

## Chapter 8.50 STORM DRAIN POLLUTION ABATEMENT

### Sections:

<a href="#">8.50.010</a>	Purpose.
<a href="#">8.50.020</a>	Definitions.
<a href="#">8.50.030</a>	Illicit discharges and connections.
<a href="#">8.50.040</a>	Illicit disposal.
<a href="#">8.50.041</a>	Littering.
<a href="#">8.50.042</a>	Landscape debris.
<a href="#">8.50.050</a>	Construction sites requiring a building permit and/or a grading plan.
<a href="#">8.50.060</a>	Industrial activity sites.
<a href="#">8.50.061</a>	Reduction of pollutants in storm water.
<a href="#">8.50.065</a>	Inspection.
<a href="#">8.50.070</a>	Penalties for failure to comply with this chapter.
<a href="#">8.50.080</a>	Fees.

### **8.50.010 Purpose.**

The purpose of this chapter is to protect the health, safety and general welfare of the citizens of the city by:

- A. Regulating non-storm-water discharge to the municipal storm-water system;
- B. Providing for the control of spillage, dumping, or disposal of materials into the municipal storm-water system;
- C. Reducing pollutants in storm water and urban runoff to the maximum extent practicable. (Ord. 94-1770 § 1, 1994.)

### **8.50.020 Definitions.**

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

“Illicit connection” means any device that is connected to the storm drain system that conveys an illicit discharge.

“Illicit discharge” means any discharge into the storm drain system that does not meet the requirements of this chapter.

“Non-storm-water runoff” means the flow of any fluid that is not entirely composed of storm water.

“NPDES” means National Pollutant Discharge Elimination System.

“Storm drain system” means those facilities which convey runoff fluids and suspended solids to the water of the United States, including streets, alleys, roads, ditches, channels, curbs, gutters, catch basins, pipes, streams, creeks, and rivers.

“Storm water runoff” means the flow of rainwater or melted snow. (Ord. 94-1770 § 2, 1994.)

### **8.50.030 Illicit discharges and connections.**

A. No person or company shall cause or allow any discharge, from their property, of non-storm-water runoff to enter the storm drain system, unless such discharge: is in compliance with a separate individual or general NPDES permit for non-storm-water discharges; or is in a category of natural flow (natural springs and rising ground water; flows from riparian habitats or wetlands; stream diversions, permitted by the State Board; and uncontaminated ground water infiltration (as defined by 40 CFR 35.2005(20)); or is a flow from emergency firefighting activity; or is in a category of flows incidental to urban activities (reclaimed and potable landscape irrigation runoff; potable drinking water supply and distribution system releases (consistent with American Water Works Association guidelines for dechlorination and suspended solids reduction practices); drains for foundations, footings, and crawl spaces; air conditioning condensate; dechlorinated/debrominated swimming pool discharges; dewatering of lakes and decorative fountains; noncommercial car washing by residents or by nonprofit organizations; and sidewalk rinsing).

B. No person or company shall construct or use an illicit connection that operates intentionally or unintentionally. Illicit connections shall be removed. (Ord. 02-1887 § 1, 2002; Ord. 96-1809, 1996; Ord. 94-1770 § 3, 1994.)

#### **8.50.040 Illicit disposal.**

No person or company shall spill, dump, dispose of or place any material, other than storm-water runoff, into any storm drain system. (Ord. 94-1770 § 4, 1994.)

#### **8.50.041 Littering.**

No person shall throw, deposit, place, leave, maintain, keep or permit to be thrown, deposited, placed, left or maintained or kept, any refuse, rubbish, food waste, garbage, hazardous materials or any other discarded or abandoned objects, articles or accumulations in or upon any street, alley, sidewalk, storm drain, inlet, catch basin conduit or drainage structure, business place, or upon any public or private plot of land in the city, so that the same might be or become a pollutant, except in containers, recycling bags, or other lawfully established waste disposal facilities. No person shall dispose of hazardous wastes into trash containers used for municipal trash disposal so as to cause a discharge into the municipal separate storm sewer system. (Ord. 96-1809, 1996.)

#### **8.50.042 Landscape debris.**

A. No person shall intentionally cause leaves, dirt, or other debris to be deposited in or upon any street, alley, sidewalk, parkway, or other public right-of-way.

B. No person shall intentionally dispose of leaves, dirt or other landscape debris into a storm drain. (Ord. 96-1809, 1996.)

