discharged or introduced into the POTW by existing or new industrial users in specific industrial categories established as separate regulations under the appropriate subpart of 40 CFR Chapter I, Subchapter N.

34. **Good Faith** means the user's honest intention to remedy noncompliance together with actions that support the intention without the use of enforcement actions by the City. Examples of these intentions are improved housekeeping practices or the installation of pretreatment equipment to reduce or eliminate pollutants.

35. **Grab Sample** means an individual sample collected over a period of time not exceeding fifteen minutes.

36. **Gravity Separation Interceptor** means an approved wastewater detention device, equipment or appurtenance and is designed to remove floatable and settleable material by means of gravity and the solubility of the waste in water from industrial wastewater prior to discharge to the POTW and may include but not be limited to grease interceptors, hydromechanical grease interceptors, grease traps, and sand/oil interceptors.

37. **Hazardous Substance** means any substance capable of creating imminent endangerment to health or the environment.

38. **Heating Water** means all water used solely for the heating of a manufacturing process, equipment, or product.

39. **Industrial User** means all persons, entities, public or private, industrial, commercial, governmental, or institutional which discharge or cause to be discharged, industrial wastewater and waterborne waste into the POTW, or stores waste or wastewater on site for treatment and/or subsequent disposal, and includes Mobile Pressure Washers and Liquid Waste Haulers.

40. **Industrial User Permit** means a permit, issued by the Public Works Director, regulating the terms and conditions under which an Industrial User may discharge any non-domestic waste to the POTW.

41. **Industrial Wastewater** means all water containing wastes of the community, excluding domestic wastewater, and includes all wastewater from any producing, manufacturing, processing, institutional, governmental, commercial, restaurant, service, agricultural or other operation. Industrial wastewater may also include cooling tower and boiler blowdown water, potable water treatment wastewater and chemical toilet wastewater if the wastewater contains levels of pollutants above the wastewater discharge limitations established by this Chapter. Any wastewater that is hauled by truck, rail or other means, and discharged into the sewerage system, shall be considered industrial wastewater, regardless of the original source.

42. **Infectious Waste** means all disease-containing wastes that normally cause, or significantly contribute to the cause of increased morbidity or mortality of human beings.

43. **Interference** means any discharge from a user which, alone or in conjunction with a discharge or discharges from other sources both: inhibits or disrupts the POTW, treatment processes or operations, or sludge processes, use or disposal; and which is a cause of a violation of any requirement of the City's NPDES permit including an increase in the magnitude or duration of violation) or of the prevention of biosolids use or disposal in compliance with Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly known as the Resource Conservation and Recovery Act (RCRA)), and state regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act, and any amendments to these Acts or regulations.

44. **Ion Exchange Water Softener** means a water conditioning apparatus that is designed to remove hardness or other impurities from a user's potable water supply through chemical, not physical means.
45. **Liquid Waste Hauler** means any person engaged in the truck hauling of liquid wastes from septic tanks, seepage pits, cesspools, or any other private disposal system.

46. **Local Limits** means specific prohibitions, Best Management Practices or pollutant limitations or pollutant parameters which are developed by the City in accordance with 40 CFR 403.5(c).

47. **Lower Explosive Limit (LEL)** means the minimum concentration of combustible gas or vapor in the air that will ignite if an ignition source is present.

48. **Mass Emission Rate** means the rate of pollutant discharge in pounds per day to the POTW.

49. **May** means permissive.

50. **mg/L** means milligrams per liter.

51. **Milestone** means a time-based increment of progress in a compliance schedule, not to exceed nine months. Milestones may be set for construction, operations, repairs, the creation of policies and procedures, or other aspects of pretreatment and discharge.

52. **Mobile Pressure Washer** means non-residential user of mobile pressure washing equipment to wash or rinse motor vehicles, machinery, buildings, windows, paved areas, sidewalks, parking lots, and outdoor eating areas, etc.

53. **Monitoring/Production Information Order (MPIO)** means an Administrative Order requiring an industrial user to determine the concentration or mass emission of pollutants in its industrial wastewater discharge, for each day in a fourteen consecutive calendar day period that industrial wastewater is discharged to the POTW, and to provide that data and wastewater discharge flow data for that period.

54. **Monthly Average** means the average of daily measurements over a calendar month as calculated by adding all the daily measurements taken during the calendar month and dividing that sum by the sum of the number of daily measurements taken in the calendar month.

55. **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 Section 307 (c) of the Federal Clean Water Act, which will be applicable to such source if such standards are thereafter promulgated in accordance with that Section, provided that:
   A. The building, structure, facility or installation is constructed at a site at which no other source is located; or
   B. The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
   C. The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source may be considered.

56. **NPDES Permit** means the then effective National Pollutant Discharge Elimination System Permit issued by the California Regional Water Quality Control Board establishing the Waste Discharge and Producer/User Reclamation Requirements for the Riverside Regional Water Quality Control Plant or storm water requirements for the City’s Municipal Separate Storm Sewer System.

57. **NSIU** means a Non-Significant Industrial User that does not require a Class I-VI Industrial User Permit or is not considered a restaurant.

58. **Non-Significant Categorical Industrial User** means a user subject to categorical pretreatment standards under 40 CFR Part 403.6 and 40 CFR Chapter I, subchapter N and that never discharges more than 100 gallons per day of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater) and has: 1) consistently complied with all applicable categorical Pretreatment Standards and Requirements;
2) has submitted a certification statement required by 40 CFR Part 403.12(q) together with any additional information necessary to support the certification statement; and 3) has never discharged any untreated concentrated wastewater.

59. **Oil and Grease** means any of the following in part or in combination:
   A. Petroleum derived products, e.g., oils, fuels, lubricants, solvents, cutting oils;
   B. Vegetable derived products, e.g., oils, shortenings, water soluble cutting oils; or
   C. Animal derived products, e.g., fats, greases, oils, lard

60. **Pass Through** means any discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, causes a violation of any requirement of the NPDES Permit, including an increase in the magnitude or duration of a violation.

61. **Permit-Required Confined Space** pursuant to California Code of Regulations, Title 8, Section 5157, subsection b means a confined space that has one or more of the following characteristics:
   A. Contains or has the potential to contain a hazardous atmosphere;
   B. Contains a material that has the potential for engulfing an entrant;
   C. Has an internal configuration such that an entrant could be trapped or and tapers to a smaller cross-section; or
   D. Contains any other recognized serious safety or health hazard.

62. **Person** means any individual, firm, company, association, society, general or limited partnership, limited liability company, trust, corporation, governmental agency or group, and includes the plural as well as the singular.

63. **Pollutant** means conventional pollutants, domestic wastewater, hazardous substances, infectious waste, slug discharges, dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, medical waste, heat, rock, sand, cellar dirt and industrial, municipal, and agricultural waste.

64. **Pollutant Exceedance Fee** means a fee in addition to the sewer service charge, which is charged on those users whose wastewater discharge pollutants exceed permitted pollutant levels for COD or total suspended solids.

65. **Publicly Owned Treatment Works or POTW** means a wastewater treatment plant, e.g., the RRWQCP. This definition includes the collection system, within the City and the Community Service Districts, which is the sewers, pipes and other conveyances of wastewater to a treatment plant, except for private sewer lateral connections. It also includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes.

66. **Pretreatment** means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of the pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into the POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by any other means, except dilution.

67. **Pretreatment Waste** means waste removed by pretreatment.

68. **Qualified Professional** means a person qualified by education, training, or experience to evaluate and assess pollutant discharges and violations of this Chapter.


70. **Restaurant** means all retail establishments selling prepared foods and drinks for consumption on or off the premises; including lunch counters and refreshment stands. Retail establishments, lunch counters, and drinking places selling prepared food and drink as a subordinate service incidental to their primary operations, and institutional facilities (e.g. schools, hospitals, jails, prisons, and juvenile halls), which serve food on the premises shall also
be considered restaurants.
37. **Shall** means mandatory.
38. **Self-monitoring** means wastewater samples taken by a user or the user's contracted laboratory, consultant, engineer, or similar entity.
39. **Sewer Lateral Line** means the wastewater collection pipe extending from the premises where the wastewater is generated to the premises' property line.
40. **Significant Industrial User (SIU)** means all Categorical Industrial Users and any user which discharges one or more of the following:
   A. Industrial wastewater at an average rate of at least twenty-five thousand gallons per day (gpd) to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
   B. A process wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the City's POTW; or
   C. Wastewater that the Director requires to be controlled by a Class I Industrial User Permit.
41. **Significant Noncompliance** means any violation meeting one or more of the following criteria:
   A. Chronic violations of wastewater discharge limits, defined as those in which sixty-six percent or more of all of the measurements for the same pollutant parameter during a six consecutive month period exceed by any magnitude a numeric pretreatment standard or requirement, including instantaneous limits;
   B. Technical Review Criteria (TRC) violations, which are defined as those in which thirty-three percent or more of all of the measurements taken during a consecutive six month period equal or exceed the product of the numeric pretreatment standard, local limit, or requirement, including instantaneous limits, multiplied by the applicable TRC (TRC=1.4 for BOD, COD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
   C. Any other violation of a numeric pretreatment standard or requirement (including narrative standards and Best Management Practices) determined by the City to cause, in whole or in part: POTW damage, interference, or pass through; danger to POTW personnel; or the public health, safety and welfare;
   D. Any discharge of a pollutant posing imminent danger to human health or welfare, or to the environment, or resulting in the City's exercise of its emergency authority to stop or prevent such a discharge;
   E. Failure to meet, within ninety days after the scheduled date, a compliance schedule Milestone;
   F. Failure to provide, within forty-five days of the scheduled date, any required reports such as baseline monitoring reports, compliance reports, and self-monitoring reports;
   G. Failure to pay, within thirty days, all application, permit, or enforcement fees;
   H. Failure to accurately report non-compliance; or
   I. Any other violation(s), which may include failure to implement required Best Management Practices, which the City believes will adversely affect the City's pretreatment program.
42. **Single Pass Cooling Water** means water that is used solely for the purpose of cooling and is used only once before being discharged.
43. **Single Pass Heating Water** means water that is used solely for the purpose of heating and is used only once before being discharged.
44. **Slug Discharge** means any discharge of wastewater of a non-routine, episodic nature including but not limited to an accidental spill, or a non-customary batch discharge which could damage, interfere with, or pass through the POTW or otherwise violate this Chapter, local limits, permit conditions, or other regulations.
79. **Storm Drain** means a system of open channels, lined and unlined channels, surface channels, impound basins, ground water recharge basins, storm water holding ponds, underground pipes, curb and gutter, cross gutters, storm water pump and lift stations, parking lots, paved areas, streets, and natural water courses used to collect and direct storm water to a receiving body of water or aquifer recharge basins.

80. **Storm Water** means water flowing or discharged as a result of rain, snow, or other precipitation.

81. **Temporary User** means any user granted temporary permission under a Class V Industrial User Permit to discharge unpolluted water or wastewater to the sewer system.

82. **Total Suspended Solids** means the total amount of residue retained by laboratory filtration and dried at 103-105 degrees C.

83. **Total Toxic Organics (TTO)** means the sum of all quantifiable values greater than 0.01 mg/L of the regulated toxic organic compounds which are found in the user's industrial wastewater discharge.

84. **Unpolluted Water** means cooling and heating water, single pass cooling and heating water, air conditioning condensate, ice melt, condensate, landscape irrigation, crop irrigation, rain water, and other water not containing any pollutant, or water whose discharge would not otherwise violate any receiving water quality standards.

85. **Upset** means an exceptional incident which causes temporary and unintentional non-compliance with the discharge limitations or prohibitions applicable to a user or the POTW.

86. **User** means any person, public or private, residential, industrial, commercial, governmental, or institutional which discharge s or causes to be discharged wastewater or waterborne waste to the POTW or storm drain.

87. **Waste** means any discarded solid, semi-solid, liquid, or gaseous material. (Ord. 7099 §1, 2010; Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6398 §1, 1997; Ord. 6232 §2 (part), 1995)

II. General Provisions

Section 14.12.200 Administration.

A. **Rules.** The Director may adopt rules consistent with this Chapter for the administration of the wastewater system. Those rules may include, but shall not be limited to, discharge limitations, pretreatment requirements, standards for wastewater, sewer connections, and implementation of Federal Water Pollution Control and Clean Water Act standards.

B. **General Powers of the Director.** Except as otherwise provided herein, the Director shall execute the provisions of this Chapter. The Director may delegate powers or duties to persons acting in the beneficial interest or employ of the City, but shall remain responsible. In addition to the authority to prevent or eliminate discharges through enforcement of discharge limitations and prohibitions, the Director shall have the following authorities:

1. Protect the health or welfare of the community. The Director, after informal notice to the affected user, may immediately and effectively stop or prevent any discharge of pollutants to the POTW, by any means available, including physical disconnection from the wastewater collection system, whenever the discharge reasonably appears to present an imminent danger to the health or welfare of the community;

2. Protect the environment or the POTW. The Director, after written order to the user, may stop or prevent any discharge of pollutants to the POTW, by any means available, including physical disconnection from the wastewater system, whenever such discharge presents or may present an imminent and substantial danger to the environment or threatens to damage or interfere with the operation of the POTW; and

3. The discharges referred to in subdivisions 1 and 2 above may be stopped or prevented without regard to the compliance of the user with other provisions of this Chapter.
C. **Specific Powers of the Director.** The Director may take any of the following actions to prevent the actual or threatened discharge of polluted wastewater to the POTW:

1. Stop or prevent the discharge of such wastewater;
2. Require the user to demonstrate that process modifications will reduce or eliminate the pollutant or substance so that the discharge will not violate this Chapter;
3. Require treatment to reduce or eliminate the pollutants so that the discharge will not violate this Chapter;
4. Require the user to pay Industrial User Permit fees, inspection fees and any additional cost or expense incurred by the City by excess pollutant loads discharged to the POTW, or imposed fines, penalties or legal expenses, and attorneys’ fees;
5. Obtain timely and factual reports from the person responsible for such discharge; and
6. Take any other action to achieve the purposes of this Chapter (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

**Section 14.12.205 Notice.**

Notices and orders under this Chapter shall be deemed served if given to user as follows:

A. Correctly addressed, postage pre-paid and deposited in the United States mail, or personally delivered; or
B. To user or user’s authorized representative at user’s address as listed in user’s permit, or application for a permit, or user’s facility that is subject of the notice or order; and
C. Shall be deemed received on the date personally delivered or on the third day after deposit in the United States mail as provided in this Section. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

**Section 14.12.210 Confidentiality.**

Information submitted by the user to the City pursuant to this Chapter may be claimed as confidential by the user. Any such claim must be asserted at the time of submission by placing the words "Confidential Business Information" on each page containing such information. If no claim is made at the time of submission, the City may make the information available to the public without further notice. Sample data obtained by either the user or the City shall not be considered confidential. Production-related information used to calculate mass-based discharge limitations or required to develop an Industrial User Permit shall not be considered confidential information. Confidential information may be made available, upon request, to governmental agencies for enforcement or judicial purposes related to this Chapter, the NPDES Permit or the pretreatment program, and as required by state or federal law. In the event of a conflict between this section and the Public Records Act or Freedom of Information Act, those acts shall prevail. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

**Section 14.12.215 Inspection.**

A. The Director may inspect any user facilities to ascertain whether the requirements of this Chapter are being met. Persons on the premises shall allow the Director ready access at all reasonable times to all parts of the premises for the purpose of inspection, photography or electronic image recording, sampling, and records examination of any facility, equipment (including monitoring and pollution control equipment), practices or operations regulated or required by an Industrial User Permit or other control document, RMC Chapter 14.12, or the City's NPDES Storm Water Permit.

B. The user shall ensure that there is always a person on site, during normal
business hours, that has knowledge of the user's processes and activities to accompany the Director during the inspection.

C. The user shall provide immediate access when the Director believes an emergency exists, regardless of the hour of the day.

D. All pretreatment equipment shall be immediately accessible at all times for inspection. At no time shall any material, debris, obstacles or obstructions be placed in such a manner that will prevent immediate access to the pretreatment equipment.

E. No person shall interfere with, delay, resist or refuse entrance to the Director when attempting to inspect any facility involved with a discharge into the City's POTW or storm drain.

F. The user shall make all necessary arrangements with the user's security personnel so that, upon presentation of suitable identification, personnel from the City will be permitted to enter, without delay, for the purpose of performing their specific responsibilities.

G. The user shall make all records required to be kept under the provisions of this Chapter available for copying by the Director. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)


If the Director is refused inspection access to a building, structure, or property, or any part thereof, the Director may obtain an inspection warrant pursuant to Code of Civil Procedure section 1822.50 et seq. No warrant is required in the event of an emergency threatening the public health or safety or the City’s POTW. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.225 Monitoring.

A. At the direction of the Director, any user discharging wastewater into the POTW may be required to install sampling station(s) or measuring device(s) to measure the quality and quantity of wastewater discharged or to obtain samples. Measuring devices may include, but are not limited to: flow meters and recorders, pH meters and recorders, electrical conductivity meters and recorders, process water meters, and automatic wastewater samplers.

B. The sampling station and/or measuring device shall be provided by the user in compliance with this Chapter and all applicable building, plumbing, and construction codes. The City may require that the measuring devices have a security closure that can be locked with a City lock. Construction shall be completed within a reasonable time as required in written notification from the Director.

C. The Director may temporarily install upon the user's property devices to conduct wastewater sampling, compliance monitoring or metering operations.

D. No user shall interfere with, delay, resist, or refuse entrance to authorized City personnel installing wastewater monitoring equipment on the user's property. Any permanent or temporary obstruction prohibiting direct access to the sampling station or measuring device shall be immediately removed by the user or property owner at the written or verbal request of the Director and shall not be replaced.

E. The sampling station or measuring devices shall be maintained for continuous sampling or metering. The measuring devices shall be calibrated as often as necessary to ensure accurate measurements according to manufacturer's specifications. All maintenance and calibration work shall be performed at the user's expense.

F. All users that self-monitor shall have all samples collected and analyzed according to 40 CFR 403.12(b)(5).

G. All user sampling and analysis must comply with 40 CFR part 403.12(b)(5). The laboratory must be certified by the State of California, Department of Health Services as being competent to perform the pollutant analyses requested, shall perform all laboratory analyses.
and must be acceptable to the Director. All samples must have the following information:

1. The date, exact place, method, and time of sampling and the names of the person or persons taking the samples;
2. The dates the analyses were performed;
3. Who performed the analyses;
4. The analytical techniques/methods used;
5. The results of such analyses;
6. A copy of the laboratory sample analysis sheet; and
7. The user’s completed monitoring report form.

H. All users required to install and maintain measuring devices shall immediately report the failure of such devices. The immediate notification shall be by telephone call, telefax transmission, electronic report, personal visit, or a hand-delivered notification to the City’s Environmental Compliance Office. Within five calendar days after discovery of the failure, the user shall submit a written report to the Director documenting the dates, times, and cause of the failure, and the corrective actions taken.

I. Any wastewater samples taken from a user’s approved or designated sampling location shall be considered representative of the wastewater discharged to the POTW. For users that have interceptors, but no approved or designated sampling location, the last chamber of the interceptor shall be the designated sampling location.

J. All users required to self-monitor shall report to the Director pollutant violations from any required wastewater sample within twenty-four hours of becoming aware of the violation. The reporting may be by telephone call, telefax transmission, electronic report, or a personal visit to the City’s Environmental Compliance Office. The violation report shall contain the date and time of the sample, the daily discharge flow for the sample, possible explanations for the violation, and the date scheduled for the required resample. Failure to report pollutant violations as stated is a violation of this Chapter and may subject the user to enforcement actions.

K. All users required to take daily twenty-four hour readings of their wastewater effluent flow shall notify Director of exceedance of its permitted flow within twenty-four hours of discovering the exceedance by telephone call, telefax transmission, electronic report, personal visit, or a hand delivered notification, to the City’s Environmental Compliance Office or file a monthly report indicating the days of the month when the permitted flow was exceeded and the reason for the exceedance. The monthly report shall be submitted to the City’s Environmental Compliance Office by the fifth business day following the end of the preceding month. The flow exceedance notice shall have the total flow, date of the violation, the reason for the flow exceedance, and the name of the person reporting the flow exceedance. Failure to report such flow exceedance is unlawful and may subject the user to enforcement actions.

