

SECTION III – LEGAL AUTHORITY

Legal Authority of the District

Portions of the District Ordinance Code provide specific legal authority for the District to manage its wastewater collection system. The general areas of concern related to this SSMP are summarized below followed by the specific authority citations that address these areas. These Ordinance Chapters are provided in Appendix A.6.

- Prevent illicit discharges into its wastewater collection system
- Require that sewers and connectors be properly designed and constructed
- Ensure access for maintenance, inspection, or repairs for portions of the system owned or maintained by the District
- Limit the discharge of fats, oils, and grease (FOG) and other debris that may cause blockages
- Enforce any violation of its sewer ordinances

Authority to Prevent Illicit Discharges into District’s Wastewater Collection System

Chapter 7 of the District’s Ordinance Code, *Use of Public Sewers*, regulates the disposal of sanitary sewage into the District’s sanitary sewer system to protect the proper functioning of the collection system as well as the treatment plant. Chapter 7 includes, but is not limited to the following key provisions:

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| 7.050 | <u>Discharge Into Sanitary Sewer System Prohibited</u> (without permit) |
| 7.080 | <u>Pretreatment by Owner</u> |
| 7.100 to
7.260 | <u>Discharge Prohibitions and/or Limits</u> (prohibition for storm water, obstructing or injurious substances, flammable or explosive substances, hot substances, FOG, solid or viscous matter, corrosive matter, toxic gases, vapors, or fumes, interfering substances, prohibition on use of diluting waters, copper based chemical compounds, suspended solids; dissolved matter, noxious or malodorous matter, radioactive matter, colored matter, garbage, and screened industrial waste) |

Authority to Require Proper Design and Construction of Sewers and Connections

Chapter 6 of the District’s Ordinance Code, *Design and Construction of Public Sewers*, establishes the standards and criteria to which sewers are to be constructed and connected to the District’s wastewater collection system. Chapter 6 includes, but is not limited to the following key provisions:

- 6.020 Design of Sewers (by a state licensed civil engineer and conformity to District's Design Standards and Specifications)

- 6.030 to Permit for Construction Required and Construction of Sewers
6.040 (permitted construction by approved contractors and required inspection)

- 6.050 to Backflow Protective Device (cites requirement, criteria, and
6.080 standards for installation)

- 6.090 Responsibility for Defects (persons performing work on or adjacent to District sewer is responsible for correcting defects/violations)

Authority to Ensure Access for Maintenance, Inspection and Repair of System

District Ordinance Code Section 6.100 Building Sewer Maintenance outlines the obligations of the District and property owners with regard to maintenance of the wastewater collection system and to ensure that the District can maintain laterals from the property line cleanout to the sewer main in the street. This Section also defines the responsibilities and obligations of the District and the property owner.

Authority to Limit Discharge of Fats, Oils and Grease and Other Debris

District Ordinance Code Section 7.140 Grease, Oils and Fats provides a limit on the concentration of Fats, Oils and Grease (FOG) that can be discharged to the District's sanitary sewer system. District Ordinance Code Section 7.250 Garbage prohibits the discharge of garbage (fruit, vegetable, animal, other solid waste) from food-processing plants, or industrial plants, grocery store, food service facility, or dwelling into the wastewater collection system. District Ordinance Code Section 7.270 Installation of Grease Control Devices and 7.280 Maintenance and Operation of Grease Control Devices requires the installation, operation, and maintenance of FOG removal devices and maintaining operation and maintenance records.

Authority to Enforce Ordinance Code Violations

Three chapters of the District Ordinance Code addresses enforcement actions with regard to Ordinance Code violations; Chapter 7, *Use of Public Sewers*, Chapter 13, *Prohibitions and Penalties*, and Chapter 14, *Administrative Enforcement*. Section 7.390 Enforcement provides the District Manager and Engineer, or his designated agents, the primary responsibility for enforcing the provisions of Chapter 7. Sections 13.010 through 13.060 provide the enforcement provisions for violation of any section of the District's Ordinance Code. Chapter 14 provides the District the ability to utilize an administrative enforcement mechanism in addition to the civil and criminal legal remedies provided in the Ordinance. These provisions include:

- 7.310 Suspension of Service (for preservation of public health or safety)

- 7.390 to Enforcement, Termination of Service, Penalties (enforcement

- 7.420 authority, termination of service and permit, reimbursement of violation correction costs, and assessment of civil penalties)
- 13.010 to Inspection, Violation, Disconnection (right of entry for Inspection, violation a misdemeanor, abatement of violation, disconnection)
13.060
- 14.030 Administrative Citations (authority to issue administrative citations to persons responsible for violation of Ordinance Code)
- 14.040 to Establishment/Collection of Fines, Penalties, and Late Charges
14.050 (setting and payment of fines, penalties, and late charges)