

8.20.090 REDUCTION OF POLLUTANTS IN STORMWATER.

Any person owning or operating premises that may contribute pollutants to the City's stormwater system shall undertake best management practices to reduce the potential for pollutants entering the system to the maximum extent practicable. Examples of such premises include, but are not limited to, parking lots, gasoline stations, industrial facilities, and other commercial enterprises. Further, where best management practices or other requirements have been adopted by and federal, state, regional, City or county agency, for any activity, or operation of premises, which may cause or contribute to non-stormwater discharge, every person undertaking such activity, operation, or owning and operating such premises, shall comply with such BMPs or requirements. The City may require the owner of any premises regulated by this chapter to enter into a long-term covenant or agreement, in a form approved by City, to ensure the operation and maintenance of any facilities required hereunder, including without limitation a Full Trash Capture System, in compliance with the provisions of this chapter.

- A. **Littering.** No person shall throw, deposit, leave, keep or permit to be thrown, deposited, placed, left or maintained, any refuse, rubbish, garbage or other discarded or abandoned objects, articles, or other litter in or upon any street, alley, sidewalk, stormwater system, creek, fountain, pool, lake, stream, river or any other body of water, business place, or upon any public or private plot of land in the city so that the same might become a pollutant, except in containers or in lawfully established waste disposal facilities.

The occupant or tenant, or in the absence of occupant or tenant, the owner or proprietor of any real property in the City in front of which there is a paved sidewalk shall maintain said sidewalk free of dirt or litter to the maximum extent practicable. Sweepings from the sidewalk shall not be swept or otherwise made or allowed to go into the gutter or roadway, but shall be disposed of in receptacles maintained as required for the disposal of solid waste.

- B. **Bodies of Water.** No person shall throw or deposit litter in any fountain, pool, lake, creek, stream, river or any other body of water in a park or elsewhere within the City.
- C. **Maintenance of Premises and Landscaped Areas.** Persons owning, operating, or maintaining premises, including landscaped areas, shall implement best management practices to minimize the release of pesticides, fertilizers, herbicides, and other related materials used to maintain landscaping and related facilities. Persons owning, operating, or maintaining premises shall further implement best management practices to minimize the release of litter, trash, or other refuse.
- D. **Standard for Parking Lots, Paved Areas and Related Stormwater Systems.** Persons owning, operating or maintaining a paved parking lot, the paved areas of a gas station, a paved private street or road and related stormwater systems shall clean those premises as frequently and thoroughly as practicable in a manner that does not result in the discharge of pollutants to the stormwater system. Persons owning, operating or maintaining such premises shall install and maintain a Full Trash Capture System, and any other devices or facilities specified by the Director, on all inlets to the City's stormwater system no later

than January 1, 2019, to prevent the discharge of trash or other pollutants to the City's stormwater system from private parking lots, streets, roads, and drainage facilities into the stormwater system. Failure or refusal to timely comply with such requirement is prohibited and shall constitute a violation of this chapter, except that the Director may waive this requirement or extend the deadline for compliance for any premises for which the Director determines, in his or her sole judgment, that installation of a Full Trash Capture System is not feasible or necessary to prevent discharge of pollutants.

- E. Best Management Practices for New Developments and Redevelopments. All construction contractors performing work in the City shall conform to the requirements of the Best Management Practices (BMPs) for Construction Activities and New Development and Redevelopment required by the California BMP Handbook, Construction, January 2003, the Caltrans Stormwater Quality Handbooks, Construction Site Best Management Practices Manual, March 2003, the San Francisco Bay Regional Water Quality Control Board Erosion and Sediment Control Field Manual, 2002, the City's grading and erosion control ordinance and other generally accepted engineering practices for erosion control as required by the director when undertaking construction activities. As a minimum, such BMPs shall include provision for filter materials placed to preclude an increase in debris and sediments entering the stormwater system over "non project" conditions. The City Engineer may establish controls on the rate, volume, and duration of stormwater runoff from construction projects as may be appropriate to minimize the discharge and transport of pollutants. All construction sites must implement and maintain at least the following minimum BMPs: erosion control at the site, run-on and run-off controls to and from the site, control of sediments and fines on the site, active treatment systems (as necessary), good site management, and non-stormwater management.
- F. Notification of Intent and Compliance with General Permits. Each industrial discharger, discharger associated with construction activity or other discharge described in any general stormwater permit addressing such discharges, as may be adopted by the United States Environmental Protection Agency, the State Water Resources Control Board, or the California Regional Water Quality Control Board, San Francisco Bay Region, shall provide the notice of intent, comply with and undertake all other activities required by any general stormwater permit applicable to such dischargers. Each discharger identified in an individual NPDES permit relating to stormwater discharges shall comply with and undertake all activities required by such permit.
- G. Development Runoff Requirements. For each new development and redevelopment project subject to the development runoff requirements, every applicant will submit a stormwater control plan and implement conditions of approval that reduce stormwater pollutant discharges through the construction, operation and maintenance of treatment measures and other appropriate source control and site design measures. Similarly, increases in runoff volume and flows shall be managed in accordance with the development runoff requirements.

- H. Compliance with Best Management Practices. Where best management practice guidelines or requirements have been adopted by any federal, state, regional, City and/or county agency, for any activity, operation or facility which may cause or contribute to non-stormwater discharges, every person undertaking such activity or operation or owning and operating such facility shall comply with such guideline or requirement.
- I. Stormwater Pollution Prevention Plan. The City Engineer may require any business in the city that is engaged in activities which may result in non-stormwater discharges or runoff pollutants to develop and implement a stormwater pollution prevention plan, which must include an employee training program. Business activities which may require a stormwater pollution prevention plan include maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading, fueling, vehicle maintenance, food handling or processing, or cleanup procedures which are carried out partially or wholly out of doors.
- J. Coordination with Hazardous Materials Release Response Plans and Inventory. Any business subject to the hazardous materials release response and inventory plan, Division 20, Chapter 6.95 of the California Health and Safety Code (commencing with Section 25500), shall include in that plan provision for compliance with this chapter, including the prohibitions for non-stormwater discharges and, the requirement to reduce release of pollutants to the maximum extent practicable.