L. All users with a discovered pollutant violation shall resample their wastewater discharge for that pollutant. This mandatory resampling is independent of any other wastewater sampling requirement. User shall submit the laboratory results from the resamples, all required forms and a written explanation detailing the cause(s) and correction action(s) of the violation to the Director no later than forty-five calendar days after the user discovers or becomes aware of the violation. Failure to submit the laboratory results and all required documents within the forty-five-day requirement shall result in Significant Noncompliance for the user and the issuance of a Notice of Violation to the user.

M. All users whose wastewater discharge is monitored by the City shall be responsible for all resampling requirements contained in subsection L of this Section when a pollutant violation is detected. The City shall notify the user of the resampling requirements by a telephone call, telefax transmission, or personal visit within seventy-two hours of confirming a pollutant violation.

N. All users which desire to conduct their own wastewater sampling shall submit a
written plan describing the equipment used, equipment cleaning methodology, employee training, sample preservation methods, and chain of custody procedures. The user’s wastewater sampling plan must be approved by the Director prior to the implementation of the plan. Any sample taken by a user without an approved plan or from an unapproved laboratory shall not be valid and may subject the user to enforcement actions.

O. All users are required to submit all monitoring results including non-permit required samples according to 40 CFR 403.12(g) sampled at the appropriate sample point within fifteen calendar days of receiving the sample or monitoring results.

P. All permitted users that take more than one grab sample in a single calendar day to demonstrate compliance with oil and grease shall also comply with the following conditions:
1. A minimum of four grab samples separated by a minimum of two hours each shall be taken in a single calendar day;
2. Each individual oil and grease grab sample shall be analyzed separately and the analytical results from each sample shall be averaged;
3. No single oil and grease grab sample shall exceed the user’s permitted limit by more than forty percent; and
4. The average result from all individual oil and grease grab samples taken in a single calendar day shall not exceed the user’s permitted limit. (Ord. 7099 §2, 2010; Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.230 Record Keeping.
All users shall keep records of waste hauling, reclamations, wastewater pretreatment, monitoring device recording charts and calibration reports, effluent flow, sample analysis data, and, at the discretion of the Director, BMP effectiveness, on the site of the wastewater generation. All these records are subject to inspection and copy by Director. All records must be kept on the site of the wastewater generation for a minimum period of three years. The record retention period may be extended beyond three years in the event criminal or civil action is taken or an extensive user history is required. Records required by company or corporate policy to be kept off-site shall be telefaxed or submitted electronically to the Environmental Compliance Office within seventy-two hours of the records request. Failure to submit the records as required is a violation of this Chapter and may result in enforcement actions. (Ord. 7150 §1, 2011; Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Any industrial user who discharges twenty-five thousand gallons per day or more of industrial wastewater, or as required by the Director, shall install a continuous monitoring flow meter capable of measuring the industrial user’s entire industrial wastewater discharged to the POTW. The user shall record and log the flow on a daily basis. The flow meter shall conform to standards issued by the Director. The user shall report the flow meter type and size to the Director before installation. The flow meter shall be equipped with a non-resetting flow totalizer and a paper chart recorder that records the time, day, date and volume of discharge. All flow meters shall be calibrated as often as necessary to ensure accuracy of the actual flow discharged, within plus or minus five percent. All flow meter installations shall have the flow meter size, type, totalizer units, and flow multipliers posted in a conspicuous place near the flow meter recorder. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

A. No user that generates liquid infectious waste other than domestic wastewater shall discharge to the POTW without first obtaining written permission from the Director. Such a user shall submit a written request to the Director that shall include:
1. The source and volume of the infectious waste;
2. The procedures and equipment used for waste disinfection; and
3. Employee training procedures for the legal disposal of infectious waste.

B. If the Director believes that the waste would not be completely disinfected, the Director shall issue a written denial to the user and state the reasons for the denial. This denial shall be issued within thirty days from receipt of the written request.

C. If the Director believes that complete disinfection of the waste can be achieved prior to discharge of the waste to the POTW, then a conditional approval may be granted for the disposal of the waste. A letter of approval shall be sent to the user within thirty days of receipt of the written request.

D. If the user is granted permission for disposal, the user:
   1. Shall completely disinfect the liquid waste prior to discharge to the POTW as outlined in the approval letter;
   2. Shall not dispose of solid infectious waste to the POTW, including hypodermic needles, syringes, instruments, utensils or other paper and plastic items of a disposable nature, or any portions of the human or animal anatomy whether whole, part, or ground; and
   3. Shall be subject to periodic inspections to verify that all disinfection methods, procedures, and practices are being performed. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.245 Water Softeners.

A. No user shall install, replace, enlarge, or use any regenerative-type water softener unless the apparatus complies with the following conditions:
   1. The apparatus is a self-generating water softener;
   2. The brine solutions generated during the backwash cycles of the water softener shall be segregated from the fresh water rinses for disposal to a legal brine disposal site;
   3. The backwash equipment shall be equipped with an electrical conductivity controlled discharge valve that controls the wastewater discharge to the POTW. This valve shall be calibrated to control and prevent any discharge of wastewater that exceeds the maximum total dissolved solids concentration established by resolution; and
   4. The user shall maintain the electrical conductivity controlled discharge valve in proper operating conditions at all times. In the event of a valve failure, the user shall immediately cease the regeneration discharge and immediately notify the Director of the failure by telephone call, telefax transmission, electronic report, personal visit, or a hand delivered notification, to the City's Environmental Compliance Office. Within five calendar days after discovery of the failure, the user shall submit a written report to the Director documenting the dates, times, and cause of the failure, and the corrective actions taken.

B. Pursuant to California Health and Safety Code Sections 116775-116795, no residential water softening or conditioning appliance may be installed except in the following circumstances:
   1. The regeneration is performed at a nonresidential facility separate from the location of the residence where such appliance is used; or
   2. The regeneration discharges to the waste disposal system of the residence where such appliance is used and the following conditions are satisfied:
      a. The appliance activates regeneration by demand control;
      b. An appliance installed on or after January 1, 2000, shall be certified by a third party rating organization using industry standards to have a salt efficiency rating of no less than three thousand three hundred fifty grains of hardness removed per pound of salt used in generation. An appliance installed on or after January 1, 2002, shall be certified by a third party rating organization using industry standards to have a salt efficiency rating of no less than four thousand grains of hardness removed per pound of salt used in generation;
c. The installation of the appliance is accompanied by the simultaneous installation of the following softened or conditioned water conservation devices on all fixtures using softened or conditioned water, unless such devices are already in place or are prohibited by local and state plumbing and building standards or unless such devices will adversely restrict the normal operation of such fixtures:

i. Faucet flow restrictors.
ii. Shower head restrictors.
iii. Toilet reservoir dams.
iv. A piping system installed so that untreated (unsoftened or unconditioned) supply water is carried to hose bibs and sill cocks which serve water to the outside of the house, except that bypass valves may be installed on homes with slab foundations constructed prior to the date of installation; or condominiums constructed prior to the date of installation; or otherwise where a piping system is physically inhibited.

C. The certification required under Subsection B of this Section shall be provided by the new user of the appliance and shall be completed by a contractor having a valid Class C-55 water conditioning contractor's license or Class C-36 plumbing contractor's license and filed with the City's Building Division. The certification form shall contain all of the following information:

1. Name and address of homeowner;
2. Manufacturer of the water softening or conditioning appliance, model number of the appliance, pounds of salt used per regeneration, and salt efficiency rating at the time of certification;
3. Manufacturer of the water-saving devices installed, model number, and number installed; and
4. Name, address, and the specialty contractor's license number of the C-55 and C-36 licensee making the certification.

D. Any person installing or operating a water conditioning apparatus of any kind shall make such apparatus accessible to the Director for inspection at reasonable times.

E. Notwithstanding Subdivision 2 of Subsection B. of this Section, the City may limit the availability, or prohibit the installation, of residential water softening or conditioning appliances that discharge to the POTW if Director makes all of the following findings:

1. The POTW is not in compliance with the terms of its NPDES permit;
2. Limiting the availability or installation of the appliances is the only available means of achieving compliance with waste discharge requirements issued by the Regional Board; and
3. All nonresidential sources are limited to the volumes and concentrations of saline discharges to the POTW to the extent technologically and economically feasible.

F. Notwithstanding Subdivision 2 of Subsection B of this Section, the City may limit the availability, or prohibit the installation, of residential water softening or conditioning appliances that discharge to the POTW if Director makes all of the following findings:

1. The POTW is not in compliance with water reclamation requirements, or a master reclamation permit, issued by the California Regional Water Quality Control Board pursuant to Article 4 (commencing with § 13520) of Chapter 7 of Division 7 of the Water Code;
2. Limiting the availability or prohibiting the installation of the appliances is the only available means of achieving compliance with the water reclamation requirements or the master reclamation permit issued by the Regional Board; and
3. All nonresidential sources are limited to the volumes and concentrations of saline discharges to the POTW to the extent technologically and economically feasible. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)
Section 14.12.250 Drain Screen Requirements.

Any user that has floor drains, floor sinks, drains, mop sinks, can washes or any other drain designed to convey wastewater to the sewer system, shall have a screen in place in said drains capable of excluding all particles greater that three-eighths of an inch in any dimension. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)


No user that operates or maintains a facility for the servicing or repair of roadway machinery, industrial transportation equipment, motor vehicles, public or private transportation vehicles, and any other facility as required by the Director, shall discharge wastewater to the POTW without a gravity separation interceptor (“interceptor”) that complies with all of the requirements of Sections 14.12.255 through 14.12.270. Domestic wastewater shall not be allowed to pass through the interceptor. The Director shall determine the interceptor's operational fluid capacity. The interceptor shall have a minimum operational fluid capacity of not less than one hundred gallons, and shall be designed to retain any material that will float or any material that will settle and shall meet all the requirements of Section 14.12.260 of this Chapter. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)


A. The interceptor shall be watertight, structurally sound, durable, and shall have a minimum of two chambers, excluding sample box if so equipped, with a separate ring and cover for each chamber. The sample box, if the interceptor is so equipped, shall also have a separate ring and cover. All rings shall be affixed to the interceptor to insure a gas and watertight seal.

B. Each interceptor cover shall expose and provide access to each chamber's inlet tee, outlet tee, and/or mid-wall tee.

C. All interceptor chambers shall be immediately accessible at all times for inspection, sampling, cleaning, and maintenance. The user shall provide a separate ring and cover for each separate interceptor chamber, including sample box and any additional covers to insure adequate cleaning and inspection capabilities. All rings shall be affixed to the interceptor to insure a gas and watertight seal. At no time shall any material, debris, obstacles or other obstructions be placed in such a manner that will prevent immediate access to the interceptor.

D. Any interceptor legally and properly installed before the effective date of this Chapter shall be acceptable as an alternative to the interceptor requirements of this Chapter providing that the interceptor shall be effective in removing floatable and settleable material and shall be immediately accessible for inspection, sampling, cleaning, and maintenance.

E. All drains and openings connected to an approved gravity separation interceptor shall be equipped with screens or devices which will exclude from the wastewater discharge all material and particles with a cubic dimension greater than three-eighths of an inch in any dimension.

F. All gravity separation interceptors shall be equipped with an influent tee extending no more than six inches below the operating fluid level of the interceptor. The interceptor shall also have tees extending to within twelve inches of the bottom at the exit side of each chamber in the interceptor, including the final chamber. In a case where a manufacturer's engineered interceptor design is contrary to this requirement, the Director shall review the design and either approve or deny an exemption to this requirement.

G. All interceptors shall be equipped with a sample box or sample wye as determined by the Director.

H. No user shall install or use any elbows or tees in any interceptor sample box.

I. No user shall install any interceptor, sample box, or sample wye in a confined space or a permit-required confined space.
J. At all times, all drain lines leading to the interceptor shall be kept free of any debris or material that may cause a drain line blockage.

K. If the Director finds, either by engineering knowledge or by observation, that an interceptor is incapable of adequately retaining floatable and settleable material in the wastewater flow, is structurally inadequate, or is undersized for the facility, the Director may reject such interceptor and declare that the interceptor does not meet the requirements of this Section. The user shall thereupon be required to, modify or repair the interceptor, or install an adequate interceptor, acceptable to the Director at the user's expense. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)


The Director shall maintain a file, available to the public, of suitable interceptor designs. This file shall be for informational purposes only and is not an endorsement of any kind. Installation of an interceptor of a design shown in this file, or of any design meeting the size requirements set forth in this Chapter, shall not subject the City to any liability for the adequacy of the interceptor under actual conditions of use. The user and property owner shall not be relieved of the responsibility for keeping floatable and settleable material out of the POTW. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.270 Interceptor Maintenance.

A. Any person who owns or operates an interceptor shall properly maintain it at all times. The interceptor shall be cleaned as often as necessary to ensure that sediment and floating materials do not accumulate to impair the efficiency of the interceptor and odors do not cause a public nuisance. An interceptor is not considered to be properly maintained, if for any reason the interceptor is not in good working condition or if the operational fluid capacity has been reduced by more than twenty-five percent by the accumulation of floating material, sediment, oil or grease, or other liquids that have limited or no solubility in water.

B. The use of chemicals, enzymes, proteins or other materials to emulsify, suspend, or dissolve oil and grease is prohibited. If a user is found using any of these materials, the materials may be confiscated without restitution to the user and the user may be subject to enforcement actions.

C. No user shall use any microbiological product in a grease interceptor that was not specifically designed to use such microbiological agents to metabolize fats, oils, and greases. If a user is found using any of these materials, the materials may be confiscated without restitution to the user and the user may be subject to enforcement actions.

D. When an interceptor is cleaned, the entire contents of the interceptor from all chambers and sample box shall be removed. The removed sediment, solids, liquid and floating material shall not be reintroduced or decanted into the interceptor, sample box, sewer cleanout, other interceptor or other unlawful opening of a collection system or private sewer systems and shall be lawfully disposed of other than to the private sewer systems, POTW or storm drain, and shall not be reintroduced into the interceptor or discharged into another interceptor at another location not designed and permitted to accept such waste. The City's grease wastewater receiving station is an authorized disposal site at the City's treatment plant for disposal of grease interceptor wastewater from authorized companies.

E. If the interceptor is not maintained adequately, then the interceptor shall be resized and the user shall install one that is effective in accomplishing the intended purpose, or the City may require a mandatory pumping schedule for the interceptor. Failure to pump the interceptor as required is a violation of this Chapter and may subject the user to enforcement action.

F. The owner and lessee, sub-lessee, proprietor, operator and superintendent of any facility, required to install an interceptor or use an existing interceptor are individually and
Section 14.12.275 Restaurants.

A. No person who owns, operates, or maintains a restaurant (restaurant user) shall discharge wastewater from such restaurant to the POTW without first receiving a written determination from Director, and complying with such determination, of the POTW interceptor requirements. Restaurant users shall complete and submit a Wastewater Discharge Survey Form and conditional waiver to the Director for review of interceptor requirements. Within ten business days of receipt of the Wastewater Discharge Survey Form, Director shall notify such restaurant user of Director’s determination whether an interceptor is required prior to discharge into the POTW. It is unlawful for any restaurant user notified by the Director as needing an interceptor to discharge restaurant wastewater into the POTW without use of a grease interceptor.

B. The Director shall calculate the size of the interceptor in accordance with the Uniform Plumbing Code, Appendix H until January 1, 2008, and Chapter 10, Table 10-3 thereafter, as adopted by the City, provided that any restaurant determined to require an interceptor of more than one hundred gallons and less than seven hundred fifty gallons shall install a minimum seven hundred fifty gallon interceptor. The Director’s determination shall consider the type of restaurant, the condition of the collection system serving the restaurant, and the possible adverse affects caused by the restaurant’s wastewater discharge.

C. Any restaurant user required to install an interceptor shall direct all wastewater and waste from floor drains, floor sinks, sinks, waste container wash racks, dishwashers, mop sinks, utility sinks and garbage grinders through an approved interceptor complying with this Chapter. The user shall keep all domestic wastewater from restrooms, showers, drinking fountains, and condensate, soda machines, bar sinks, (i.e., ice melt, air conditioning condensate) separate from the restaurant wastewater until the restaurant wastewater has passed through all interceptors, pretreatment equipment, devices, or monitoring stations.

D. All restaurant users shall separate, to the maximum extent practicable, all fats, oils, and greases from the restaurant wastewater for off-site disposal. Each restaurant user shall store these separated wastes in accordance with all applicable laws, rules, policies and regulations, including the Riverside County Department of Environmental Health and this Chapter.

E. All floor sinks, floor drains, and drains shall be equipped with screens or devices that shall exclude from the wastewater discharged all particles larger than three eighths of an inch in any dimension.

F. Any restaurant user required to install an interceptor shall maintain the interceptor in accordance with Section 14.12.270. (Ord. 7099 §3, 2010; Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.280 Prohibited Restaurant Surface Discharges.

A. No restaurant user shall discharge any wastewater to a storm drain, service dock areas, parking lot, or ground. All wastewater generated by restaurants, including trash enclosure wash/rinse water and drive through wash/rinse water, shall be disposed of to sewer through an approved gravity separation interceptor, or a sample station connected to sewer, or hauled off-site and disposed of at a legal disposal site.

B. If a restaurant has a blocked sewer lateral or a failed sewage pumping device which causes the discharge of the wastewater to the storm drain, service dock areas, parking lot, drive through areas, or ground, the restaurant user shall immediately cease all activities causing that discharge and immediately contact a plumber to have the discharges collected and if necessary
have laterals cleared, televised and repaired. Failure to comply with this requirement shall be considered a violation of this Chapter and shall subject the restaurant user to enforcement actions. If the City determines that public safety requires immediate action and the restaurant owner is unable to or unwilling to arrange for a pumping company and plumber, the city may in its discretion contact a pumping company and plumber to mitigate the violation and charge the restaurant user for all associated costs. (Ord. 7099 § 4, 2010; Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Notwithstanding Section 14.12.275 Subsection B, the Director may conditionally waive the interceptor requirements for any restaurant user determined in the Director’s discretion not to pose adverse effects on the POTW. The Director may revoke such conditional waiver and require the installation of an appropriately sized grease interceptor for the following reasons:
A. Changes in menu;
B. Falsification of information submitted in the City’s wastewater discharge survey form;
C. Changes in operating hours;
D. Changes in maximum seating capacity;
E. Changes in maximum meals served per peak hour;
F. Changes in equipment used;
G. Changes in the nature of the wastewater discharged as determined by random and scheduled wastewater sampling and analyses; or
H. Any overflows caused by the restaurant user’s wastewater discharge. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.290 Wastewater Discharge Survey.
The Director may require a non-residential user that has a sewer connection to the POTW or a storm drain connection to the City’s storm drain system to complete a Wastewater Discharge Survey. The purpose of the survey is to gather information to determine if an Industrial User Permit or other control document is necessary and to provide current information about the user. Failure to complete and return a required survey may subject the user to enforcement actions. (Ord. 7032 §2, 2009; Ord. 6637 § 2 (part), 2002; Ord. 6232 § 2 (part), 1995)

A. It is unlawful for any Liquid Waste Hauler to discharge to the City’s designated disposal site without a current City Liquid Waste Hauler's permit, a current City business license, Riverside County Department of Environmental Health Liquid Waste Hauler Permit, and decal, or to otherwise fail to comply with the provisions of this Chapter. The City shall only accept domestic wastewater from Liquid Waste Haulers. No other waste shall be accepted or discharged to the City’s POTW. No truck or trailer vacuum tank that exceeds 6,000 gallons in volume shall be permitted unless the truck or trailer has been modified to only contain 6,000 gallons of total volume at all times.
B. No person shall violate any term or condition of a City Liquid Waste Hauler Permit, Liquid Waste Hauler Permit conditions may include, but are not limited to, the following:
1. Liquid Waste Hauler’s obligation to comply with all permit terms and conditions;
2. Liquid Waste Hauler’s obligation to comply with the terms of this Chapter;
3. Liquid Waste Hauler’s obligation to comply with the Riverside County Health Department's applicable rules and regulations regarding cleanliness and sanitary conditions;
4. Restrictions on operating hours for City’s designated disposal site;
5. The revocation, suspension, or placement on probation of the permit and imposition of other enforcement actions against the Liquid Waste Hauler for violation of the permit terms or conditions, or of this Chapter;

6. Record keeping and reporting requirements;

7. The obligation to notify the Director immediately of any unusual circumstances observed during liquid waste pumping operations;

8. Compliance with all applicable California Motor Vehicle Codes; and

9. Other conditions, limitations or prohibitions deemed appropriate by the Director.

C. The City’s RWQCP is the only designated Liquid Waste Haulers disposal site.

D. No person shall be issued a City Liquid Waste Hauler Permit without first:

1. Paying all applicable Liquid Waste Hauler Permit fees, established by resolution of the City Council; and

2. Completing and submitting to the City an application for a City Liquid Waste Hauler Permit signed under penalty of perjury certifying that the following information provided by Liquid Waste Hauler is true and correct:

a. Name, address, and phone number of the Liquid Waste Hauler;

b. Number of vehicles (vehicles include trucks, tankers and trailers), gallon capacity, license plate number, registered owner's name, and make and model, of each vehicle operated by the Liquid Waste Hauler for the purpose of hauling liquid wastes;

c. Name of the Liquid Waste Hauler's authorized representative;

d. Name and policy number of the Liquid Waste Hauler's insurance carrier and bonding company, if applicable;

e. The number of the current permit issued to the Liquid Waste Hauler by the Riverside County Department of Environmental Health for transportation and disposal of liquid wastes; and

f. Such other information as may be required by the Director.