#### **8.50.050 Construction sites requiring a building permit and/or a grading plan.**

A. Any person or company engaging in construction activity that requires an NPDES construction permit must demonstrate possession of such permit before grading and/or building permits can be issued. The NPDES permit shall be retained on-site and shall be shown to city officers, agents, or inspectors at their request.

B. Appropriate best management practices (BMPs) shall be implemented to reduce the discharge of pollutants from proposed development in the city both during and after completion of construction.

C. Standard Urban Storm Water Mitigation Plan (SUSMP) – Adopted by Reference. The city adopts as its SUSMP the March 8, 2000 Edition of the Standard Urban Storm Water Mitigation Plan for Los Angeles County and Cities in Los Angeles County. The document, three copies of which are on file and are open for inspection by the public in the office of the city clerk, being marked and designated as Standard Urban Storm Water Mitigation Plan for Los Angeles County and Cities in Los Angeles County, March 8, 2000, is hereby adopted as the city standard urban storm water mitigation plan which shall address storm water pollution from new development and redevelopment by listing the minimum BMPs that must be used for a designated project and incorporated by developers into their project plans. Each and all of the provisions and requirements of such standard urban storm water mitigation plan, as approved by the California Regional Water Quality Control Board, Los Angeles Region, which is on file in the office of the city clerk, is hereby referred to, adopted and made a part hereof as if fully set out in this chapter.

D. The SUSMP must be implemented for the following categories of developments: 10 or more unit homes (includes single-family homes, multifamily homes, condominiums, and apartments); 43,560 square feet (one acre) or more of impervious surface area of industrial/commercial development; automotive service facilities (SIC 5013, 5014, 5541, 7532 – 7534, and 7536 – 7539); retail gasoline outlets; restaurants (SIC 5812); parking lots of 5,000 square feet or more of surface area or with 25 or more parking spaces; and redevelopment projects in subject categories that meet redevelopment thresholds.

E. Single-family hillside homes must: conserve natural areas; protect slopes and channels; provide storm drain system stenciling and signage; divert roof runoff to vegetated areas before discharge unless the diversion would result in slope instability; and direct surface flow to vegetated areas before discharge unless the diversion would result in slope instability. (Ord. 03-1892, 2003; Ord. 02-1887, 2002; Ord. 00-1874, 2000; Ord. 94-1770 § 5, 1994.)

**8.50.060 Industrial activity sites.**

All persons or companies engaged in industrial activity in the city that require an NPDES permit shall acquire such permit before discharging any non-storm-water runoff into the storm drain system. The NPDES permit shall be retained on-site and shall be shown to city officers, agents, or inspectors at their request. (Ord. 94-1770 § 6, 1994.)

**8.50.061 Reduction of pollutants in storm water.**

A. No vehicle, machinery, device or storage container shall be allowed to leak, spill or discharge in any manner oil, grease, coolant, or other hazardous material onto any street, alley, road, parking lot, or surface in the city whereon such pollutants or hazardous materials can or may be conveyed into the municipal storm water system or Pacific Ocean by storm water or non-storm-water runoff.

B. Objects such as vehicle motor parts containing grease, oil or other hazardous substances, and unsealed receptacles containing hazardous materials, shall not be stored in areas susceptible to storm water runoff or stored so that they may leak into the municipal storm water system.

C. Any machine which is to be repaired or maintained in an uncovered outdoor area shall be placed on a pad of absorbent material to contain leaks, spills or small discharges. Any absorbent material used to contain such leaks, spills or discharges shall be properly disposed of.

D. Machinery and equipment, including motor vehicles, which are leaking oil or fluid must be repaired.

E. The uncovered outdoor storage of unsealed containers containing grease, oil, or other hazardous substances is prohibited in areas susceptible to runoff.

F. The discharge of wash waters into the municipal storm water system from the cleaning or washing of gas stations, automotive repair facilities and other types of automotive service facilities is prohibited.

G. The discharge of wastewater into the municipal storm water system from mobile auto washing, steam cleaning, mobile carpet cleaning and other such mobile commercial and industrial operations is prohibited.

H. The discharge of wastewater from the washing of toxic material from paved or unpaved areas or the washing out of concrete trucks or concrete or cement-laden pumps, tools, and equipment into the municipal storm water system is prohibited.

I. The discharge into the municipal storm water system of wastewater from the washing of impervious surfaces in industrial/commercial areas is prohibited.

