

SECTION 4. LEGAL AUTHORITY

This SSMP section describes the City's legal authority related to the SSMP. The major items discussed in this section are as follows:

- Regulatory Requirements
- Municipal Code

REGULATORY REQUIREMENTS

WDR Section D-13-iii requires the following:

The City must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:

- (a) Prevent illicit discharges into its sanitary sewer system (examples may include I/I, stormwater, chemical dumping, unauthorized debris and cut roots, etc.);
- (b) Require that sewers and connections be properly designed and constructed;
- (c) Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the City;
- (d) Limit the discharge of fats, oils, and grease and other debris that may cause blockages, and
- (e) Enforce any violation of its sewer ordinances.

MUNICIPAL CODE

The City of Vacaville (City) Municipal Code (Municipal Code) establishes the City's legal authority to maintain the sanitary sewer system as required by Section D-13 iii of the WDRs (see above). Table 4-1 lists the sections of the Municipal Code that fulfill the requirements. The Municipal Code sections are grouped by Section D-13 iii requirements (a) through (e). The City's Municipal Code sections relating to sewers are contained in Title 13, Chapter 13.08 of the Municipal Code. The full contents of Chapter 13.08, entitled Sewers, and the provisions of the Municipal Code sections listed in Table 4-1 can be downloaded at the following internet address:

<http://www.codepublishing.com/ca/vacaville/>

A few of the Municipal Code sections in Table 4-1 are denoted as either draft or amended. Draft sections are new sections that are in the process of being added to the Municipal Code, and amended sections are existing sections that are in the process of being revised. These changes to the Municipal Code are being made in order to add clarity and specificity to the legal authority that the City already possesses for operating its sewers. These new and revised sections currently cannot be downloaded from the internet address listed above, but example versions of the sections in question are provided in Appendix 4A. The latest versions of the draft/amended sections can be obtained from the Water Quality Supervisor of the Utilities Department. The new/revised sections are expected to be adopted by City Council and become available on the City's internet site in the second half of 2009.

Table 4-1. City Municipal Code Sections that Fulfill Legal Authority Requirements

WDR Requirement	Description of Requirement	Relevant Municipal Code Section
D-13-iii(a)	Illicit Discharges	Chapter 13.08, Article VII. Use of Public Sewers 13.08.250 [Amended]: Connection – Application 13.08.450: General discharge prohibitions 13.08.460 [Amended]: Specific pollutant limitations 13.08.470: Federal categorical pretreatment standards 13.08.480: State requirements 13.08.490: Excessive discharge 13.08.500: Accidental discharges 13.08.510: Permit required for certain discharges 13.08.520: Reports required for certain permittees 13.08.530: Monitoring facilities 13.08.540: Inspection and sampling 13.08.550: Pretreatment
D-13-iii(b)	Design and Construction Standards for Public Sewers	Chapter 13.08, Article V. Building Sewers, Lateral Sewers and Connections Chapter 13.08, Article VI. Public Sewer Construction
D-13-iii(c)	Access	Chapter 13.08, Article II. Use of Public Sewers Required 13.08.080: Right of entry for inspection
D-13-iii(d)	Fats, Oils, and Grease Control	Chapter 13.08, Article VII. Use of Public Sewers 13.08.271 [Draft]: Connection – Grease Removal Devices 13.08.450: General discharge prohibitions 13.08.451 [Draft]: Fats, Oils and Grease Control 13.08.470: Federal categorical pretreatment standards 13.08.480: State requirements 13.08.490: Excessive discharge 13.08.510: Permit required for certain discharges 13.08.520: Reports required for certain permittees 13.08.530: Monitoring facilities 13.08.540: Inspection and sampling 13.08.550: Pretreatment

**Table 4-1. Relevant City Municipal Code Sections for
Legal Authority Element, cont'd...**

WDR Requirement	Description of Requirement	Relevant Municipal Code Section
D-13-iii(e)	Enforcement	<p>Chapter 13.08, Article II. Use of Public Sewers Required</p> <p>13.08.050: Sewer disconnection authorized</p> <p>13.08.060: Refusal of discontinuance – Director of Public Works</p> <p>13.08.070: Refusal of discontinuance – Sewer division</p> <p>Chapter 13.08, Article IV. Rendering and Payment of Bills and Charges</p> <p>13.08.240: Delinquency discontinuance</p> <p>Chapter 13.08, Article VII. Use of Public Sewers</p> <p>13.08.451 Parts H and I [Draft]: Fats, Oils and Grease Control</p> <p>13.08.570: Harmful contributions</p> <p>13.08.580: Revocation of permit</p> <p>13.08.590: Notifications of violation – Orders</p> <p>13.08.600: Show cause hearing</p> <p>13.08.610: Legal action – Injunction – Civil Penalties</p> <p>13.08.620: Administrative procedures and civil penalties</p> <p>13.08.630: Parameter discharge limit violations – Reporting violations – Administrative penalties</p> <p>13.08.640: Appeal of imposition of civil penalties or administrative penalties</p> <p>13.08.650: Other penalties</p> <p>13.08.660: Attorney’s fees</p> <p>13.08.670: Abatement</p> <p>13.08.680: Nonexclusive remedies</p> <p>13.08.690: Falsifying information</p>