E. City issued Liquid Waste Hauler Permits shall be valid for one to three years, and the Director may impose additional, or modify or delete permit terms and conditions at any time during the duration of the permit.

F. Liquid wastes disposed at the City's designated disposal site shall be subject to inspection, sampling and analysis to determine compliance with all applicable provisions of this Chapter by authorized personnel who may perform or supervise such inspection, sampling and analysis at any time before or during the delivery of the liquid waste. If the City finds the wastes do not comply with this Chapter, the Liquid Waste Hauler shall pay the City for all of the City's costs associated with such inspection, sampling, and analysis, and any other fees, charges or penalties assessed by the Director.

G. No Liquid Waste Hauler shall discharge or cause to be discharged into the City's designated disposal site any material defined as hazardous by RCRA.

H. If the City determines the wastes contain hazardous substances, then the Liquid Waste Hauler shall remain at the City's designated disposal site until the hazardous substances is transferred to a waste hauler lawfully authorized to transport and dispose of the hazardous substances. The Director may notify the appropriate law enforcement agency of all violations of this Section.

I. All liquid waste manifest forms shall be completed in full and signed by the Liquid Waste Hauler, and signed by the Director, before any load is discharged into the City's designated disposal site.

J. Providing false information to the City in any permit application, hauler's report or manifest, or correspondence is a violation of this Chapter.

K. Liquid Waste Haulers shall retain all reports and records required to be retained by this Chapter for a minimum of three years and shall make such reports and records immediately available to the City upon request.
L. A Liquid Waste Hauler shall pay all fees, charges and penalties imposed by the Director pursuant to this Chapter within thirty days of receiving notice to pay such fees, charges, or penalties.

M. Only domestic liquid wastes, from septic tanks, seepage pits, cesspools, or any other similar receptacles, that contain no industrial waste, shall be disposed of at the City's designated disposal site.

N. Any Liquid Waste Hauler that hauls both industrial wastes and domestic wastes shall remove all industrial waste contamination from the interior of the vacuum tank prior to loading any domestic wastes into such tank.

O. Liquid Waste Haulers are prohibited from discharging industrial waste into the POTW. No Liquid Waste Hauler shall mix industrial waste and domestic wastes to discharge the mixture to the City's designated disposal site.

P. Any Liquid Waste Hauler seeking to discharge to the City's designated disposal site shall first certify under penalty of perjury as to the origin of the wastes and shall provide documentation as to the address of any location(s) where the Liquid Waste Hauler obtained the wastes.

Q. If the wastes hauled by a Liquid Waste Hauler are found unacceptable for discharge into the POTW, the Liquid Waste Hauler shall dispose of the wastes at a legal disposal site. The Liquid Waste Hauler shall provide the City with a true and correct copy of the waste hauler's manifest documenting the legal disposal of the rejected wastes within fourteen calendar days from the date the wastes were rejected by the City.

R. No Liquid Waste Hauler shall mix or dilute any rejected load in order to achieve compliance with this Chapter without prior written authorization from the Director.

S. No Liquid Waste Hauler shall dispose of any rejected load into any septic tank, cesspool, seepage pit or similar devices, any grease interceptor or trap, any storm drain, or the POTW except as authorized in writing by the Director.

T. The Director may deny a Liquid Waste Hauler Permit for any of the following reasons:
   1. The applicant knowingly falsified information on the application or any document required by the application;
   2. The applicant's previous Liquid Waste Hauler Permit was suspended or otherwise revoked and the condition upon which such action was taken still exists; or
   3. The applicant is not current on all disposal and permit-related reports and charges.

U. If an application is denied, then the Director shall notify the applicant in writing of such denial and the appeal procedures. The notification shall state the grounds for such denial and any actions required for the applicant to obtain a permit.

V. All Liquid Waste Hauler Permits issued may be revoked, suspended or placed on probation up to one year upon a finding by the Director that any of the following facts exist:
   1. The permittee failed to display the authorization document upon request;
   2. The permittee has changed, altered or otherwise modified the face of a permit or authorization document without the permission of the Director;
   3. The permittee has violated any term or condition of the permit;
   4. The permittee has falsified any application, record, report or monitoring results required to be maintained, has failed to make them immediately available to the Director upon request, or has withheld required information;
   5. The permittee failed to stop immediately the discharge from his or her truck into the designated disposal facilities of the City upon the order of any authorized Public Works Department employee;
   6. The permittee discharged or attempted to discharge hazardous substances into the designated disposal site;
7. The permittee failed to comply with the terms of Subsection H of this Section;
8. The permittee discharged or attempted to discharge industrial waste into the designated disposal site;
9. The permittee has repeatedly filed documents with falsified or incorrect information;
10. The permittee has discharged or attempted to discharge waste to the City's designated disposal site, that has been previously rejected by another regulatory agency, municipality, or entity having authority to grant permission for the disposal of the waste, and has failed to notify the Director of the rejected status of the waste;
11. The permittee has done physical violence or harm to any City employee; or
12. The permittee has made threatening remarks or threatening acts toward any City employee.

W. Any Liquid Waste Hauler Permit which has been revoked, suspended or placed on probation pursuant to this Section may be reinstated upon a finding by the Director that the condition which resulted in such revocation, suspension or probation no longer exists.

X. Upon Director's determination of a violation of this Chapter, the Liquid Waste Hauler shall be subject to the enforcement actions set forth in this Section and Part IV of this Chapter, and to such enforcement actions contained in the Liquid Waste Hauler Permit as necessary to protect the POTW, the public, the environment or City employees.

Y. Any authorized POTW employee can order a Liquid Waste Hauler to immediately stop their discharge. The order shall be based on the employee's professional judgment that the discharge may violate this Chapter, threaten or harm the POTW, its employees, the public, or the environment.

Z. Liquid Waste Hauler Permits are exclusive to that permittee. Transfer or assignment of a permit is prohibited and will void the current permittee's permit. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.300 Mobile Pressure Washers.
All Mobile Pressure Washers shall obtain an authorization certificate and/or permit from the City before conducting business within the City’s jurisdiction. Failure to obtain authorizations and/or a permit from the City prior to operating in the POTW service area is a violation of this Chapter and may subject the user to enforcement actions. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.305 Use of or Damage to City Equipment or Facilities.
A. No person shall use, enter, break, damage, destroy, uncover, deface or tamper with any temporary or permanent structure, equipment, or appurtenance which is part of the POTW without prior written approval by the Director.
B. Any person who discharges or causes the discharge of any wastewater or pollutant which detrimentally affects the POTW, sludge, or causes any other damage, including subjecting the City to any fines or penalties, shall be liable to the City for all damages and costs incurred by the City, including administrative expenses. The City shall calculate its administrative expenses as ninety percent of the cost of repairs and personnel time expended by the City to remedy such damages and costs. All charges shall be payable to the City within thirty days of invoicing by the City. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; §2 Ord. 6232 §2 (part), 1995)

Section 14.12.310 Spill Notification.
All users shall notify the City immediately upon occurrence of an accidental discharge of substances prohibited by Sections 14.12.280, 315, 335, 375, and 400 of this Chapter (a “spill”) or any slug discharges that may enter the POTW or storm drain, storm water channel, or natural water course. During normal business hours, M-F 7:30 a.m. to 4:30 p.m., the City shall be
notified by telephone at (951) 351-6145. After 4:30 p.m. M-F, on all holidays and weekends, the City shall be notified by telephone at (951) 351-6140. The notification shall include the date, time and location of the discharge, type of waste, including concentration and volume, and corrective actions taken. This notification does not relieve the user from any other reporting requirements of any other laws. Within five calendar days following a spill or slug discharge, the user shall submit a detailed written report to the City including:

A. A description and cause of the event, and the impact on the user’s compliance status;
B. The location, type, concentration, and volume of the spill or slug discharge;
C. The duration of the event including exact dates and time of noncompliance, and if noncompliance continues, the time by which compliance is reasonably expected to be achieved;
D. The description of the remediation or cleanup methods and disposal; and
E. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such upset, slug load, accidental, negligent, or intentional spill or other conditions of noncompliance.

(Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.315 Surface Discharge Prohibitions.

A. No person shall discharge or cause to be discharged onto the ground, into any permeable sump, pit, or well, storm drain, surface, pipe or waterway leading to a storm drain, whether currently carrying water or not, any pollutant or wastewater which could:
1. Impair the useful function of the storm drain;
2. Cause undue storm drain maintenance expense to the City or other public agency;
3. Create a public nuisance or public hazard;
4. Pollute natural surface or subsurface waters; or
5. Violate any regulation, order, or requirement of the Regional Board, including NPDES Non-Point Source (Storm Water) Permit requirements.

B. Any person violating Subsection A of this Section shall be liable to the City for all damages and costs incurred by the City, including administrative expenses and fines. The City shall calculate its administrative expenses as ninety percent of the cost of repairs and personnel time expended by the City to remedy such damages and costs. All charges shall be payable to the City within thirty days of invoicing by the City.

C. Any person who has violated Subsection A of this Section shall submit a written report of the incident within five business days to the Director. The written report shall include a description of the circumstances causing the discharge, the quantity and qualities of the pollutant(s) discharged the methods of cleanup and disposal, and the corrective measures taken to prevent a reoccurrence.

D. Any user discharging wastewater to the storm drain shall employ effective BMPs to prevent or reduce the discharge of pollutants to the storm drain. The City may require documentation on the effectiveness of BMPs implemented to reduce the discharge of pollutants to the storm drain. (Ord. 7150 §2, 2011; Ord. 7032 §2, 2009; Ord. 6637 §2, 2002; Ord. 6398 §2 (part), 1997; Ord. 6232 §2 (part), 1995)

Section 14.12.320 Point of Discharge Limitation.

No person shall discharge any wastewater directly into a manhole or other opening in a collection system other than through an approved building sewer connection without prior written permission from the Director. This prohibition shall not apply to authorized City personnel carrying out their duties. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)
Section 14.12.325 Time Limits.
Any time limit provided in any written notice or any provision of this Chapter may be extended only by a written directive of the Director and upon a showing of good cause from the user. (Ord. 7032 §2, 2009; Ord. 6637 § 2 (part), 2002; Ord. 6232 § 2 (part), 1995)

III. Industrial Waste

Any user who discharges industrial wastewater to the POTW shall keep domestic wastewater separate from all industrial wastewater until the industrial wastewater has passed through all required pretreatment equipment or devices, or the user's industrial wastewater sample point(s). For existing Categorical Industrial Users which cannot separate the domestic wastes from the industrial wastes prior to a permitted sampling point, the combined waste stream formula shall be applied to determine applicable discharge limitations. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.335 Prohibited Waste Discharges.
Except as provided herein, no person or user shall discharge or cause to be discharged any of the following to the POTW:
A. Any earth, sand, rocks, ashes, cinders, spent lime, stone, stone cutting dust, carbon fines, ion-exchange resin fines, gravel, plaster, concrete, glass, metal filings, metal or plastic objects, garbage, grease, viscera, paunch manure, bones, hair, hides, or fleshings, whole blood, feathers, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing fuel or lubrication oil and similar substances, or solid, semi-solid or viscous material in quantities or volume which may obstruct, either partially or completely, the flow of sewage in the collection system or any object which may cause the blockage, either partially or completely, of a sewer or sewage lift pump, or interfere with the normal operation of the POTW.
B. Any compound which will produce noxious odors in the sewer or wastewater treatment facilities.
C. Any portions of human or animal anatomy whether whole, part, or ground.
D. Any solids, liquids, gases, devices, or explosives which by their very nature or quantity are or may be, sufficient either alone or by interaction with other substances or sewage to cause fire or explosion hazards, exceed ten percent of the LEL at the point of discharge or in the collection system, or in any other way create imminent danger to the City's wastewater personnel or POTW, the environment or public health.
E. Any wastewater or material with a closed cup flash point of less than one hundred forty degrees Fahrenheit or sixty degrees Celsius using the test methods specified in 40 CFR 261.21.
F. Any overflow from a septic tank, facility wastewater holding tank, cesspool or seepage pit, or any liquid or sludge pumped from a septic tank, facility wastewater holding tank, cesspool or seepage pit, except as permitted by the Director.
G. Any discharge from the wastewater holding tank of a recreational vehicle, trailer, bus and other vehicle, except as may be permitted by the Director.
H. Any storm water, groundwater, street drainage, subsurface drainage, yard drainage or runoff from any field, roof, yard, driveway or street. The Director may approve, on a temporary basis, the discharge of such water only when no reasonable alternative method of discharge is available.
I. Any substance or heat in amounts that will inhibit biological activity in the City's POTW resulting in interference or which will cause the temperature of the sewage in any public sewer to be higher than one hundred forty degrees Fahrenheit. In no case shall any substance
or heat be discharged to the sewer that will raise the treatment plant’s influent higher than one hundred four degrees Fahrenheit (forty degrees Celsius).

J. Any radioactive waste in excess of federal, state or county regulations.

K. Any material or quantity of material that will cause:
   1. Damage to any part of the POTW;
   2. Abnormal maintenance of the POTW;
   3. An increase in the operational costs of the POTW;
   4. A nuisance or menace to public health;
   5. Interference or pass through in the treatment plant, its treatment processes, operations, sludge processes, use or disposal; or
   6. A violation of the NPDES permit.

L. Any quantities of herbicides, algaecides, or pesticides that could cause interference or pass-through at the treatment plant or interfere with the City’s biosolids reclamation or pose any danger to POTW employees.

M. Any petroleum oil, non-biodegradable cutting oil, or mineral oil derived products exceeding City’s local limits.

N. Any material or quantity of material(s) which may cause abnormal sulfide generation.

O. Any water or wastewater used to artificially raise the industrial user's discharge rate or added for the purpose of diluting wastes that would otherwise exceed applicable permitted discharge limitations.

P. Any wastewater having a corrosive property capable of causing damage to the POTW, equipment, or structures, or harm to POTW personnel. However, in no case shall wastewater be discharged to the City's POTW with a pH below 5.0, or greater than 11.5, or which changes treatment plant influent pH to above 8.0 or below 6.5.

Q. Any substance that will cause discoloration of the POTW’s effluent.

R. Any unpolluted water, including cooling water, heating water, storm water, subsurface water, single pass cooling water, and single pass heating water. The Director may approve, on a temporary basis, the discharge of such water only when no reasonable alternative method of discharge is available. The user shall pay all applicable user charges and fees.

S. Any substance which may cause the POTW's effluent or any other product such as residues, sludge, or scums to be unsuitable for reclamation or reuse or which will interfere with any of the reclamation processes. This includes any material which will cause the sludge at the POTW to violate sludge use or disposal regulations developed under the Federal Clean Water Act, 33 USCA, Section 1251 et seq., or any regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, 42 USCA, Section 6901, et seq.; Clean Air Act, 42 USCA, Section 7401, et seq.; Toxic Substance Control Act, 15 USCA, Section 2601, et seq., or any other applicable state regulations.

T. Any hazardous substance which violates the objectives of the General Pretreatment Regulations (40 CFR 403), this Chapter, or any statute, rule, regulation or chapter of any public agency having jurisdiction over the discharge.

U. Any material in excess of the quantities established by resolution.

V. Any discharge from a material processing tank or vessel. These shall include, but not be limited to, all wash tanks, chemical conversion tanks, acid and alkali tanks, lubricating tanks, condensate water from dry cleaning equipment, fruit and vegetable wash and treatment tanks, and any other tank or vessel containing a material which would not meet the pollutant discharge limitations.

W. Any radiator fluid or coolant, cutting oil, water soluble cutting oil, or water-based solvent.
X. Any photo processing waste from developing or fixing solutions not in compliance with local limits or Industrial User Group Permits.

Y. Any pharmaceutical waste except those liquids containing only saline solutions, lactate, nutrients such as glucose (e.g. D5W), vitamins, and added salts such as potassium and/or other electrolytes.

Z. Any chemicals or materials that will cause excessive foaming in the POTW. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002)


Discharges from swimming pools, wading pools, spas, whirlpools, therapeutic pools and landscape ponds shall be discharged to the following locations in compliance with Section 14.12.315 of this Chapter and under the following conditions:

1. Surface discharge and/or storm drain, requiring that the chlorine residual is less than 0.1 mg/L; or

2. Sanitary sewer if such discharge to surface or storm drain would create a public nuisance or hazard or violate any regulation, order, or requirement of the Regional Board, including NPDES Non-Point Source (Storm Water) Permit requirements. User shall first obtain permission from the City prior to discharging any of these waters to the City’s sanitary sewer. Permission may be granted by the Director if the discharge will not cause a hydraulic overload condition in the area’s sewer lines; or

3. Pumped out and hauled off to a legal treatment and/or disposal site if the water is found to have hazardous levels of chemicals, elements, or materials. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.345 Limitation on Wastewater Strength.

No person shall discharge industrial wastewater to the POTW unless the wastewater conforms to this Chapter. Discharge limitations shall be revised and adopted by resolution of the City Council as necessary to ensure the POTW’s compliance with the NPDES Permit. For Categorical Industrial Users, the City may exercise one or more of the following options:

A. Where a categorical pretreatment standard is expressed in terms of either the mass or the concentration of a pollutant in wastewater, the Director may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c);

B. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Director shall impose an alternate limit using the combined wastestream formula; and

C. A variance from a categorical pretreatment standard may be issued if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by the EPA when developing the categorical pretreatment standard. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.350 Local Limits.

A. The Director shall develop and implement specific prohibitions, pollutant limitations, pollutant parameters and Best Management Practices (BMPs) (“local limits”). These local limits are necessary to assure compliance with the City's NPDES permit, including preventing pass through, interference, or impacts to biosolids reclamation or reuse. These local limits may be continually developed as necessary and adopted by resolution after public notice to affected persons or users.

B. The local limits may be allocated among industrial user classes or individual users as uniform concentration limits, or as the ratio of the total mass per user, or as a selected industry reduction, or by such other method considering factors such as persistence of the
pollutant, equity, treatment feasibility, economic feasibility, and economics of scale, pollution prevention and waste minimization measures, anticipated growth and enforcement feasibility.

C. User-specific allocations at current loadings may be created for public health facilities which provide a life saving service or procedure, so long as the pollutant discharged would not contribute to pass-through, interference or other violation of the City's NPDES permit.

D. Pollutant allocations may be granted to Class III or Class V users on a case-by-case basis based upon the POTW's excess treatment capacity for the pollutant requested. These limits shall be based upon the pounds of pollutant(s) discharged and the impacts on the treatment capabilities of the POTW. If the permit is issued for more than one year, a pollutant review will take place annually to determine the POTW's excess treatment capacity for those permitted pollutants. A review may be conducted at any time if the Director finds that the permittee's wastewater discharge has adversely affected the POTW, has caused a rise in that pollutant of more than 20%, or has caused interference, pass through, or violations of the POTW's NPDES permit.

E. When categorical pretreatment standards are expressed only in terms of pollutant concentrations, a Categorical Industrial User may request that the City convert the concentration limits to an equivalent mass limits. To be eligible for equivalent mass limits, the Categorical Industrial User must comply with the requirements in 40 CFR Part 403.6(c)(5)(i-iv).

Section 14.12.355 De Minimus Categorization.

Any user whose industrial wastewater discharge is less than one hundred gallons per day and is not regulated by a federal categorical pretreatment standard or Industrial User Group Permit may be classified in the Director's discretion as a De Minimus User and shall not be subject to permitting standards or local limits provided that such industrial wastewater discharge is not a hazardous substance, does not contribute to interference or pass through violations at the POTW or violations of the NPDES permit, and does not cause detrimental effects or damage to the POTW, or cause a threat of harm to City personnel, the public, or the environment. De Minimus user status shall terminate upon violation of this Section, or upon written notice to such discharger of Director's determination that such discharger no longer satisfies the criteria of this Section.