J. Commercial/industrial parking lots with more than 25 parking spaces located in areas potentially exposed to storm water shall be kept clear of debris and excessive oil buildup and cleaned no less than two times per month and/or inspected no less than two times per month to determine if cleaning is necessary. In no case shall a parking lot be cleaned less than once a month.

K. The discharge of chlorinated/brominated swimming pool water and filter backwash into the municipal storm water system is prohibited.

L. In areas exposed to storm water, the use of best management practices (including but not limited to the practices set forth in subsections (A) through (K) of this section) and/or removal and lawful disposal of all fuels, chemicals, fuel and chemical wastes, animal wastes, garbage, batteries, and other materials which have potential adverse impacts on water quality shall be required. Treatment control best management practices must be properly operated and maintained to prevent the breeding of vectors.

M. Dumping or disposal of the following materials into the storm drain system is prohibited: construction debris; any state or federally banned or unregistered pesticides; food and food processing wastes; and fuel and chemical wastes, animal wastes, garbage, batteries, and other materials that have potential adverse impacts on water quality. (Ord. 02-1887, 2002; Ord. 96-1809, 1996.)

**8.50.065 Inspection.**

A. Authority to Inspect. The city manager, and representatives thereof, are authorized and directed to enforce all provisions of this chapter.

B. Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever an authorized enforcement officer has reasonable cause to believe that there exists in any building or upon any premises any condition which constitutes a violation of any provision of this chapter the officer may enter such building or premises at all reasonable times to inspect the same or perform any duty imposed upon the officer by this chapter, provided that: (1) if such building or premises be occupied, he or she shall first present proper credentials and request entry; and (2) if such building or premises be unoccupied, he or she shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. Any such request for entry shall state that the property owner or occupant has the right to refuse entry and that in the event such entry is refused, inspection may be made only upon issuance of an inspection warrant. In the event the owner and/or occupant refuses entry after such request has been made, the officer is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

C. Authority to Conduct Samplings and Establish Sampling Devices. With the consent of the owner or occupant or pursuant to an inspection warrant, any authorized enforcement officer may establish on any property such devices as necessary to conduct sampling and monitoring activities necessary to determine the concentrations of pollutants in storm water and/or non-storm-water runoff. During all inspections as provided in this chapter, the authorized enforcement officer may take any samples deemed necessary and may review and copy records.

D. Requirement to Sample or Monitor. Any authorized enforcement officer may order that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to storm water pollution or contamination, illicit discharges and/or discharge of non-storm-water to the storm water system, undertake such monitoring activities and/or analyses and furnish such reports as the officer may specify. All costs incurred for such activity shall be borne by the party ordered to do the sampling. In the event the owner or operator of a facility subject to a monitoring and/or analysis order fails to conduct required monitoring and/or subject to a monitoring and/or analyses and the cost therefor, including the reasonable additional administrative costs incurred by the city, shall be borne by the owner of the property and the cost thereof shall be invoiced to the owner of the property. If the invoice is not paid within 60 days of the issuance thereof, the costs shall be a lien upon and against the property and continue in existence until the same shall be paid. If the lien is not satisfied by the owner of the property within three months after the completion by an authorized enforcement officer of the required monitoring and/or analyses and reports, the property may be sold in satisfaction thereof in a like manner as other real property is sold under execution.

E. Facility Inspections. Every restaurant, gas station, automobile repair facility, nursery, lumber yard, car wash, warehouse, grocery store, repair shop, dry cleaning facility, laundromat and other businesses for which a license or permit has been issued by the city may be inspected by a representative of the city manager. Inspections shall be conducted as often as necessary to ensure compliance with this chapter as the city manager deems appropriate. (Ord. 02-1887, 2002; Ord. 00-1874, 2000.)

#### **8.50.070 Penalties for failure to comply with this chapter.**

The violation of any provision of this chapter, or failure to comply with any of the requirements of this chapter, shall constitute a misdemeanor. (Ord. 94-1770 § 7, 1994.)

#### **8.50.080 Fees.**

Fees to be charged for plan checking, monitoring, and any other activities carried out by the city under this chapter shall be set by the city council by resolution. (Ord. 94-1770 § 8, 1994.)

**This page of the Covina Municipal Code is current through Ordinance 09-1973, passed July 7, 2009.**

Disclaimer: The City Clerk's Office has the official version of the Covina Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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