Section 14.12.360 Industrial Wastewater Pretreatment.

All users shall:

A. Provide wastewater pretreatment, as required, to comply with this Chapter;

B. Achieve compliance with all applicable federal categorical pretreatment standards, as contained in 40 CFR Chapter I, Subchapter N, and local limits, whichever are more stringent, within the time limitations as specified by the federal pretreatment regulations;

C. Pre-treat wastewater to a level acceptable to the Director and provide, operate, and maintain all necessary equipment, systems, and devices at the user's expense;

D. Provide detailed plans to the Director for review and approval showing the pretreatment equipment, systems, devices and operating procedures before the beginning of any construction or installation of any equipment. The review of such plans and operating procedures shall not relieve the user from the responsibility of pre-treating wastewater to produce an effluent acceptable to the Director under the provisions of this Chapter;

E. No user shall install pretreatment equipment, systems or devices in a confined space or a permit-required confined space.

F. Whenever deemed necessary, the Director may require users to restrict their wastewater discharge, relocate and/or consolidate points of discharge, separate domestic waste streams from industrial waste streams, and other such conditions as may be necessary to
protect the POTW and determine the user’s compliance with the requirements of this Chapter; and

G. Notify the Director of any pretreatment equipment failure within twenty-four hours of discovering the failure. The notification shall be made by a telephone call, telefax transmission, electronic report, personal visit or hand delivered notification, to the City’s Environmental Compliance Office. Within five calendar days after discovery of the failure, the user shall submit a written report to the Director documenting the dates, times, and cause of the failure, and the corrective actions taken. Failure to provide this notification is a violation of this Chapter and may subject the user to enforcement actions. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.365 Unauthorized Monitoring and Pretreatment Equipment Modifications.

No user shall knowingly falsify, tamper with, or render inaccurate any monitoring device or any pretreatment equipment or device. Such falsification, tampering, or inaccuracy shall be considered a violation of this Chapter and shall subject the user to enforcement actions. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.370 Pretreatment Equipment Bypass.

A. No user shall bypass any pretreatment equipment or device unless the bypass: (i) is necessary to prevent loss of life, personal injury or severe property damage, is not necessitated by some fault of the user, and is the only feasible alternative; or (ii) does not cause local limit violations and is necessary to perform essential maintenance insuring adequate operation of the pretreatment equipment or device.

B. All users shall comply with the following bypass notification requirements:

1. Anticipated bypass: The user shall submit a written notice to the Director at least ten days before the date of the scheduled bypass; or

2. Unanticipated bypass: The user shall notify the Director immediately upon learning that any pretreatment equipment or device has been bypassed. The user shall submit a written report to the Director within five business days after the bypass. The report shall include:
   a. A description of the bypass, the cause of the bypass, and the duration of the bypass;
   b. If the bypass was corrected; and
   c. Actions taken or proposed to reduce or prevent a reoccurrence of the bypass. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)


No person shall discharge waste recovered from pretreatment equipment, systems, or devices into any sewer opening or any drains or other openings leading to any sewer without authorization and permits from a regulatory agency having jurisdiction over the discharge of the waste. All recovered pretreatment waste shall be disposed of in accordance with all applicable federal, state, county, and local laws and regulations. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.380 Dilution Prohibited as a Substitute for Treatment.

A. No industrial user shall increase the use of water, or in any other manner attempt, to dilute a wastewater discharge as a partial or complete substitute for adequate treatment to achieve compliance with this Chapter and the industrial user's permit, or to establish an artificially high flow rate for permitted mass emission rates or permitted flow amounts.

B. If an industrial user is found to be using dilution to comply with this Chapter and/or the user's Industrial User Permit, then the City may impose mass limitations to determine
compliance with wastewater discharge limitations. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.385 Storm Water Diversion.
A. All users having outdoor areas which allow wastewater and storm water to enter a common opening also connected to the collection system shall install and maintain, at the user’s expense, a storm water diversion valve in the common opening.
B. The storm water diversion valve design and use shall be reviewed and approved by the Director prior to installation.
C. The valve shall allow wastewater to enter the collection system during dry weather and prevent storm water from entering during periods of inclement weather.
D. Unless permitted to do so in accordance with Subsection F. of this Section, no user shall allow wastewater and storm water to mix.
E. During periods of inclement weather, the user shall immediately suspend all outdoor wastewater generating activities and divert all storm water to a storm drain.
F. If the discharge of storm water would create a pollution threat to surface or subsurface waters, the user may make application to the Director requesting that the storm water be discharged to the POTW. Approval of a storm water discharge to the POTW shall be based on:
   1. Hydraulic capacity of the collection system;
   2. Hydraulic capacity of the treatment plant;
   3. Total volume of storm water to be discharged in a twenty-four hour period;
   4. A demonstrated need to discharge storm water to the POTW to prevent surface and subsurface water contamination; and
   5. A good faith effort made by the user to prevent the pollution of storm water by industrial waste and waste generated by the user. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.390 Industrial User Modifications.
All permitted industrial users shall report proposed changes in their operations in writing to the Director for approval thirty calendar days before those changes are implemented. For the purposes of this Section "changes" shall include any of the following:
A. A sustained twenty percent increase or decrease in production capacity or wastewater discharge;
B. Additions, deletions or changes to processes or equipment; or
C. Experimentation with new processes, materials, chemicals and/or equipment that may affect the wastewater discharged. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Spill containment systems, as may be required, shall conform to requirements established by the Director. These requirements may include but are not limited to the following:
A. No spill containment system shall allow incompatible substances to mix in the event of container failures and thereby create a hazardous or toxic substance.
B. Spill containment systems shall consist of dikes, walls, barriers, berms, or other devices designed to contain spillage of the liquid contents of containers.
C. Spill containment systems shall be constructed of materials that are impermeable and non-reactive to the liquids being contained.
D. Spill containment systems shall conform to local regulations and policies as to percent containment, container type, size, outdoor covering, and the length of time spilled material may remain in the spill containment system.

E. At no time shall a user use a spill containment system for any storage other than from a spill.

F. All users shall keep the spill containment system free of accumulated liquid and debris. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.400 Slug Discharges.
No user shall discharge or caused to be discharged any slug load of materials, chemicals, products, or waste into the POTW. Any user discharging a slug load of materials, chemicals, products or waste into the POTW to avoid sewer service charges for the treatment violates this Chapter and may subject the user to enforcement actions. Any slug load that damages the POTW is a major violation. Slug loads that do not damage the POTW may be a minor violation. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

All permitted industrial users shall develop and maintain a Facility Waste Management Plan (FWMP). The FWMP shall consist of the following applicable documents:

A. Toxic Organic Management Plan (TOMP) is required of all Categorical Industrial Users permitted to submit the TOMP in lieu of required pollutant monitoring.

B. Slug Discharge Prevention Control Plan (SDPCP) is required of all industrial users which have batch discharge provisions, stored chemicals or materials, or the potential for a slug discharge which, if discharged to the POTW or storm drain system, would violate this Chapter. The SDPCP shall contain:
   1. Description of discharge practices, including non-routine batch discharges;
   2. Description of all stored chemicals;
   3. Procedures to immediately notify the City of any slug discharge, including any discharge prohibited under Section 14.12.335;
   4. Procedures to provide a written follow-up notification within five calendar days;
   5. Procedures to prevent accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, plant and site run-off control, worker training, building of spill containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response; and
   6. Procedures to notify the City immediately of any changes in the facilities that may affect the potential for a slug discharge.

C. Pretreatment Systems Operations and Maintenance Manual shall be submitted by all industrial users that operate and maintain pretreatment equipment.

D. Hazardous Materials and Hazardous Waste Management Plan is required of all industrial users that use, possess, or generate hazardous substances. The City's Fire Department-required Business Emergency Plan may be substituted for this management plan.

E. Waste Minimization/Pollution Prevention Plan (WM/PPP) is required of any industrial user:
   1. For whom the Director has determined such WM/PPP is necessary to achieve a water quality objective;
   2. Determined by the California State Water Quality Control Board (“State Board”) to be a chronic violator, and the State Board, Regional Board or the City determines that pollution prevention (as defined in Water Code Section 13263.3(b)) could assist; and
   3. That significantly contributes, or has the potential to significantly contribute, to the creation of a toxic hot spot as defined in Water Code Section 13391.5.
F. A WM/PPP shall include all of the following:
   1. An analysis of the pollutants, as directed by the State Board, Regional Board, or the
      City, that the user discharges to the POTW, the sources of the pollutants, and a comprehensive
      review of the processes that generate and discharge the pollutants.
   2. An analysis of the effectiveness of pollution prevention, including any innovative and
      alternative technologies and possible adverse environmental impacts resulting from the use of
      those methods.
   3. A detailed description of the tasks and schedules required to investigate and
      implement the pollution prevention techniques.
   4. A statement of the discharger’s pollution prevention goals and strategies, including
      priorities for short-term and long-term action.
   5. A description of the discharger’s existing pollution prevention methods.
   6. A statement that the discharger’s existing and planned pollution prevention
      strategies do not constitute cross media pollution transfers unless clear environmental benefits
      of such an approach are identified, and information that supports that statement, to the
      satisfaction of City.
   7. Proof of compliance with the Hazardous Waste Source Reduction and Management
      Review Act of 1989 (Article 11.9 (commencing with Section 25244.12) of Chapter 6.5 of Division
      20 of the Health and Safety Code) if the discharger is subject to that act.
   8. An analysis, to the extent feasible, of the relative costs and benefits of the possible
      pollution prevention activities.
   9. A specification of, and rationale for, the technically feasible and economically
      practicable pollution prevention measures selected by the discharger for implementation.

G. Any person who fails to complete a pollution prevention plan required by the City,
   submits a plan that does not comply with this Section, or fails to implement a plan required by
   the City, shall be liable to the City for any civil penalty assessed administratively by the City or
   by a court in accordance with this Chapter.

H. The City shall not include a WM/PPP in any local limits or permit issued by the City.
   (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.410 Categorical Pretreatment Standards.

A. The federal categorical pretreatment standards found in 40 CFR Chapter I, Subchapter N are hereby incorporated into this Chapter by reference. It is unlawful for any Categorical Industrial User to discharge wastewater to the POTW in violation of federal categorical pretreatment standards or any limitation in this Chapter or that user’s permit. Where there is more than one limitation for a pollutant, the more stringent limitation shall prevail. Compliance with federal categorical pretreatment standards for existing sources subject to such standards or for existing sources, which hereafter become subject to such standards, shall be achieved within three years following promulgation of the standards unless a shorter compliance time is specified in the standards or by the Director. New sources shall install, have in operating condition and “start-up” all pretreatment equipment to insure compliance before beginning any discharge. New sources must meet all applicable pretreatment standards within the shortest feasible time, not to exceed ninety days.

B. The City may authorize a Categorical Industrial User to forego sampling of a pollutant regulated by a federal categorical pretreatment standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the wastewater discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. This authorization is subject to the following conditions:
   1. The City may authorize a waiver where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary
wastewater is not regulated by an applicable categorical standard and otherwise includes no process wastewater.

2. The monitoring waiver is valid only for the duration of the effective period of the Industrial User’s Permit, and in no case shall exceed five years. The Industrial User must submit a new request for the waiver with each permit renewal.

3. In making a determination that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility’s process wastewater prior to any treatment at the facility that is representative of all wastewater from all processes.

4. The request for a monitoring waiver must be signed by the Industrial User’s authorized representative and include the certification statement, Section 14.12.120(7).

5. Non-detectable sample results may only be used as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.

6. Any grant of the monitoring waiver by the City will be incorporated into the Industrial User’s Permit. All data and information to support the City granting the waiver will be maintained for three years after the expiration of the waiver.

7. Upon approval of the waiver and incorporation into the Industrial User’s Permit, the Industrial User must certify on each report submitted with the following statement, that there has been no increase in the pollutant in its wastestream due to the activities at the Industrial User’s facility:

   “Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of [list pollutant(s)] in the wastestream due to the activities at the facility since filing the last quarterly report.”

8. In the event that a waived pollutant is found to be present or is expected to be present based on changes that occur in the Industrial User’s operations, the Industrial User must immediately notify the City and resume quarterly monitoring of the waived pollutant.

9. This waiver provision does not supersede certification processes and requirements established in categorical pretreatment standards, except as otherwise specified in the categorical pretreatment standard. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)


Pursuant to 40 CFR 403.8(f)(2)(i) all owners of multiple tenant commercial/industrial developments within the POTW service area shall submit, upon request by the Director, a current list of tenants. This list shall provide the name, address, unit space designation and type of business activity for each tenant space in the development. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.420 Notice of Potential Problems to Director.

All users shall immediately notify the Director of all wastewater discharges that could adversely affect the POTW or storm drain, including any slug discharges. Wastewater discharges that may adversely affect the POTW include, but are not limited to, acids, alkalies, oils, greases, high strength organic waste, salt, hazardous substances and waste, colored wastes, and batch discharges. The notification shall be made by a telephone call, telefax transmission, electronic report, personal visit or hand delivered notification, to the City’s Environmental Compliance Office. Within five calendar days after discovery of the discharge, the user shall submit a written report to the Director documenting the dates, times, and cause of the failure, and the corrective actions taken. Failure to provide this notification is a violation of
this Chapter and may subject the user to enforcement actions. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.425 Written Responses and/or Reports.

All users required to provide a written report, or response to any correspondence, order, or notice from the Director shall do so in accordance with the date and requirements specified in the correspondence, order, or notice. Failure to provide the written response or report by the date requested shall constitute a violation of this Chapter and may subject the user to enforcement actions. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6223 §2 (part), 1995)

Section 14.12.430 Falsifying Information.

No person shall knowingly make any false statement, representation, or certification in any record, correspondence, or other document submitted or required to be maintained under this Chapter. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)


Any non-residential user desiring to discharge wastewater to the City’s POTW, that does not qualify for an Industrial User Permit, Industrial User Group Permit, or De Minimus Category and whose wastewater shall not have an adverse affect on the City’s POTW, may be required to obtain a WDAC from the Director. WDACs shall not be issued to categorical industrial users. WDACs may be issued for indefinite time periods, subject to periodic review and reconsideration by the Director. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)


Certain classes of industrial users, as determined by the Director, may be eligible to participate in an Industrial User Group Permit. Permittees within this designation shall share a common business identification as defined by the Federal North American Industry Classification System (“NAICS”) code book. Industrial users permitted by this group permit shall abide by general permit conditions specific for that particular group being permitted. These permit conditions shall be established by the Director. (Ord. 7032 §2, 2009; Ord. 6377 §2(part), 2002; Ord. 6232 §2 (part), 1995)


A. It is unlawful for any Class I, II, III, IV, V, or VI industrial user to connect or discharge to the POTW without a valid Industrial User Permit. It is unlawful for any Class III industrial user to connect or discharge to the POTW without a valid Industrial User Permit, WDAC, or Industrial User Group Permit, as determined by the Director based upon the industrial user’s potential effect on the POTW. Issuance of any such permit or WDAC shall not vest any right in a user to continue connection or discharge to the POTW beyond the express terms of the permit or WDAC.

B. Plans and building permits for Class I, II, IV, V, or VI Industrial User Permits and those users designated by the Director shall not be approved by the Director for any sewer connection which will convey industrial wastewater to the POTW unless the user has first obtained an Industrial User Permit, or the user has received written permission from the Director after agreeing in writing not to discharge industrial wastewater until an Industrial User Permit has been obtained.

C. Users required to obtain an Industrial User Permit shall complete and file with the Director a permit application form provided by the Director and shall pay all applicable fees
within thirty days of invoicing by the City. The application form may require applicant’s submission of any or all of the following:

1. Name, address, and location (if different from the site address);
2. NAICS number under the Federal North American Industry Classification System, Office of Management and Budget, 1997, as amended;
3. EPA hazardous waste generator’s number;
4. Wastewater samples analyzed for specified pollutants by a State certified laboratory in accordance with the methods published by EPA in 40 CFR Part 136 and amendments thereto;
5. Time and duration of the wastewater discharges;
6. Average and maximum daily wastewater flow rates, including any seasonal variation of all waste streams discharged;
7. A list of all environmental control permits held;
8. A written statement from the property owner or landlord, if different from the industrial user, agreeing to the industrial user’s activities, manufacturing processes, and chemical and material storage;
9. Site plans, floor plans, mechanical and plumbing plans with details to show all sewers, sewer connections, pretreatment equipment, systems and devices, production areas and all areas of wastewater generation;
10. A description of operations including the nature, average rate of production, and NAICS code of the operation(s) carried out by the industrial user, and a schematic process diagram that indicates points of discharge to the POTW;
11. Flow measurement information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process waste streams and other waste streams as necessary to allow use of the combined waste stream formula;
12. Measurement of pollutants identifying the National Categorical Pretreatment Standard applicable to each regulated process, with the results of sample analyses identifying the nature and concentration (or mass where required) of regulated pollutants in the discharge from each regulated process. Both daily maximum and average concentration or daily maximum and average mass shall be reported. All analyses shall be performed in accordance with the techniques prescribed in 40 CFR Part 136;
13. Certification statement, as set forth in 40 CFR Part 403.6(a)(2)(ii), executed by an authorized representative of the industrial user and prepared by a qualified professional, indicating whether or not pretreatment standards (categorical and local) are being met on a consistent basis. If not, the industrial user shall state if additional operation and maintenance or additional pretreatment equipment is necessary to achieve compliance with pretreatment standards and requirements;
14. Best Management Practices necessary to comply with this Chapter; and
15. Any other information as may be necessary for the Director to evaluate the permit application.

D. Within forty-five days after receiving the completed application and all required supporting information, the Director shall evaluate the application and information furnished by the applicant. The Director shall issue the permit, if the Director believes that sufficient and accurate information has been provided by the applicant in the permit application and the Director finds that all of the following conditions are met:

1. The proposed discharge of the applicant is in compliance with the prohibitions and limitations of this Chapter;
2. The proposed operation and discharge of the applicant would not interfere with the normal and efficient operation of the POTW;
3. The proposed discharge, operation or business activity of the applicant shall not result in a violation by the City of the terms and conditions of its NPDES permit or cause a pass through of any toxic materials to the environment or the POTW sludge; and

4. The applicant has paid all applicable Industrial User Permit fees.

E. The Director may suspend the permit application process if the user’s business will not be operational and no wastewater is planned for discharge at the conclusion of the application review process. The user must notify the Director at least fourteen calendar days before starting business activities and wastewater discharge.

F. If the Director determines that the proposed discharge will not be acceptable, the Director shall disapprove the application and shall notify the applicant in writing, specifying the reason(s) for denial and the applicable appeals process under Section 14.12.570 APPEALS.

G. Industrial User Permits shall be subject to all provisions of this Chapter and all other applicable regulations, charges and fees established by the City Council of the City of Riverside or the Riverside County Board of Supervisors resolution. Permits may include one or more of the following:

1. The unit charge or schedule of user charges and fees for the wastewater discharged to the POTW as established by ordinance or resolution;
2. Schedule of penalties for noncompliance as established by resolution;
3. Limitations on the average monthly and maximum daily wastewater pollutants and mass emission rates for pollutants;
4. Limitations on the average monthly and maximum daily wastewater flow rates;
5. Requirements for the submittal of a Facility Waste Management Plan;
6. Requirements for the submittal of daily, monthly, annual and long term production rates;
7. Requirements for reporting changes and/or modifications to equipment and/or processes that affect the quantity or quality of the wastewater discharged;
8. Requirements for installation and maintenance of monitoring and sampling equipment and devices;
9. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate spill containment devices;
10. Requirements to comply with Best Management Practices and periodic written documentation that the Best Management Practices are being implemented and the affects on compliance;
11. Specifications for monitoring programs which may include: sampling location(s); frequency of sampling; pollutant violation notification and resampling requirements; number, types and standards for tests; reporting schedules; TTO monitoring; and self-monitoring standard operating procedures (SOPs);
12. Requirements for reporting flow exceedances and pollutant violations;
13. Consent to the City’s entry onto the user’s premises to assess compliance by inspection, photography, electronic image recording, records examination, sampling, and monitoring;
14. Compliance schedules. Compliance schedule progress reports, as required, shall be submitted every thirty days during the time the compliance schedule is in force, including a final compliance report at the conclusion of the compliance schedule. The industrial user shall state whether or not compliance was achieved for the increment of progress to be met on such a date. If progress cannot be achieved, the industrial user shall state the reasons for the delay and the steps to be taken to return to the dates originally established in the compliance schedule;
15. Modified compliance schedules if pretreatment standards compliance cannot be met on a consistent basis. A modified compliance schedule shall provide the shortest possible
time for the industrial user to provide additional pretreatment and/or operations and maintenance to achieve compliance, and may contain milestones;

16. Requirements for submission of technical or discharge reports, Baseline Monitoring Reports (BMR), compliance reports, and reports on continued compliance;

17. Requirements for submission of a Slug Discharge Plan according to 40 CFR 403.8(f)(1)(iii)(B)(6);

18. Reports on compliance with federal categorical pretreatment standards deadlines. All Categorical Industrial Users shall submit reports to the Director containing the information described in this Section as required by the permit. For existing Categorical Industrial Users, the report shall be submitted within ninety days following the date for final compliance with applicable categorical pretreatment standards. For new Categorical Industrial Users, the report shall be due thirty days following the commencement of wastewater discharge into the POTW. These reports shall contain long-term production rates and actual production during the wastewater sampling periods;

19. All Significant and Categorical Industrial Users shall submit progress reports on compliance every six months. These reports shall include effluent sample analyses with the pollutant names and concentration or masses; average and maximum daily wastewater flows for all regulated processes and total flow for the reporting period; average and maximum daily production rates; and total production rate for the reporting period;

20. All required reports: BMRs, compliance reports, periodic reports on continued compliance, and sample data submittals, must be signed by an authorized representative of the user;

21. All reports required by this Section must have an accompanying certification statement by a qualified professional stating whether the pretreatment standards are or are not being met as set forth in 40 CFR Section 403.12(b)(6);

22. Requirements for maintaining and retaining all records relating to the wastewater monitoring, sample analyses, production, waste disposal, recycling, and waste minimization as specified by the Director;

23. Requirements for notification of slug or accidental discharges and significant changes in volume or characteristics of the pollutants discharged;

24. Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements and this Chapter; and

25. Other conditions as deemed appropriate by the Director to ensure compliance with this Chapter. (Ord. 7099 §5, 2010; Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.450 Permits Duration.
Industrial User Permits shall be issued for a specified time period, not to exceed three years. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.455 Duty to Comply.
All users that have been issued an Industrial User Permit, Industrial User Group Permit, WDAC, or De Minimus categorization have a duty to comply with all conditions and limitations in these control documents (“control documents”). Any user failing to comply with the requirements of such user’s control documents shall be subject to administrative, civil or criminal enforcement actions in accordance with this Chapter. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.460 Permit Renewal.
All users shall submit a completed Industrial User Permit application, required monitoring information or production reports, and any other information required for permit renewal a
minimum of ninety calendar days prior to the expiration of the existing Industrial User Permit. All users shall pay all applicable permit fees no later than thirty calendar days after invoicing by the City. If the Director fails to notify a user of Director’s decision to issue or not issue a renewed permit prior to the expiration date of the current permit, the user’s timely submission of a completed application and all other required information and reports shall automatically extend the permit for up to thirty working days until the actual permit can be issued or denied. Any discharge of industrial wastewater to the POTW with an expired Industrial User Permit shall be a violation of this Chapter and subject the user to enforcement action. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.465 Permit Modifications.
   A. The Director may modify the Industrial User Permit terms and conditions as follows:
      1. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
      2. To address significant alterations or modifications to the user’s operation, processes, or wastewater volume or character since the time of the Industrial User Permit issuance;
      3. For a change in the POTW that requires either a temporary or permanent reduction or elimination of the permitted discharge;
      4. If the permitted wastewater discharge poses a threat to the POTW, city personnel, residents, or receiving waters;
      5. For violation of any term or condition of the Industrial User Permit;
      6. For misrepresentations or failure to fully disclose all relevant facts in the Industrial User Permit application or in any required reporting;
      7. To correct typographical or other errors in the Industrial User Permit; or
      8. For other reasons as the Director deems necessary.
   B. City shall notify the user of any proposed permit changes at least thirty calendar days prior to the effective date of the changes. Any modifications in the permit shall include a reasonable time schedule for compliance. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.470 Permit Transfer.
   Each Liquid Waste Hauler Permit, Industrial User Permit, WDAC, or Industrial User Group Permit is issued to a specific user for a specific operation for a specified time. Any assignment, transfer or sale of any permit to a new owner, new user, different premises, or different use is prohibited and is a violation of this Chapter. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.475 Fees and Charges.
   The City is authorized to impose fees and charges to recover the costs of its pretreatment program. These fees and charges are exclusive to this Chapter and are separate from all other fees or costs. The amount of these fees and charges and method of implementation may be established by resolution of the City Council. The City may assess fees and charges to recover the costs for:
   A. Developing, implementing, and operating the City's pretreatment program and this Chapter;
   B. Monitoring, inspection, surveillance procedures and laboratory costs;
   C. Reviewing plans and construction inspections;
   D. Industrial User Permit application review;
   E. Industrial User Permit, Industrial User Group Permit, and WDAC issuance;
   F. Enforcement actions;
G. Liquid Waste Hauler’s permit issuance;
H. Temporary user permit issuance;
I. Exceeding conventional pollutant limitations in the Industrial User Permit or other applicable pollutant limitations. These fees shall be based on the POTW costs of operations, maintenance and treatment for the pounds of COD and Total Suspended Solids;
J. Non-residential user sewer service fees shall be assessed considering the following conditions:
   1. All non-residential users that discharge any volume of wastewater to the POTW that has amounts of Chemical Oxygen Demand (COD) or Total Suspended Solids (TSS) greater than or equal to the average amounts of COD or TSS normally found in twenty-five thousand gallons of domestic sewage shall be designated “Large Industrial Users” and shall pay monthly sewer service fees based on the industrial user sewer rates established periodically by resolution. The non-residential user will be qualified as a Large Industrial User if two or more of the qualifying criteria are met, i.e. COD, TSS, or total wastewater discharged. The Large Industrial User sewer rates shall be based upon the City's costs for providing services and treatment for the total volume of wastewater discharged and for the pounds of COD and TSS contained in the wastewater discharged.
   2. All non-residential users that discharge any volume of wastewater to the POTW that has amounts of COD, TSS less than the average amounts of COD, TSS normally found in twenty-five thousand gallons of domestic sewage, shall be designated “commercial users”. These commercial users shall pay monthly sewer service fees based upon the commercial sewer use rates established periodically by resolution. The commercial sewer use rates shall be based on the costs for providing services and treatment for the amounts of COD, TSS and gallons of wastewater discharged.  (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.480 Assessment of Permit Fees and Charges.
Permit fees for multi-year permits shall be payable in advance for the entire term of the permit, as invoiced by the City's Finance Department. If a permit is terminated prior to thirty calendar days after the date of issuance, then the Director shall refund fifty percent of the original permit fee to the user, less any fees, charges or penalties owing to the City provided that no refund shall be made to a permit holder which is in violation of this Chapter or permit at any time prior to such termination. After a permit has been issued thirty days or more, all fees for that permit are non-refundable. No permit application fee shall be refundable at any time. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.485 Payment of Fees, Charges and Penalties; Late Payment.
Unless otherwise specified, all fees, charges and penalties imposed pursuant to this Chapter are due and payable within thirty calendar days after the date of the notice or invoice from the City. Users who fail to pay any required fee, charge or penalty by the due date shall pay a fifty percent surcharge in addition to the original fee, charge or penalty. The City shall give notice to a user of any permit termination associated with the unpaid amounts and such permit will be automatically revoked on the thirtieth day after the date of such notice if the amount due is not paid in full. The Director shall refer the unpaid amount to the City's Finance Department for collection.  (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)
IV. Enforcement

Section 14.12.490   Failure to Comply.

Failure to comply with this Chapter, or any Section, Subsection, or part of this Chapter, is a violation of this Chapter and may be punished by administrative, civil, and/or criminal penalties. The remedies available under this Chapter are in addition to all other remedies available under the law. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.495   Enforcement Response Plan (ERP).

The City shall use an Enforcement Response Plan (ERP), as required by 40 CFR 403.8(f)(5), and adopted by resolution of the City Council, to guide the City in imposing progressive enforcement actions against users and persons in noncompliance with this Chapter. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.500   Administrative Violations.

There is hereby established a class of violations to be known as Administrative Violations that are further subdivided into minor and major administrative violations as follows:

A. Minor Administrative Violations include, but are not limited to, the following:
   1. Submission of incomplete reports or questionnaires;
   2. Failure to submit reports by the scheduled due date;
   3. Failure to respond to questionnaires;
   4. Missing a compliance date without proper prior notification to the City;
   5. Failure to conduct sampling when required;
   6. Failure to notify the Director of a violation of a permit condition within twenty-four hours after discovery of the violation; or
   7. Failure to pay all required fees, penalties and charges within thirty calendar days from the due date.

B. Major Administrative Violations include, but are not limited to, the following:
   1. Failure to notify the Director of a slug discharge immediately after discovery of said discharge;
   2. Failure to respond, by a given date, to letters requiring responses or to administrative orders;
   3. Missing a compliance date by more than thirty calendar days;
   4. Falsification of documents or attempting to mislead City officials in any manner whatsoever;
   5. Failure to cooperate with City officials exercising their authority under this Chapter, including monitoring and inspection activities;
   6. A pattern of minor administrative violations;
   7. Failure to provide the City with access to user's premises for the purpose of inspection, photography, electronic image recording, monitoring, or sampling;
   8. Failure to produce records as required;
   9. Failure to accurately report noncompliance;
   10. Failure to submit required reports (self-monitoring, one hundred eighty-day baseline monitoring report, ninety-day compliance report, Compliance Schedule progress reports) or submitting such reports more than forty-five calendar days late;
   11. Failure to pay charges pursuant to Section 14.12.460 of this Chapter, permit application fees, permit renewal fees, and Civil Penalties within sixty calendar days after the due date; or
   12. Failure to pay all other required fees, penalties, and charges within sixty calendar days after the due date.
C. Upon notice of appropriate mitigating circumstances and consistent with applicable federal and state laws, the Director has sole discretion to treat a major administrative violation as a minor administrative violation, or a pattern of minor administrative violations with aggravating circumstances as individual major administrative violations. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.505 Violations of Discharge Limitations.
A. There is hereby established a class of violations to be known as discharge violations that are further subdivided into minor and major discharge violations as follows:
   1. Minor discharge violations are those that, either alone or in combination with similar user discharge violations, pose, as determined by the Director, no significant threat to the public health, safety or welfare, the environment, the POTW, the beneficial use of the biosolids or to any City employee or contractor.
   2. Major discharge violations include, but are not limited to, the following:
      a. Significant Noncompliance;
      b. Discharge violations which, either alone or in combination with similar discharges pose, as determined by the Director, a significant threat to the public health, welfare or safety, the environment, the safe and efficient operation of the POTW, the beneficial use of biosolids or to any POTW employee or contractor, or cause or contribute to additional treatment costs incurred by the City or a violation of the NPDES permit, or cause or contribute to pass-through, interference, or other known damages;
      c. Discharging regulated pollutants to the POTW without a current discharge permit;
      d. A pattern of minor discharge violations;
      e. Failure to correct a minor discharge violation within a specific time period as directed by the Director;
      f. Tampering with or purposely rendering inaccurate any monitoring device, method or record required to be maintained pursuant to this Chapter;
      g. Intentional discharge of a prohibited waste by a Liquid Waste Hauler into the POTW; or
      h. Discharging wastewater without a valid Industrial User Permit after notification.
B. Upon notice of appropriate mitigating circumstances, the Director has sole discretion to treat a major discharge violation as a minor discharge violation. The Director also has sole discretion to treat a pattern of minor discharge violations with aggravating circumstances as individual major discharge violations. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.510 Unclassified Violations.
For any violation by any user or person that is not classified herein, or for the violation of any rule or regulation promulgated hereunder, the Director shall have the discretion to treat such violation as a minor or major violation and to exercise enforcement authority accordingly. In exercising this enforcement authority, the Director shall consider the magnitude of the violation, its duration, and its effect on receiving waters, the POTW, the POTW's biosolids, the health and safety of City employees, contractors, users, and the general public. The Director shall also evaluate the user's or person's compliance history, good faith, and any other factors the Director deems relevant. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.515 Separate Violations.
Each violation of this Chapter may be charged as a separate violation for each day the same violation exists. Each wastewater pollutant violation is considered an individual violation
for each pollutant in violation for each day in violation. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.520 Administrative Orders.
The Director may require compliance with this Chapter and any permit or order issued under this Chapter by issuing Administrative Orders that are enforceable in a court of law, or by directly seeking court action. The Director may use Administrative Orders, either individually, sequentially, concurrently, or in any order for one or more violations as appropriate for the circumstances. Administrative Orders include, but are not limited to the following:

A. Stop Work Order.
The Director may issue a written Stop Work Order to any person engaged in doing or causing to be done new construction, tenant improvements, alterations, or additions relative to the City's pretreatment program if:
1. City permits have not been obtained;
2. Work has begun without prior written approval by the Director; or
3. Violations of this Chapter are found at the site of the new construction, tenant improvements, alterations, or additions. Any person served a Stop Work Order pursuant to this Section shall immediately stop such work until written authorization for such work is issued by the Director.

B. Correction Notice.
The Director may issue a correction notice for minor violations noted during an inspection of the user's facility. Extensions may be granted to a user who fails to correct minor violations required by a correction notice, upon a showing of good cause, where “good cause” means an unforeseeable and unavoidable event or series of events, over which user had no control that prevented or significantly impaired the user's ability to comply with the correction notice.

C. Written Warning.
The Director may issue a written warning to notify a user of a minor violation or any violation that has not been corrected as required by a correction notice. The written warning shall state the provision(s) violated and the facts supporting the violation, and may include any proposed corrective actions or monitoring to be required.

D. Monitoring/Production Information Order (MPIO).
The Director may issue an MPIO when two consecutive violations for the same pollutant are detected in City or user samples, when a pattern of wastewater pollutant non-compliance has been detected or when inconsistent wastewater pollutant compliance had resulted in Significant Non-Compliance. The MPIO shall be used to determine if discharge compliance has been achieved or if a detected violation is consistent. The MPIO shall require the user to sample the user's wastewater discharge for the pollutant(s) in violation and record the daily effluent wastewater flow for all days within a fourteen consecutive day period that industrial wastewater is discharged to the POTW. Production information shall be required of all Categorical Industrial Users which have production based discharge limits. The user required to conduct an MPIO shall comply with all the instructions given in the MPIO.

E. Notice of Violation (NOV).
An NOV shall be issued to a user for a violation of a written warning, stop work order, Industrial User Permit, of this Chapter, an MPIO that has resulted in Significant Non-Compliance or any other violation that has resulted in Significant Non-Compliance. The recipient shall pay an NOV fee as established by resolution. The Director may serve the user with a written NOV personally or by certified mail. The NOV shall state the provision(s) violated and the facts supporting the violation, and may include any proposed corrective actions or monitoring to be required. The NOV shall require the user to respond in writing to the Director, within ten calendar days from the date of service of the NOV, with a written explanation of or response to
the violation(s) and a plan for the satisfactory correction or prevention thereof, including specific required actions. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the NOV.

F. Violation Meeting.

A violation meeting shall be required of all users who have failed to achieve compliance after the issuance of an NOV or at the conclusion of an MPIO that has resulted in significant noncompliance. This meeting shall be for the City to draft a consent order or compliance order or for the user to propose solutions, request time extensions, draft a compliance schedule, or file an appeal. Any user for whom a violation meeting is scheduled shall pay the City a violation meeting fee in an amount as established by resolution.

G. Consent Order.

The Director may, at any time after finding a violation of this Chapter, enter into an agreement with the violating user known as a consent order. Such agreement may be a compliance schedule with milestones, other specific actions to be taken by the user to correct or prevent the noncompliance within a specified time period, payment of damages, consent order fees, penalties, or other remedies. The consent order is developed between the user and the City. A consent order has the same force and effect as any other administrative order issued pursuant to this Chapter. Any user subject to a consent order shall pay the City a consent order fee as established by resolution.

H. Compliance Order.

1. The Director may issue a compliance order for a violation of this Chapter, the user's Industrial User Permit, or an order issued thereunder. Compliance orders shall specify the provisions violated and the facts constituting the violation(s), and direct that adequate treatment be installed and operated by a specified time period. Compliance orders may also contain such other requirements as the Director deems appropriate to assure timely compliance with this Chapter, such as installation of pretreatment technology, additional self-monitoring or management practices, adherence to a compliance schedule, submission of action plans, and appearance by the user at a specific time and place for a compliance meeting, or other measures necessary to achieve and maintain compliance. Compliance orders are developed without user comment. A user subject to a compliance order shall pay a compliance order fee as established by resolution.

2. If no public hearing on the violation has been previously conducted, the alleged violating user may either submit a written explanation or other response to the compliance order or request that the Director conduct either an informal meeting or a hearing. Such submission or request shall be in writing and filed with the Director no later than ten calendar days after service of the compliance order. The submission or request shall not stay the compliance order.

I. Civil Penalty Order.

A civil penalty order may be issued to assess penalties and any other costs incurred by the City in the investigation, monitoring, legal assistance, enforcement, cleanup or repair caused by the user's violation. The civil penalty order may be included with any other administrative order.

J. Cease and Desist Order.

A cease and desist order shall be issued by the Director to any user or person whose violation of this Chapter, Industrial User Permit, or any order issued under this Chapter, poses a threat to the POTW, storm drain, personnel, environment or the public. A cease and desist order may also be issued by the Director to a user who continues to discharge industrial wastewater to the City's POTW without a valid Industrial User Permit. The Director may issue a cease and desist order immediately upon discovering any such violation and direct a user or person in noncompliance to take such appropriate remedial or preventive actions as Director deems are needed to eliminate a continuing or threatened violation, including stopping operations and terminating the discharge. Such cease and desist order shall include the
provision violated and the facts constituting the violation. A user subject to a cease and desist order shall pay City a cease and desist order fee as established by resolution.

K. Show Cause Order.

The Director may set a hearing requiring a user to show cause why the City should not take a proposed enforcement after issuance and conclusion of a consent order, compliance order, or cease and desist order. The hearing shall be held before the enforcement action is executed. The hearing shall follow written procedures established by the Director, maintained for public review in the office of the Director, and provided to the user together with the hearing notice. The hearing procedures shall provide the user with notice and an opportunity to be heard, and may include the following:

1. Appearance by the user to show cause to the Director why a proposed enforcement action should not be taken;
2. The hearing shall be open to the public;
3. A notice of the hearing and order shall be served on the user specifying the time and place for the hearing; the proposed enforcement action and the reasons for such action, the alleged violation and the facts supporting the violation, and a request that the user show cause why the proposed enforcement action should not be taken;
4. The Director shall permit the user to respond to the notice and order, to present evidence and argument on all relevant issues, and to conduct cross-examination of any witnesses necessary for the full disclosure of the facts;
5. The Director may request the attendance and testimony of witnesses and the production of evidence relevant to any matter, and may seek subpoenas from the appropriate court to compel the presence of witnesses;
6. The testimony taken shall be under oath and recorded, with a transcript prepared and provided to any person upon payment of the usual charges for such transcript;
7. The notice of the hearing and the order to show cause shall be served upon the user personally or by registered or certified mail (return receipt requested) at least fifteen calendar days prior to the hearing; except that the Director may set an earlier date for the hearing at the user’s request. Such notice may be served on any authorized representative of the user;
8. Upon review of the evidence, the Director shall make written findings of fact and decision in the nature of an order, which shall be served upon user; and
9. The City may immediately impose an enforcement action after the hearing whether or not a duly notified user appears as noticed. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

Section 14.12.525 Permit Revocation.

The Director may revoke any Permit if the user violates any provision of this Chapter or the Permit. Those violations include but are not limited to: falsification of information; denial of the right of entry when conditioned in the Permit; user’s failure to re-apply for a Permit or request a required permit modification; user’s failure to pay required permit fees or charges; or user’s discharge in violation of this Chapter. Validity of a Permit shall be conditioned upon industrial user’s compliance with this Chapter. The Director may revoke the Permit upon a minimum notice of fifteen calendar days when the Director finds that user violated any provision of this Chapter or Permit. Within the fifteen days prior to the intended permit revocation, the Director shall make a hearing available to the industrial user. All costs for Permit revocation and reissuance will be paid by the user. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002)

Section 14.12.530 Termination of Service.

The Director may immediately order a user to cease discharge of wastewater to the POTW, and may suspend wastewater disposal and treatment service to stop an actual or
threatened discharge that presents or may present an imminent danger to the health or welfare of persons or to the environment, causes interference or pass-through, causes the City to violate its NPDES permit, or if the user has failed to obtain a valid Permit. If the user fails to voluntarily comply with the suspension order, the Director may take such steps as deemed necessary, including severing a sewer connection, to prevent damage to the POTW, or danger to any person or the environment. All costs for terminating or reestablishing sewer service shall be paid by the user. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002)


The names of all significant industrial users which are found to be in significant noncompliance with this Chapter shall be published at least annually in a newspaper(s) of general circulation that provides meaningful public notice within the City, in accordance with 40 CFR 403.8(f)(2)(vii). The names of all industrial users shall also be published whose violation of a pretreatment standard or requirement or whose discharge that the City determines has:

A. Caused, alone or in combination with other discharges, interference or pass-through at the POTW, including endangering the health of POTW personnel or the public;
B. Posed imminent danger to human health, welfare or to the environment or resulted in the City exercising its emergency authority to stop or prevent a harmful discharge; or
C. Adversely affected the operation or implementation of the City’s Pretreatment Program, including violation(s) of Best Management Practices. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002)

Section 14.12.540 Civil Penalties.

A. Any user violating any provision of this Chapter, user’s permit, or administrative order shall be liable to the City for a civil penalty of not more than one thousand dollars per violation per day for as long as the violation continues, plus actual damages incurred by the City. In addition to these penalties and damages, the Director may order user to pay the City’s costs, including reasonable attorney’s fees, court costs, and other expenses associated with the enforcement activities, including, but not limited to, sampling, monitoring, laboratory costs and inspection expenses.

B. Upon petition by the Director, through the City Attorney, an award of such penalties, damages and costs shall be ordered against such user by an appropriate court in the County of Riverside. In determining the amount of such penalties, damages and costs, the court shall take into account all relevant circumstances, including but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through a user’s violation, corrective actions by a user, the compliance history of the user, good faith efforts to restore compliance, threat to human health, to the environment and to the POTW, and any other factor as justice requires. The purpose of any civil penalty is to encourage compliance and remedy unquantified damage to the POTW and environment, and not to impose criminal sanctions or retribution.

C. If any user discharges wastewater to the POTW contrary to the provisions of this Chapter, federal or state pretreatment requirements, or any order of the City or permit issued under this Chapter, the Director through the City Attorney may commence an action for appropriate legal and/or equitable relief in the appropriate court in the County of Riverside. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002)

Section 14.12.545 Criminal Penalties.

A. Any user which willfully or knowingly violates any provision of this Chapter, or any orders or permits issued hereunder shall, upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed one thousand dollars or imprisonment for not more than six months, or both, per violation per day. This penalty shall be consistent with the Federal Clean
Water Act, 33 U.S.C. 1251, et seq., and shall apply to the exclusion of any other more lenient Chapter provision. A user shall be guilty of a separate violation for each day a violation of any provision of this Chapter or Industrial User Permit is committed or continued by such user.

B. Any user that willfully or knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this Chapter or the user's Industrial User Permit, or which falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Chapter shall, upon conviction, be guilty of a misdemeanor punishable by a fine of not more than one thousand dollars per violation per day or imprisonment for not more than six months, or both, per violation per day. This penalty shall be consistent with the Federal Clean Water Act, 33 U.S.C. 1251, et seq., and shall apply to the exclusion of any other more lenient Chapter provision. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002)

A user issued a written warning may be placed on probation for up to six months. A user issued a Notice of Violation may be placed on probation for up to twelve months. If the user commits the same violation within the probationary period, more severe enforcement may follow. Violations committed after the probationary period, will be treated as a new violation for purposes of enforcement. Repeated same violations can only be granted two probationary periods. If the same violation occurs after two consecutive probationary periods accompanying either a written warning or a notice of violation, more severe enforcement may follow. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002)

Section 14.12.555 Remedies Nonexclusive.
The remedies in this Chapter are non-exclusive. The Director may take any, all, or any combination of these remedies against a noncompliant user. Enforcement of Chapter violations will generally be in accordance with the City's Enforcement Response Plan. The Director, however, may take alternative actions against a user as circumstances warrant. The Director may also take multiple enforcement actions against a user. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002)

After an order making any monetary amount owing under this Chapter has become final, or after a court in an action has entered a final judgment in favor of the City, the Director through the City Attorney may initiate a civil action, if not earlier filed as a part of the judicial review, in the appropriate court to recover such amount plus prevailing interest from the date of the final order or the date of the final judgment, as the case may be. In such an action, the validity, amount, and appropriateness of such penalty shall not be subject to review. Any user who fails to pay on a timely basis the amount of an assessment of a civil penalty as described in this Section shall be required to pay to the City, in addition to such amount and interest, the City's attorneys' fees and costs, including filing fees, process service fees for collection proceedings and a quarterly nonpayment penalty for each quarter during which such failure to pay persists. Such nonpayment penalty shall be in an amount equal to twenty percent of the aggregate amount of such person's penalties and nonpayment penalties that are unpaid as of the beginning of such quarter. (Ord. 7032 §2, 2009)

Section 14.12.565 Damage to Facilities or Interruption of Normal Operations.
When a user's discharge causes an obstruction, damage, interference, pass-through or otherwise adversely impacts the POTW, the Director may assess a charge, including administrative costs attributable thereto, against the user for costs incurred by the City for extra monitoring, investigation, quantifiable damages and work required to clean, repair and resume
normal operations. A ninety percent administrative fee shall be added to the direct charges. Unless appealed as provided herein, such charge shall be payable by the user within thirty calendar days of being notified of such charge and is subject to collection by civil suit or other procedures provided in this Chapter. (Ord. 7032 §2, 2009)

Section 14.12.570 Appeals.
A. Any user affected by and dissatisfied with any decision, order, Industrial User Permit, or enforcement action under this Chapter may file an appeal with the Director requesting reconsideration. The appeal must be in writing, detail the facts supporting the user's disagreement, and submitted within ten calendar days of receiving notice of the matter to be appealed. The Director shall decide the matter and issue a written decision within ten calendar days of receiving the appeal. Submitting an appeal does not automatically suspend any obligations or enforcement.

B. If the appellant is not satisfied with the Director's decision, then the appellant may, within ten calendar days after receiving the Director's decision, file a written appeal with the City Council, lodging such appeal with the City Clerk along with an appeals fee of one hundred dollars. The City Council will hear the appeal within thirty calendar days of filing or the next regularly scheduled meeting. The City Council will normally make a ruling on the appeal within 15 days of the hearing.

C. That the degree of protection shall be commensurate with the degree of hazard City Council’s final ruling shall be deemed the City’s final decision on the matter. No person may obtain judicial review of any decision, order, or enforcement action by the City under this Chapter without first having exhausted his or her administrative remedies set forth in this Section. (Ord. 7032 §2, 2009)

The Director may also seek penalties, payments, and liens on a user’s property as provided in Government Code Sections 54739 et seq. (Ord. 7032 §2, 2009)

Section 14.12.580 Invalidity.
If any provision of this Chapter or the application thereof to any user or circumstance is held invalid, the remainder of this Chapter and the application of such provision to other users or circumstances shall not be affected thereby. (Ord. 7032 §2, 2009)

Section 14.12.585 Interpretation - Intent.
All the provisions of this Chapter are to be reasonably interpreted. The intent herein is to recognize that there are varying degrees of hazard to the POTW, the POTW’s sludge, storm drain, personnel, environment and the public, and to apply the principle that the degree of protection shall be commensurate with the degree of hazard. (Ord. 7032 §2, 2009)
Chapter 14.16
PRIVATE DUMPING AND DISPOSAL OF SEWAGE

Sections:
14.16.010 Certain discharges prohibited.
14.16.020 Permit required.
14.16.030 Fee for permit.
14.16.040 Nonpermissible loads.

Section 14.16.010 Certain discharges prohibited.
It is unlawful for any person to dispose or discharge any cleanings, wastes, waters, or sewage pumped or cleaned from any septic tank, cesspool, holding tank, or sewage seepage pit:
A. Without first complying with the provisions of this chapter;
B. At or into any public sanitary sewer connection, opening or manhole other than the Riverside Wastewater Treatment Plant or at a place designated by the Riverside Wastewater Systems Manager, or designee. (Ord. 7157 § 13, 2012; Ord. 5076 § 1, 1983; prior code § 27.45)

Section 14.16.020 Permit required.
No person, firm, partnership, or corporation, carrying on engaged in the business of pumping or cleaning septic tanks, cesspools, holding tanks or sewage seepage pits, shall dispose or discharge wastes as herein specified at any time without a signed discharge permit first obtained from the Wastewater Systems Manager, or designee. The discharge permit shall reveal such information as the Director of Public Works may require, including the name, address, and telephone of the person or firm requesting disposal or discharge and the name, address and telephone number of the location where waste was picked up. (Ord. 7157 § 14, 2012; Ord. 5076 § 1, 1983; prior code § 27.46)

Section 14.16.030 Fee for permit.
Every person, firm, partnership or corporation applying for a permit to discharge at the Riverside Wastewater Treatment Plant any cleanings, wastes, waters or sewage pumped or cleaned from any septic tank, cesspool, holding tank or sewage seepage pit shall pay a fee therefor as set by resolution of the City Council. The City Council may from time to time, in its discretion, revise such fee. In setting such fee the City Council may take into consideration whether each load of waste originated from within or outside of the boundaries of the operational area or the outer perimeter boundaries of the City of Riverside, the Jurupa community services district, the Rubidoux community services district, or the Edgemont community services district or their successors. (Ord. 5901 § 1, 1991; Ord. 5723 § 1, 1989; Ord. 5076 § 1, 1983; Ord. 5069 § 1, 1983; prior code § 27.47)

Section 14.16.040 Nonpermissible loads.
When, in the opinion of the Wastewater Systems Manager, or designee, a waste load is unfit or unsafe for discharge, he may refuse to permit discharge. Under no condition will it be permissible to dispose of chemical waste or cleanings from grease and oil and similar interceptors by means of the Riverside Wastewater Treatment Plant, or other sewerage facility. (Ord. 7157 § 15, 2012; Ord. 5076 § 1, 1983; prior code § 27.48)
Chapter 14.20

WATER CONNECTIONS

Sections:

14.20.010 Connection to water system without proper meter--Connection to main in front of property required--Exception.  
14.20.020 Separate meters and connections for each house.  
14.20.030 Disconnection of unlawful connection.  
14.20.040 Conditions for commencement of water service to property not previously served.  
14.20.050 When service not extended.

Section 14.20.010 Connection to water system without proper meter--Connection to main in front of property required--Exception.

It is unlawful to make any connection to the domestic water system of the City for the purpose of supplying water to any property, unless the same be made through a meter installed by and under the supervision of the Water Department of the City, and unless the connection is made directly with the water main in front of the property so connected. If there is no water main in front of the property, connection shall be made at the point approved by the Board of Public Utilities of the City.  (Prior code § 34.1)

Section 14.20.020 Separate meters and connections for each house.

A separate meter and separate connection to the water main shall be made for each house or bungalow court supplied with water from the domestic water system of the City.  (Prior code § 34.2)

Section 14.20.030 Disconnection of unlawful connection.

In the event of a violation of any of the provisions of this chapter, it shall be the duty of the Public Utilities Director of the City to serve by mail on the occupant of the property a notice requiring the unlawful connection with the water system to be disconnected; and in the event that the same is not done within ten days after the mailing of such notice, it shall be the duty of the Public Utilities Director to disconnect such unlawful connection.  (Prior code § 34.3)

Section 14.20.040 Conditions for commencement of water service to property not previously served.

Prior to commencing water service to any land or property not previously served with nonagricultural water, the following conditions, in addition to any other requirements heretofore or hereafter adopted, shall be met by the applicant before such water service is commenced:

A. Application for Service. The written application for service shall state the description of the land or property to be served and shall contain a statement under penalty of perjury setting forth all water rights of every nature, to the best knowledge of the applicant, which have been exercised or held or which exist for use on the land sought to be served, including but not limited to shares of stock in mutual water companies, whether appurtenant to such lands or merely temporarily located for service of "extra water" or otherwise, and including the right to receive water pursuant to contract, agreement, decree or deeds;

B. Joint Extraction Agreement. The applicant shall execute a joint extraction agreement
with City in a form to be provided by City, which will authorize City to extract water for use on
the land or property to be served;

C. Sale of Water Stock and Water Rights. The applicant shall sell to City any such
shares or water rights owned or controlled by the applicant or theretofore used or held for water
service to such lands or equivalent shares or equivalent water rights may be accepted in the
discretion of the City. The price to be paid for such shares and water rights shall be the fair
market value of such shares and water rights for use in City's water service area. The City
shall, from time to time, establish by a formal resolution of the City Council the fair market value
and administrative procedures for sale and purchase of shares and water rights. (Prior code §
34.4)

Section 14.20.050 When service not extended.

In the event any water right or right to receive water now appurtenant to or pursuant to
which water is or may be used on lands within the water service area of the City or the water
service area of mutual water companies serving water within the City's service area is hereafter
sold, conveyed, assigned or transferred in any manner whatsoever so as to result directly or
indirectly in the exercise of such rights and use of such waters on lands outside such service
areas or the deprivation of the water supplies appropriated to the public use of the City and its
inhabitants, then the City shall refuse to extend domestic, agricultural, industrial or municipal
water service from its municipal water department to such lands thus deprived of their present
water rights unless and until the Board of Public Utilities, with the approval of the City Council,
shall find and determine by resolution that there is surplus water available for service to such
lands. The finding of the Board of Public Utilities shall be final and conclusive as to the
existence or nonexistence and the extent and availability, if any, of surplus water for such
purposes. Nothing in this section contained shall be construed or deemed to prevent the free
transfer and exchange of private water rights. (Prior code § 34.5)
Chapter 14.22

WATER CONSERVATION

Sections:
14.22.010 Unreasonable uses of water.
14.22.020 Water Conservation Program.
14.22.030 Stage One - Normal water supply.
14.22.040 Stage Two - Minimum water shortage.
14.22.050 Stage Three - Moderate water shortage.
14.22.060 Stage Four - Severe water shortage.
14.22.070 Water shortage emergency.
14.22.080 Enforcement and severability.

Section 14.22.010 Unreasonable uses of water.
(A) No person shall use or permit the use of water for residential, commercial, industrial, agricultural, or any other purpose, contrary to any provision of this ordinance.

(B) No person shall waste water or use it unreasonably. Unreasonable use of water includes, but is not limited to, the following:

1. Allowing water to leave the Person’s property by drainage onto adjacent properties or public or private roadways or streets due to excessive irrigation and/or uncorrected leaks

2. Failing to timely repair a water leak;

3. Using water to wash down sidewalks, driveways, parking areas, tennis courts, patios or other paved areas, except to alleviate immediate safety or sanitation hazards;

4. Watering outdoor landscaped areas on rainy days and two days thereafter;

5. Failing to adjust sprinklers and irrigation systems to eliminate overspray and avoid run-off into streets, sidewalks, parking lots, alleys or other paved surfaces;

6. Operating a water fountain or other decorative water feature that does not use re-circulated water;

7. Installing single pass cooling systems in buildings requesting new water service;

8. Installing non-re-circulating water systems in new commercial conveyor car wash and new commercial laundry systems; and

9. Failing to install operational re-circulating water systems for commercial conveyor car wash systems and commercial laundry systems. (Ord. 7136 § 4, 2011)

Section 14.22.020 Water Conservation Program.
(A) This Chapter establishes a Water Conservation Program which uses four stages to address conditions and needs. The Water Conservation Stage shall be set by City Council action. All normal water efficiency programs and water conservation regulations shall remain in force during any stage, unless the City Council directs otherwise.

(B) Stage One represents normal conditions; Stages Two, Three and Four represent potential and actual shortages. Stages Two, Three and Four may be triggered by a local or regional water supply shortage; production, treatment, transmission, or delivery infrastructure problems; limited or unavailable alternative water supplies are; or other circumstances.

(C) Stage One conservation measures are voluntary, and will be enforced through public outreach, education, and awareness measures by the City.

(D) Stages Two, Three, and Four conservation measures are mandatory, and violations
may be subject to criminal, civil, and administrative enforcement. (Ord. 7254 § 1, 2014; Ord. 7136 § 4, 2011)

Section 14.22.030  Stage One - Normal Water Supply.
(A) Stage One applies when the City can meet all of its water demands, but declares, by resolution, that it has determined that certain conservation methods are warranted to preserve existing water supply in the event that the City will be unable to meet future water demands.
(B) Upon declaration of Stage One by the City Council, the following water conservation measures shall apply:
   (1) Watering lawns and/or ground cover and irrigating landscaping is prohibited from 10:00 a.m. to 6:00 p.m. Pop-up spray-type sprinklers are limited to 15 minute total run-time. Impact and rotor sprinklers are limited to 30 minutes total run-time. Irrigation water cannot leave the landscaped area.
   (2) All open hoses shall be equipped with automatic, positive shut-off nozzles.
   (3) Washing of automobiles, trucks, trailers, boats, airplanes and other types of mobile equipment, is permitted at any time with a hand-held bucket or a hand-held hose equipped with an automatic, positive shut-off nozzle for quick rinses. Washing may be done at any time at a commercial car wash or commercial service station, or by a mobile car wash or on-site car wash using high pressure washing equipment. Washings necessary for the health, safety, and welfare of the public, such as garbage trucks or vehicles used for food and perishables, are exempt from this section.
   (4) Construction operations shall not use water unnecessarily. Newly installed landscaping at construction sites requiring watering are subject to (1) and (2) above. (Ord. 7254 § 1, 2014; Ord. 7136 § 4, 2011)

Section 14.22.040  Stage Two – Minimum Water Shortage.
(A) Stage Two applies when the City Council declares, by resolution, a reasonable probability exists that the City will not be able to meet all of its water demands, other regional or statewide conditions warrant implementation, or the State of California orders implementation.
(B) Upon declaration of Stage Two by the City Council, and the following measures shall apply:
   (1) Except as otherwise provided in this Section, all Stage One measures remain in effect.
   (2) Customers will be asked to reduce their monthly water consumption up to 15 percent.
   (3) Non-agricultural irrigation, including construction meter irrigation, is limited as follows:
      (a) Properties may be irrigated only between the hours of 6:00 p.m. to 10:00 a.m.
      (b) Properties may not be irrigated more than four (4) times per week.
      (c) All automatic irrigation timers shall be adjusted according to changing weather patterns and shall completely eliminate run-off.
      (d) Irrigation of landscaping is prohibited on any day of the week from 10:00 a.m. to 6:00 p.m.
      (e) All irrigation timers shall be adjusted to comply with the above.
      (f) Recycled water may be used to irrigate fruit trees, lawns and ground covers, and ornamental trees and shrubs at any time and on any day of the week.
   (4) All plumbing leaks, improperly adjusted sprinklers, or other water appurtenances requiring repair or adjustment shall be corrected to the satisfaction of the City within 72 hours of notification by the City. The City will attempt to contact customers by phone, mail or printed “door-hanger” notice. All customers shall ensure that the City has current
telephone contact information.

(5) Eating or drinking establishments, or other public places where food or drinks are sold, served, or offered for sale, may only provide drinking water upon specific request.

(6) Hotels, motels and other commercial lodging establishments shall provide customers the option of not having towels and linen laundered daily. Commercial lodging establishments shall prominently display notice of this option in each bathroom using clear and easily understood language.

(7) Construction operations receiving water from a construction meter or water truck shall not use water unnecessarily for any purpose, other than those required by regulatory agencies. Construction projects requiring watering for new landscaping materials shall adhere to the designated non-agricultural irrigation requirements set forth in listed above. (Ord. 7254 § 1, 2014; Ord. 7136 § 4, 2011)

Section 14.22.050 Stage Three - Moderate Water Shortage.

(A) Stage Three applies when the City Council declares, by resolution, that the City will not be able to meet all of the water demands of its Customers.

(B) Upon declaration of Stage Three by the City Council, the following measures shall apply:

(1) Except as otherwise provided in this Section, all Stage One and Two measures remain in effect.

(2) Water customers will be asked to reduce their monthly water consumption by 15 to 20 percent for the duration of Stage Three.

(3) Non-agricultural irrigation is limited as follows:
   (a) Properties may be irrigated only on between the hours of 8:00 p.m. to 8:00 a.m.
   (b) Properties may not be irrigated more than three (3) times per week.
   (c) Pop-up spray-type sprinklers shall be limited to a maximum 15 minute total run-time on the allowed days of irrigation. Impact and rotor sprinklers shall be limited to a maximum 30 minute total run-time on the allowed days of irrigation. All automatic irrigation timers shall be adjusted according to changing weather patterns and to completely eliminate run-off.
   (d) Irrigation is prohibited on Mondays and Fridays and on any day of the week from 8:00 a.m. to 8:00 p.m.

(4) Use of recycled water for irrigation is permitted on any day and at any time notwithstanding.

(5) Washing of automobiles, trucks, trailers, boats, airplanes and other types of mobile equipment is permitted only during the hours of 6:00 a.m. to 6:00 p.m. on Fridays, Saturdays, Sundays, and Mondays with a hand-held bucket or a hand-held hose equipped with an automatic, positive shut-off nozzle for quick rinses. Washing is permitted at any time on the immediate premises of a commercial car wash. Commercial car washes not using partially reclaimed or recycled water shall reduce their water use as determined by the City Council. Washings necessary for the health, safety, and welfare of the public, such as garbage trucks or vehicles used for food and perishables, are exempt from this section.

(6) The overfilling of swimming pools and spas is prohibited.

(7) The filling or refilling of ponds, streams, and artificial lakes is prohibited.

(8) The operation of any ornamental fountain or similar structure is prohibited.

(9) Construction projects requiring water from a construction meter or a water truck shall not use water unnecessarily for any purposes, other than those required by
regulatory agencies. Construction projects requiring water for new landscapes shall adhere to the designated days and times as set forth above. (Ord. 7254 § 1, 2014; Ord. 7136 § 4, 2011)

Section 14.22.060 Stage Four - Severe Water Shortage.
(A) Stage Four applies when the City Council declares, by resolution, that the City’s ability to meet its water demands is seriously impaired.
(B) Upon declaration of Stage Four by the City Council, the following water conservation measures shall apply:
   (1) Except as otherwise provided in this Section, all Stage One, Two, and Three conservation measures shall be in full force and effect during Stage Four.
   (2) Water customers will reduce their monthly water consumption by twenty to fifty percent (20 – 50 %) for the duration of Water Conservation Stage Four.
   (3) Non-agricultural irrigation shall be limited to supporting minimal survival of trees and shrubs. Trees and shrubs may be irrigated, only during the following designated hours and designated days:
      (a) Properties with odd number street addresses, parks, and public right of ways may irrigate only on Saturdays between the hours of 8:00 p.m. and 8:00 a.m.
      (b) Properties with even number street addresses may irrigate only on Sundays between the hours of 8:00 p.m. and 8:00 a.m.
      (c) Irrigation is prohibited on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays and on any day of the week from 8:00 a.m. to 8:00 p.m.
   (4) Use of recycled water for irrigation is permitted on any day and at any time notwithstanding (3)(a) – (2)(e) above.
   (5) All outdoor watering and irrigation of lawns and similar ground covers is prohibited with the exception of plant materials determined by the General Manager to be rare, exceptionally valuable, or essential to the well being of the public or threatened or endangered animals.
   (6) Washing of automobiles, trucks, trailers, boats, airplanes and other types of mobile equipment is prohibited except at a commercial car wash. Commercial car washes shall only use wholly- or partially-recycled water for washing automobiles, trucks, trailers, boats, airplanes and other types of mobile equipment. Washings necessary for the health, safety, and welfare of the public, such as garbage trucks or vehicles used for food and perishables, are exempt from this section.
   (7) Filling, refilling, or replenishing swimming pools, spas, ponds, streams, and artificial lakes is prohibited.
   (8) Operation of any ornamental fountain, pond, or similar structure is prohibited.
   (9) Use of water for cooling mists is prohibited.
   (10) Water used for commercial, manufacturing, or processing purposes shall be reduced as determined by the City Council. (Ord. 7136 § 4, 2011)

Section 14.22.070 Water Shortage Emergency.
(A) If the City Council has declared either Stage Three or Stage Four conservation, it may also, by resolution, declare a Water Shortage Emergency. A Water Shortage Emergency may be an immediate emergency, or a threatened future water shortage, or both; and
(B) Upon declaration of a Water Shortage Emergency:
   (1) No new construction meters will be issued.
   (2) No construction water may be used for earth work such as road construction purposes, dust control, compaction, or trench jetting.
   (3) No new building permit(s) shall be issued, except:
      (a) Projects found by the City Council to be necessary for public health,
(b) Projects using recycled water for construction.
(c) Projects which will not result in a net increase in non-recycled water use.
(d) Projects with adequate Conservation Offsets, if available. The City, in its sole discretion, may choose to make Conservation Offsets available. Conservation Offset costs shall be based on the cost of conserving the water elsewhere to provide the water needed for a project, the cost of providing an alternative water supply deemed acceptable by the City, or other measures as may be found in the City’s Water Use Efficiency Master Plan. Conservation Offset fees will be set forth in the Water Rules and Rate Schedules. (Ord. 7136 § 4, 2011)

Section 14.22.080    Enforcement and Severability.

(A) Any violation of this article shall be subject to enforcement by issuance of an administrative citation pursuant to Chapter 1.17 of this Code. Prior to issuance of an administrative citation, the City shall give one courtesy notice requesting voluntary correction of the violation. The City Manager, or his or her designee, may enter into a written agreement with a customer to resolve any violation provided that such agreement is consistent with the purpose and intent of this Chapter.

(B) If any phrase, section, sentence, or word of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect any other phrase, section, sentence, or word of the Ordinance that can be given effect without the invalid phrase, section, sentence, or word, and to this end each phrase, section, sentence, or word of this Ordinance is declared to be severable. (Ord. 7136 § 4, 2011)
Chapter 14.24

UNDERGROUND UTILITY INSTALLATION

Sections:

14.24.010 
Definitions.

14.24.020 
Public hearing by City Council.

14.24.030 
Report by Public Utilities Director.

14.24.040 
Designation of underground utility districts.

14.24.050 
Unlawful acts.

14.24.060 
Exceptions--Emergency or unusual circumstances.

14.24.070 
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14.24.080 
Notice to property owners and utility companies.

14.24.090 
Utility company responsibility.

14.24.100 
Property owner responsibility.

14.24.110 
City responsibility.

14.24.120 
Extension of time.

Section 14.24.010 
Definitions.

Whenever in this chapter the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions:

"Commission" means the Public Utilities Commission of the State of California.

"Person" means and includes individuals, firms, corporations, partnerships, and their agents and employees.

"Poles, overhead wires and associated overhead structures" mean poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located above ground within a district and used or useful in supplying electric, communication or similar or associated service.

"Underground utility district" or "district" means that area in the City within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of Section 14.24.040.

"Utility" includes all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices. (Ord. 3563 § 1, 1968)

Section 14.24.020 
Public hearing by City Council.

The City Council may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication or similar or associated service. The City Clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail for the time and place of such hearings at least ten days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the City Council shall be final and conclusive. (Ord. 3563 § 2, 1968)
Section 14.24.030  Report by Public Utilities Director.

Prior to holding such public hearing, the Public Utilities Director shall consult all affected utilities and shall prepare a report for submission at such hearing containing, among other information, the extent of such utilities participation and estimates of the total costs to the City and affected property owners. Such report shall also contain an estimate of the time required to complete such underground installation and removal of overhead facilities. (Ord. 3563 § 3, 1968)

Section 14.24.040  Designation of underground utility districts.

If, after any such public hearing the City Council finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the City Council shall, by resolution, declare such designated area an underground utility district and order such removal and underground installation. Such resolution shall include a description of the area comprising such district and shall fix the time within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby. (Ord. 3563 § 4, 1968)

Section 14.24.050  Unlawful acts.

Whenever the City Council creates an underground utility district and orders the removal of poles, overhead wires and associated overhead structures therein as provided in Section 14.24.040, it is unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant or property prior to the performance by such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in Section 14.24.100, and for such reasonable time required to remove said facilities after said work has been performed, and except as otherwise provided in this chapter. (Ord. 3563 § 5, 1968)

Section 14.24.060  Exceptions--Emergency or unusual circumstances.

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period, not to exceed thirty days, without authority of the Director of Public Utilities in order to provide emergency service. The Director of Public Utilities may grant special permission on such terms as the Director of Public Utilities may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures. (Ord. 3563 § 6, 1968)

Section 14.24.070  Exceptions--Generally.

This chapter and any resolution adopted pursuant to Section 14.24.040, shall, unless otherwise provided in such resolution, not apply to the following types of facilities:
A. Poles, or electroliers used exclusively for street lighting;
B. Overhead wires (exclusive of supporting structures) crossing any portion of a district within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a district, when such wires originate in an area from which poles, overhead wires and
associated overhead structures are not prohibited;
C. Poles, overhead wires and associated overhead structures used for the transmission
of electric energy at nominal voltages in excess of thirty thousand volts;
D. Overhead wires attached to the exterior surface of a building by means of a bracket
or other fixture and extending from one location on the building to another location on the same
building or to an adjacent building without crossing any public street;
E. Antennae, associated equipment and supporting structures, used by a utility for
furnishing communication services;
F. Equipment appurtenant to underground facilities, such as surface mounted
transformers, pedestal mounted terminal boxes and meter cabinets and concealed ducts;
G. Temporary poles, overhead wires and associated overhead structures used or to be
used in conjunction with construction projects. (Ord. 3563 § 7, 1968)

Section 14.24.080 Notice to property owners and utility companies.
Within ten days after the effective date of a resolution adopted pursuant to Section
14.24.040, the City Clerk shall notify all affected utilities and all persons owning real property
within the district created by said resolution of the adoption thereof. Said City Clerk shall further
notify such affected property owners of the necessity that, if they or any person occupying such
property desire to continue to receive electric, communication, or similar or associated service,
they or such occupant shall provide all necessary facility changes on their premises so as to
receive such service from the lines of the supplying utility or utilities at a new location, subject to
the applicable rules, regulations, and tariffs of the respective utility or utilities on file with the
Commission or as authorized by the Riverside Board of Public Utilities.

Notification by the City Clerk shall be made by mailing a copy of the resolution adopted
pursuant to Section 14.24.040, together with a copy of the ordinance codified herein, to affected
property owners as such are shown on the last equalized assessment roll and to the affected
utilities. (Ord. 3563 § 8, 1968)

Section 14.24.090 Utility company responsibility.
If underground construction is necessary to provide utility service within a district created
by any resolution adopted pursuant to Section 14.24.040, the supplying utility shall furnish that
portion of the conduits, conductors and associated equipment required to be furnished by it
under its applicable rules, regulations and tariffs on file with the Commission or as authorized by
the Riverside Board of Public Utilities. (Ord. 3563 § 9, 1968)

Section 14.24.100 Property owner responsibility.
A. Every person owning, operating, leasing, occupying or renting a building or structure
within a district shall construct and provide that portion of the service connection on his property
between the facilities referred to in Section 14.24.090 and the termination facility on or within
said building or structure being served, all in accordance with the applicable rules, regulations
and tariffs of the respective utility or utilities on file with the Commission or as authorized by the
Riverside Board of Public Utilities. If the above is not accomplished by any person within the
time provided for in the resolution enacted pursuant to Section 14.24.040, the Public Utilities
Director shall give notice in writing to the person in possession of such premises, and a notice in
writing to the owner thereof as shown on the last equalized assessment roll, to provide the
required underground facilities within ten days after receipt of such notice.
B. The notice to provide the required underground facilities may be given either by
personal service or by mail. In case of service by mail on either of such persons, the notice must
be deposited in the United States mail in a sealed envelope with postage prepaid, addressed to
the person in possession of such premises at such premises, and the notice must be addressed
to the owner thereof as such owner's name appears, and must be addressed to such owner's last known address as the same appears on the last equalized assessment roll, and when no address appears, to General Delivery, City of Riverside. If notice is given by mail, such notice shall be deemed to have been received by the person to whom it has been sent within forty-eight hours after the mailing thereof. If notice is given by mail to either the owner or occupant of such premises, the Public Utilities Director shall, within forty-eight hours after the mailing thereof, cause a copy thereof, printed on a card not less than eight inches by ten inches in size, to be posted in a conspicuous place on said premises.

C. The notice given by the Public Utilities Director to provide the required underground facilities shall particularly specify what work is required to be done, and shall state that if said work is not completed within thirty days after receipt of such notice, the Public Utilities Director will provide such required underground facilities, in which case the cost and expense thereof will be assessed against the property benefited and become a lien upon such property.

D. If upon the expiration of the thirty day period, the said required underground facilities have not been provided, the Public Utilities Director shall forthwith proceed to do the work, provided, however, if such premises are unoccupied and no electric or communications services are being furnished thereto, the Public Utilities Director may in lieu of providing the required underground facilities, authorize the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property. Upon completion of the work by the Public Utilities Director, he shall file a written report with the City Council setting forth the fact that the required underground facilities have been provided and the cost thereof, together with a legal description of the property against which such cost is to be assessed. The City Council shall thereupon fix a time and place for hearing protests against the assessment of the cost of such work upon such premises, which said time shall not be less than ten days thereafter.

E. The Public Utilities Director shall forthwith, upon the time for hearing, such protests having been fixed, give a notice in writing to the person in possession of such premises, and a notice in writing thereof to the owner thereof, in the manner hereinabove provided for the giving of the notice to provide the required underground facilities, of the time and place that the City Council will pass upon such report and will hear protests against such assessment. Such notice shall also set forth the amount of the proposed assessment.

F. Upon the date and hour set for the hearing of protests, the City Council shall hear and consider the report and all protests, if there be any, and then proceed to affirm, modify or reject the assessment.

G. If any assessment is not paid within five days after its confirmation by the City Council, the amount of the assessment shall become a lien upon the property against which the assessment is made by the Public Utilities Director, and the Public Utilities Director is directed to turn over to the Assessor and tax collector a notice of lien on each of said properties on which the assessment has not been paid, and said assessor and tax collector shall add the amount of said assessment to the next regular bill for taxes levied against the premises upon which said assessment was not paid. Said assessment shall be due and payable at the same time as said property taxes are due and payable, and if not paid when due and payable, shall bear interest at the rate of six percent per annum. (Ord. 3563 § 10, 1968)

Section 14.24.110 City responsibility.

City shall remove at its own expense all City-owned equipment from all poles required to be removed hereunder in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to Section 14.24.040. (Ord. 3563 § 11, 1968)
Section 14.24.120 Extension of time.

In the event that any act required by this chapter or by a resolution adopted pursuant to Section 14.24.040 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation. (Ord. 3563 § 12, 1968)
Chapter 14.28

MANDATORY USE OF RECYCLED WATER

Sections:
14.28.010 Findings.
14.28.030 Definitions.
14.28.050 Procedures.
14.28.060 Sanctions.
14.28.070 Validity.

Section 14.28.010 Findings.
The people of the State of California have a primary interest in the development of facilities to recycle water containing waste to supplement existing surface and underground water supplies and to assist in meeting the future water requirements of the State (California Water Code, Section 13510). This policy is in the best interest of the City. This ordinance is necessary to protect the common water supply of the region which is vital to public health and safety, and to prevent endangerment of public and private property. The City is highly dependent on limited groundwater for domestic, agricultural and industrial uses. The reliability of the supply of imported water is uncertain. By developing and utilizing recycled water, the need for additional imported water can be reduced. In light of these circumstances, certain uses of potable water may be considered unreasonable where recycled water is available. Recycled water should be more readily available in seasons of drought when the supply of potable water for nonessential uses may be uncertain. (Ord. 7002 § 2, 2008)

Section 14.28.020 Water Recycling Policy.
It is the policy of the City that recycled water determined to be available pursuant to Section 13550 of the California Water Code shall be used for nonpotable uses within the designated Recycled Water Use Areas, as set forth within this Chapter wherever there is not an alternative higher or better use for the recycled water, its use is economically justified, financially and technically feasible, and consistent with legal requirements, preservation of public health, safety and welfare, and the environment. (Ord. 7002 § 2, 2008)

Section 14.28.030 Definitions.
The words used in this chapter shall have the meanings as set forth below:
A. “Agricultural purposes” includes the growing of field and nursery crops, row crops, trees, and vines and the feeding of fowl and livestock.
B. “Artificial lake” means a human-made lake, pond, lagoon, or other body of water that is used wholly or partly for landscape, scenic or noncontact recreational purposes.
C. “Commercial office building” means any building for office or commercial uses with water requirements which include, but are not limited to, landscape irrigation, toilets, urinals and/or decorative fountains.
D. “Recycled water distribution system” means a piping system intended for the delivery of recycled water only and which is separate from any potable water distribution system.
E. “Greenbelt areas” includes, but is not limited to, golf courses, cemeteries, parks and landscaping.
F. “Industrial process water” means water used by any industrial facility with process water requirements which include, but are not limited to, rinsing, washing, cooling and circulation, or construction, including any facility regulated by the requirements of Chapter 14.12.

G. “Off-site facilities” means water facilities from the source of supply to the point of connection with the on-site facilities, including the water meter.

H. “On-Site Facilities” means water facilities under the control of the owner, downstream from but not including the water meter.

I. “Potable Water” means water which conforms to the federal, state, and local standards for human consumption.

J. “Recycled water” means water which, as a result of treatment of wastewater, is suitable for a direct beneficial use or a controlled use that would not otherwise occur, as defined by California Water Code Section 13050(n).

K. “Master Plan” shall mean the Water Recycling Master Plan referenced in this Chapter. (Ord. 7002 § 2, 2008)


A. General.
Upon adoption of this ordinance, the City’s Public Utilities Department shall prepare and adopt a Water Recycling Master Plan to define, encourage, and develop the use of recycled water within its boundaries. The Master Plan shall be updated not less often than every five years.

B. Contents of Master Plan.
The Master Plan shall include, but not be limited to, the following:

1. Plants and Facilities.
   Evaluation of the location and size of present and future reclamation treatment plants, distribution pipelines, pump stations, reservoirs, and other facilities related to recycled water, including cost estimates and potential financing methods.

2. Recycled Water Service Areas.
   A. Designation, based on the criteria set forth in Section 14.24.020 and the information derived from Section 14.24.040(B)(1) and this section, of the areas within the boundaries of City that can or may in the future use recycled water in lieu of potable water. Recycled water uses may include, but are not limited to, the irrigation of greenbelt and agricultural areas, filling of artificial lakes, and appropriate industrial and commercial uses.

3. Mandatory Recycled Water Use.
   For each recycled water service area:
   a. An evaluation of whether greenbelt irrigation, agricultural irrigation, commercial office buildings landscape irrigation, the filling of artificial lakes, or industrial processes shall be limited to the use of recycled water.
   b. As appropriate, a review of whether to mandate construction of recycled water distribution systems or other facilities in new and existing developments for current or future recycled water use as a condition of any development approval or continued water service if future water recycling facilities are proposed in the Master Plan that could adequately serve the development, in accordance with the procedures described in Section 12.24.050.
   c. The identification of resources and adoption of measures to assist water users in the financing of necessary conversions.

4. Rules and Regulations.
The establishment of general rules and regulations governing the use and distribution of recycled water. (Ord. 7002 § 2, 2008)
Section 14.28.050  Procedures.

A. Development and Water Service Approvals.

1. Conditions.

Upon application by a developer, owner or water customer for a new industrial, commercial, or residential subdivisions located within the designated Recycled Water Use Areas for which a tentative map or parcel map is required pursuant to Government Code Section 66426, or for new or altered water service, the Public Utilities Department shall review the Master Plan and make a preliminary determination whether the current or proposed use of the subject property is required to be served with recycled water or should include facilities designed to accommodate the use of recycled water in the future. Based upon such determination, use of recycled water and/or provision of recycled water distribution systems or other facilities for the future use of recycled water, and application for a permit for such use may be required as a condition of approval of any such application, in addition to any other conditions of approval.

2. Notice of Determination.

A notice of the basis for the preliminary determination, proposed conditions of approval and schedule for compliance shall be provided to the applicant prior to approval of the development application.

3. Requested Service.

On a case by case basis, upon application for a permit to use recycled water on a property not covered by Sections 14.24.050(B)(1) and (2), above, the Public Utilities Department shall review the Master Plan and make a determination whether the subject property shall be served with recycled water. Based upon such determination, the application for the permit shall be accepted and processed subject to Section 14.24.050(C).

B. Recycled Water Permit Process.

Upon a final determination by the Public Utilities Department that a property shall be served with recycled water, or adoption of a condition of development approval requiring use or accommodation of the use of recycled water, the water customer, owner or applicant shall obtain a recycled water permit.

1. Permit Conditions.

The permit shall specify the design and operational requirements for the applicant's water distribution facilities and schedule for compliance, based on the rules and regulations adopted pursuant to Section 14.24.040, and shall require compliance with both the California Department of Health Services Wastewater Recycling Criteria (see California Code of Administrative Regulations, Title 22), requirements of the Regional Water Quality Control Board and the Public Utilities Department Water Rules.

2. Plan Approval.

Plans for the recycled and non-recycled water distribution systems for the parcel shall be reviewed by the Public Utilities Department and a field inspection conducted before the permit is granted.

3. Permit Issuance.

Upon approval of plans the permit shall be issued. Recycled water shall not be supplied to a property until inspection and determination by the Public Utilities Department that the applicant is in compliance with the permit conditions. Recycled water service shall not commence within the designated Recycled Water Use Area in any service area of a private utility, as defined in Section 1502 of the Public Utilities Code, or to any service area of another public agency retail water supplier, except in accordance with a written agreement between the recycled water producer and the private utility or public agency retail water supplier.

C. Temporary Use of Potable Water.

At the discretion of the Public Utilities Department, and in accord with its Water Rules, potable water may be made available to the subject property on a temporary basis, until
recycled water is available. Before the applicant receives temporary potable water, a water recycling permit, as described in Section 14.24.050(C), must be obtained for new on-site distribution facilities. Prior to commencement of recycled water service, an inspection of the on-site facilities will be conducted to verify that the facilities have been maintained and are in compliance with the recycled water permit and current requirements for service. Upon verification of compliance, recycled water shall be served to the parcel for the intended use. If the facilities are not in compliance, the applicant shall be notified of the corrective actions necessary and shall have at least thirty (30) days to take such actions prior to initiation of enforcement proceedings.

D. Recycled Water Rate.

The rate charged for recycled water shall be established by the Board of Public Utilities and approved by the City Council, in accord with Section 1202(E) of the City Charter. (Ord. 7002 § 2, 2008)

Section 14.28.060 Sanctions.

A. Public Nuisance.

Discharge of wastes or the use of recycled water in any manner in violation of this ordinance or of any permit issued hereunder is hereby declared a public nuisance and shall be corrected or abated in accord with Chapter 6.15 of this code.

B. Injunction.

Whenever a discharge of wastes or use of recycled water is in violation of this ordinance or otherwise causes or threatens to cause a condition of nuisance, the City may seek injunctive relief as may be appropriate to enjoin such discharge or use.

C. Permit Revocation.

In addition to any other statute or rule authorizing termination of water service, the City may revoke a permit issued hereunder if a violation of any provision of this ordinance is found to exist or if a discharge of wastes or use of recycled water causes or threatens to cause a nuisance.

D. Penalty.

Any owner and/or operator who violates this ordinance shall, for each day of violation, or portion thereof, be subject to a fine not exceeding $1,000. In addition, water service to the property may be discontinued. (Ord. 7002 § 2, 2008)

Section 14.28.070 Validity.

If any provision of this ordinance 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. (Ord. 7002 § 2, 2008)
Chapter 14.32

PROVISIONS WITH RESPECT TO THE AGGREGATION OF DEMAND RESPONSE ON BEHALF OF RETAIL CUSTOMERS

Sections:
14.32.010 Findings.
14.32.020 Authority and Purpose.
14.32.030 Bidding of Demand Response into Organized Electric Markets.
14.32.040 Ancillary Services Provided by Demand Responses Resources.

Section 14.32.010 Findings.
The City Council finds as follows:
A. The Federal Energy Regulatory Commission has issued Order No. 719, 125 FERC 61, 071, 73 Fed. Reg. 64,099 (October 28, 2008).
B. Pursuant to Order No. 719, 18 C.F.R. § 35.28(g)(1)(iii) provides: “Each Commission-approved independent system operator and regional transmission organization must permit a qualified aggregator of retail customers to bid demand response on behalf of retail customers directly into the Commission-approved independent system operator’s or regional transmission organization’s organized markets, unless the laws and regulations of the relevant electric retail regulatory authority expressly do not permit a retail customer to participate.”
C. The City Council has determined that it would be harmful to demand response efforts by Riverside Public Utilities, as a load-serving entity with an obligation to serve at retail, and its retail customers to permit any entity other than Riverside Public Utilities itself or its authorized designee to aggregate demand response on behalf of its retail customers.
D. The City Council, as the electric retail regulatory authority for Riverside Public Utilities, has determined it to be desirable that the aggregation of demand response on behalf of retail customers located within its service area to be bid directly into the organized electric and ancillary services markets administered by the California Independent System Operator Corporation (or any successor independent system operator or regional transmission organization to which Riverside Public Utilities is a member, participant, or customer) be performed by Riverside Public Utilities or its authorized designee, the following amendments to the Riverside Municipal Code are hereby adopted. (Ord. 7052 § 1, 2009)

Section 14.32.020 Authority and Purpose.
Pursuant to Section 1200 of the Riverside City Charter, the City Council is authorized to enact regulations governing the provision of electric power, by and through the Riverside Department of Public Utilities (“Riverside Public Utilities”), to the City and its residents. (Ord. 7052 § 1, 2009)

Section 14.32.030 Bidding of Demand Response into Organized Electric Markets.
A. Riverside Public Utilities or its authorized designee is the sole entity permitted to bid demand response on behalf of retail customers served by Riverside Public Utilities directly into any Federal Energy Regulatory Commission-approved independent system operator’s or regional transmission organization’s organized electric markets.
B. Retail customers served by Riverside Public Utilities wishing to bid their demand response into a Commission-approved independent system operator’s or regional transmission organization’s organized electric markets may do so by participating in the program established
Section 14.32.040 Ancillary Services Provided by Demand Response Resources.

A. Riverside Public Utilities or its authorized designee is the sole entity permitted to bid demand response on behalf of retail customers served by Riverside Public Utilities directly into any Commission-approved independent system operator’s or regional transmission organization’s organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator’s or regional transmission organization’s tariff).

B. Retail customers served by Riverside Public Utilities wishing to bid their demand response into a Commission-approved independent system operator’s or regional transmission organization’s organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator’s or regional transmission organization’s tariff) may do so by participating in the program established by Riverside Public Utilities or its authorized designee. Retail customers are not permitted to participate in the demand response program of any other entity without the express prior authorization of Riverside Public Utilities. (Ord. 7052 § 1, 2009)
Chapter 14.36

SPECIAL TAX FINANCING LAW FOR SUSTAINABLE ENERGY DISTRICTS

Sections:

14.36.010 Title.
14.36.020 Purpose – Special tax.
14.36.030 Full authority.
14.36.040 Additional authority.
14.36.050 Actions and determinations -- Proceedings.
14.36.060 Compliance with Chapter.
14.36.070 Nonexclusiveness of remedies.
14.36.090 Administrative Appeals procedures.
14.36.100 Limitation of actions.
14.36.110 Definitions.
14.36.120 Name and nature of districts.
14.36.130 Elections.
14.36.140 Authorized facilities.
14.36.150 Authorized services.
14.36.160 Alternate procedure for forming special tax districts.
14.36.170 Alternate procedure for approving issuance of bonds.
14.36.180 Refunding bonds -- Use of savings.
14.36.190 Authority to advance funds.
14.36.200 Liberal construction.
14.36.210 Chapter controlling.
14.36.220 Savings clause.

Section 14.36.010 Title.
This Chapter may be cited as the “Special Tax Financing Law.” (Ord. 7068 § 2, 2010)

Section 14.36.020 Purpose -- Special tax.
This Chapter provides an alternative method of financing certain public and private capital facilities and municipal services. Section 4 of Article XIII A of the California Constitution (Proposition 13) allows two thirds of the qualified electors of the City to impose a special tax within the City, provided the special tax is not an ad valorem tax on real property or a transaction tax or a sales tax on the sale of real property within the City. The tax imposed by this chapter is a special tax which is authorized for elector approval by Section 4 of Article XIII A of the California Constitution.

The City of Riverside (the “City”) is a California charter city and municipal corporation duly organized and existing under a charter pursuant to which the City has the right and power to make and enforce all laws and regulations in respect to municipal affairs and certain other matters in accordance with and as more particularly provided in Sections 3, 5 and 7 of Article XI of the Constitution of the State of California and Section 200 of the Charter of the City (the “Charter”).

The City Council of the City acting under and pursuant to the powers reserved to the City under Sections 3, 5 and 7 of Article XI of the Constitution of the State of California and Section 200 of the Charter, finds that the public interest and necessity require the establishment by this Chapter of a law for financing certain public and private capital facilities and services. (Ord. 7068 § 2, 2010)
Section 14.36.030  Full authority.
This Chapter is full authority for the City to undertake the matters specified herein. (Ord. 7068 § 2, 2010)

Section 14.36.040  Additional authority.
This Chapter is adopted pursuant to Section 200 of the Charter of the City. In proceedings had pursuant to this Chapter, which are a municipal affair, any general laws referred to in this Chapter are deemed a part of this Chapter.

The provisions of this Chapter shall not affect or limit any other provisions of law authorizing or providing for the furnishing of public and private capital facilities or services, or the raising of revenue for these purposes. The City may use the provisions of this Chapter instead of or in conjunction with any other method of financing a part or all of the cost of providing the authorized kinds of public and private capital facilities and municipal services. (Ord. 7068 § 2, 2010)

Section 14.36.050  Actions and determinations -- Proceedings.
The City Council may take any actions or make any determinations which it determines are necessary or convenient to carry out the purposes of this Chapter and which are not otherwise prohibited by law. Any procedure not expressly set forth in this Chapter, but deemed necessary or convenient to carry out any of its purposes, is authorized. (Ord. 7068 § 2, 2010)

Section 14.36.060  Compliance with Chapter.
Any proceedings taken or special taxes levied pursuant to this Chapter shall not be held invalid for failure to comply with the provisions of this Chapter provided such failure is not a constitutional defect. (Ord. 7068 § 2, 2010)

Section 14.36.070  Nonexclusiveness of remedies.
The remedies provided in this Chapter for the enforcement of any levy pursuant to this Chapter are not exclusive, and additional remedies may be provided at any time. (Ord. 7068 § 2, 2010)

The Mello-Roos Community Facilities Act of 1982 (Chapter 2.5, commencing with Section 53311 of Part 1, Division 2, Title 5 of the California Government Code) (the “Act”), as amended from time to time, is incorporated in and made a part of this Chapter. Except as otherwise provided by this Chapter, the purposes, mode and manner of levying and collecting special taxes shall be as prescribed in the Act. (Ord. 7068 § 2, 2010)

Section 14.36.090  Administrative Appeals procedures.
The City Council may provide by separate resolution for such appeals procedures as it may deem appropriate to facilitate the levy and enforcement of the special taxes. Such procedures may provide for the appeal of confirmed special taxes to the Finance Director or other official of the City responsible for the collection of the special taxes and grounds upon and times within which such appeals must be made. There shall be no appeal to the City Council from the decision of the appointed official or other official of the City. The taking of an administrative appeal under this Chapter shall be a precondition to bringing any action under Section 14.36.100 of this Chapter. (Ord. 7068 § 2, 2010)
Section 14.36.100  Limitation of actions.
The validity of any special tax levied under this Chapter shall not be contested in any
action or proceeding unless the action or proceeding is commenced within 30 days after the
effective date of any ordinance or resolution providing for the levy of such special tax.
Thereafter, a special tax may be contested only for the purpose of challenging the accuracy of
computation of the special tax.  Any appeal from a final judgment in the action or proceeding
shall be perfected within 30 days after the entry of judgment.
The validity of any bonds issued under this Chapter shall not be contested in any action
or proceeding unless the action or proceeding is commenced within 30 days after the effective
date of any ordinance or resolution authorizing the issuance of such bonds.  Any appeal from a
final judgment in the action or proceeding shall be perfected within 30 days after the entry of
judgment.  (Ord. 7068 § 2, 2010)

Section 14.36.110  Definitions.
Unless the context otherwise requires, the terms defined in this Chapter shall have the
following meanings.  Terms defined in the Act but not defined in this Chapter have the meaning
given them in the Act.
A.  "Act" means the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5,
commencing with Section 53311 of Part 1, Division 2, Title 5 of the California Government
Code), as amended from time to time.
B.  "City Council" means the City Council of the City of Riverside.
C.  "City" means the City of Riverside.
D.  "Services" means, in addition to the "Services" defined in Section 53317 of the Act,
operation and maintenance of any improvements that may be financed under this Chapter or
the Act, and any related studies, testing or monitoring.  (Ord. 7068 § 2, 2010)

Section 14.36.120  Name and nature of districts.
The name of any district created under this Chapter shall be substantially as follows:
“City of Riverside Special Tax District No. ___ (______).”  (Ord. 7068 § 2, 2010)

Section 14.36.130  Elections.
For purposes of any election herein, unless otherwise waived by unanimous action of all
qualified electors, the time for the conduct of the election shall be not less than 30 nor more
than 120 days from the adoption of the Resolution of Formation or other resolution ordering
such election.  For purposes of any such election, the City Clerk shall be the election official
responsible for conducting and canvassing such election.  (Ord. 7068 § 2, 2010)

Section 14.36.140  Authorized facilities.
In addition to the facilities that may be financed under the Act, special taxes may be
levied and bonds may be issued to finance and refinance the acquisition, installation and
improvement of energy efficiency and renewable energy improvements to or on real property
and in buildings, whether such real property or buildings are privately or publicly owned.  Work
on privately owned buildings and on privately owned real property may only be financed by a
special tax levy if all of the votes cast on the question of levying the special tax are in favor of
levying the special tax, or with the prior written consent to the special tax of all of the owners of
each property that may be subject to the special tax, in which case the prior written consent
shall be deemed to constitute a unanimous vote in favor of the special tax and any associated
bonded indebtedness.  (Ord. 7068 § 2, 2010)

Section 14.36.150  Authorized services.
It is hereby specifically provided that in proceedings under this Chapter to finance
Services, the limitations set forth in the penultimate paragraph of Section 53313 of the Act shall not apply. (Ord. 7068 § 2, 2010)

Section 14.36.160 Alternate procedure for forming special tax districts.

A. As an alternate and independent procedure for forming a special tax district, the City Council may form a special tax district that initially consists solely of territory proposed for annexation to the special tax district in the future, with the condition that a parcel or parcels within that territory may be annexed to the special tax district and subjected to the special tax only with the unanimous approval of the owner or owners of such parcel or parcels at the time that such parcel or those parcels are annexed. In such case, the City Council shall follow the procedures set forth in the Act for the formation of a community facilities district, with the following exceptions:

1. The City Council shall not be obligated to specify the rate or rates of special tax in the resolution of intention or the resolution of formation, provided that the rate of special tax applicable to a parcel or parcels shall be specified in the unanimous approval described in this Section relating to such parcel or parcels.

2. In lieu of approval pursuant to an election held in accordance with the procedures set forth in this Chapter and in Sections 53326, 53327, 53327.5 and 53328 of the Act, the appropriations limit for the special tax district, the applicable rate, method of apportionment and manner of collection of special tax and the authorization to incur bonded indebtedness for the special tax district shall be specified and approved by the unanimous approval of the owner or owners of each parcel or parcels at the time that such parcel or parcels are annexed to the special tax district. No additional hearings or procedures are required, and such unanimous approval shall be deemed to constitute a unanimous vote in favor of the appropriations limit for the special tax district, the authorization to levy the special tax on such parcel or parcels and the authorization to incur bonded indebtedness for the special tax district.

3. This subsection establishes the applicable protest provisions in the event the City forms a special tax district pursuant to the procedures set forth in this Section. If 50 percent or more of the registered voters, or six registered voters, whichever is more, residing within the territory proposed to be annexed to the special tax district in the future, or if the owners of one-half or more of the area of land proposed to be annexed in the future and not exempt from the special tax, file written protests against establishment of the special tax district, and protests are not withdrawn so as to reduce the protests to less than a majority, no further proceedings to form the special tax district shall be undertaken for a period of one year from the date of decision of the City Council on the issues discussed at the hearing. If the majority protests of the registered voters or of the landowners are only against the furnishing of a specified type or types of facilities or services within the district, or against levying a specified special tax, those types of facilities or services or the specified special tax shall be eliminated from the resolution of formation.

4. The City Council shall not record a notice of special tax lien against any parcel or parcels in the special tax district until such time as the owner or owners of such parcel or parcels have given their unanimous approval of such parcel or parcels’ annexation to the special tax district, at which time the notice of special tax lien shall be recorded against such parcel or parcels as set forth in Section 53328.3 of the Act.

B. Notwithstanding the provisions of Section 53340 of the Act, after adoption of the resolution of formation for a special tax district described in subdivision (a) hereof, the City Council may, by ordinance, provide for the levy of the special taxes on parcels that will annex to the special tax district at the rate or rates to be approved by unanimous approval of the owner or owners of each parcel or parcels to be annexed to the special tax district and for apportionment and collection of the special taxes in the manner specified in the resolution of formation. No further ordinance shall be required even though no parcels may then have annexed to the
special tax district.

C. Notwithstanding the provisions of Section 14.36.100, an action to determine the validity of any special taxes levied pursuant to this Chapter and authorized pursuant to the procedures set forth in this Section shall be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure but shall, notwithstanding the time limits specified in Section 860 of the Code of Civil Procedure, be commenced within 30 days after the adoption of the resolution of formation if the action is brought by an interested person pursuant to Section 863 of the Code of Civil Procedure. Any appeal from a judgment in that action or proceeding shall be commenced within 30 days after entry of judgment. (Ord. 7068 § 2, 2010)

Section 14.36.170 Alternate procedure for approving issuance of bonds.

A. As an alternate and independent procedure for conducting an election on the proposition to authorize bonded indebtedness for a special tax district formed pursuant to Section 14.36.160, and in lieu of the procedure set forth in this Chapter and in Sections 53353.5, 53354 and 53355 of the Act, the proposition to authorize bonded indebtedness may be approved by the owner or owners of a parcel or parcels of property at the time that the parcel or parcels are annexed to the special tax district pursuant to the unanimous approval described in 14.36.160. No additional hearings or procedures are required, and such unanimous approval shall be deemed to constitute a unanimous vote in favor of such proposition.

B. Notwithstanding the provisions of Section 14.36.100, an action to determine the validity of any bonds issued pursuant to this Chapter and authorized pursuant to the procedures set forth in this Section 14.36.170 shall be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure but shall, notwithstanding the time limits specified in Section 860 of the Code of Civil Procedure, be commenced within 30 days after the effective date of the resolution described in Section 53351 of the Act if the action is brought by an interested person pursuant to Section 863 of the Code of Civil Procedure. Any appeal from a judgment in that action or proceeding shall be commenced within 30 days after entry of judgment. (Ord. 7068 § 2, 2010)

Section 14.36.180 Refunding bonds -- Use of savings.

Bonds may be issued under this Chapter to refund any outstanding special tax bonds, whether fixed lien bonds or any other improvement or special tax bonds, including ad valorem assessment or revenue bonds. Any savings achieved through the issuance of refunding bonds may be used by the City in any manner that it determines to be in the best financial interests of the City. (Ord. 7068 § 2, 2010)

Section 14.36.190 Authority to advance funds.

In connection with the issuance of bonds pursuant to this Chapter, the City Council may determine and may declare in the resolution authorizing the issuance of the bonds that it will obligate itself to advance available surplus funds in the amount of any delinquent special taxes as an advance recoverable upon payment of delinquent special taxes. For purposes of this section, “available surplus funds” shall mean any surplus moneys held by the City at the end of each fiscal year in excess of the amounts required to pay lawful municipal obligations of the City for that fiscal year, all as determined by the City Council in its sole discretion, whose determination shall be final and binding. (Ord. 7068 § 2, 2010)

Section 14.36.200 Liberal construction.

This Chapter is to be liberally construed. (Ord. 7068 § 2, 2010)
Section 14.36.210   Chapter controlling.
To the extent that the provisions of this Chapter are inconsistent with the provisions of any general statute or special act or parts thereof the provisions of this Chapter shall be deemed controlling.  (Ord. 7068 § 2, 2010)

Section 14.36.220   Savings clause.
The provisions of this Chapter shall not apply to any person, association, corporation or to any property as to whom or which it is beyond the power of the City Council to impose the tax herein provided. If any sentence, clause, section or part of this Chapter, or any tax against any individual or any of the several groups specified herein is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall affect only such clause, sentence, section or part of this Chapter and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this Chapter. It is hereby declared to be the intention of the City Council of the City of Riverside that this Chapter would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.  (Ord. 7068 § 2, 2010)