

# **APPENDIX C**

*Excerpts of the Municipal Code of the City of Glendale, CA*

City of Glendale

ORDINANCE NO. 5667

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE  
ADDING CHAPTER 13.34 TO THE  
GLENDALE MUNICIPAL CODE, 1995, RELATING TO  
THE PREVENTION AND REDUCTION OF FATS, OILS, AND GREASE  
DISCHARGES BY FOOD SERVICE ESTABLISHMENTS INTO THE  
MUNICIPAL SANITARY SEWER SYSTEM.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE:

**SECTION 1.** Sections 13.34.010 through 13.34.100 are hereby added to the Glendale Municipal Code, 1995, to read as follows:

**13.34.010 Definitions.**

Unless otherwise expressly stated or the context clearly indicates a different intention the following terms shall, for the purpose of this chapter, have the meanings indicated in this section:

"Best management practices" means any program, technology, process, criteria, operational methods, schedules of activities, prohibitions of practices, or engineered systems, which have been determined to prevent or reduce the discharge of FOG to the POTW to the maximum extent practicable.

"Change in operations" means any change in ownership, food types, or operational procedures that have the potential to increase the amount of FOG generated or discharged by a food service establishment and may cause or create a potential for sanitary sewer overflows.

"Director" means the director of public works, or his or her duly authorized representative.

"Fats, oils and grease" ("FOG") means any substance such as a

vegetable or animal product that is used in, or is a by-product of, the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions.

"Food service establishment" means any room, building, or place or portion thereof, located within the boundaries of the City of Glendale, which is maintained, used or operated by any profit or non-profit entity engaged in activities of storing, preparing, serving, manufacturing, packaging, transporting, salvaging or otherwise handling and distributing food and beverages (including prepackaged items) for the purpose of making food available for consumption by the public, and include, but are not limited to, facilities such as restaurants, lunch counters, refreshment stands, bars, hotels, schools, hospitals, convalescent homes, health care institutions, community centers, public clubhouses, fire stations, prisons and correctional facilities. These establishments use one or more of the following food preparation activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing.

"Grease interceptor" means a multi-compartment device constructed in different sizes and generally required to be located, according to the most recent edition of the California Plumbing Code,

underground between a food service establishment and the connection to the sewer system. These devices primarily use gravity to separate and eliminate FOG from the wastewater discharged from a facility.

"Grease trap" means a grease control device located under sink fixtures, which is designed to have limited effect, and is used to serve up to four individual fixtures in those cases where the use of a grease interceptor or other pretreatment device is determined to be impossible or impracticable.

"NPDES" means the National Pollutant Discharge Elimination System; the permit issued to control the discharge of liquids or other substances or solids to surface waters of the United States as detailed in Public Law 92-500, section 402.

"POTW" means publicly owned treatment works, as defined by section 212 of the Federal Clean Water Act, which is partially owned or operated by the city. This definition includes any sanitary sewers that convey wastewater to the city sewage treatment plants.

"Pretreatment device" means any grease interceptor, grease trap, clarifier or other equipment, device or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap, treat or collect FOG from a waste stream prior to it being discharged into the sanitary sewer system; it may include any other proven method to separate and remove FOG subject to the approval of the director.

"Remodeling" means a material renovation with a building permit valuation of \$50,000 or more, and including without limitation,

renovations of the plumbing system or the addition of any equipment that may increase discharge to the POTW.

**13.34.020 FOG discharge prohibition.**

It is unlawful for any food service establishment to discharge FOG into the sanitary sewer or allow, cause, or contribute to, the discharge of FOG into the sanitary sewer in any manner that is in violation of any condition set forth in this chapter.

**13.34.030 Best management practices required.**

Every food service establishment shall develop and implement a program for the control of FOG in its operation in order to minimize the discharge of FOG to the sanitary sewer. Such program must include the implementation of best management practices. A written copy of the program must be submitted to the director. If, in the opinion of the director, the food service establishment continues to adversely impact the POTW, the director may require additional FOG pretreatment.

**13.34.040 FOG pretreatment required.**

A. The requirements of this section shall apply to:

- (1) All new food service establishments including but not limited to restaurants, cafeterias, hotels, motels, hospitals, nursing homes, schools, grocery stores, prisons, jails, camps, caterers, manufacturing plants and any other dischargers who introduce FOG into the sanitary sewer;
- (2) Any existing food service establishment upon the sale or transfer of operational control thereof; and
- (3) Any existing food service establishment upon remodeling or

making modifications with a building permit valuation of \$50,000 or more, including without limitation, renovations of the plumbing system or the addition of any equipment that can result in an increased discharge to the POTW; and

(4) Any existing food service establishment, which has caused or contributed to a grease-related blockage in the sanitary sewer, or which, based on inspection or sampling, has been determined by the Director to be discharging FOG in significant quantities sufficient to adversely impact the sanitary sewer.

B. Grease interceptor requirement. All food service establishments specified in subdivision (A) of this section shall install, operate and maintain an approved type, adequately sized and readily accessible grease interceptor necessary to maintain compliance with the requirements of this chapter. Grease interceptor sizing and installation shall meet the minimum standards of the most recent edition of the California Plumbing Code. Grease interceptors shall have a minimum of two compartments with fittings designed for grease retention and shall be constructed and installed in accordance with the Glendale Municipal Code, subject to the review and approval of the director.

C. Variance of grease interceptor requirement. A food service establishment may obtain a variance from the grease interceptor requirement, if a request is submitted in writing to the director, to allow the installation and maintenance of an alternative pretreatment device in lieu of a grease interceptor provided that such alternative pretreatment device is equally as effective in

controlling the FOG discharge. Alternative pretreatment devices, including, but not limited to, grease traps and other separation and holding devices, must be appropriately sized and approved by the director. The food service establishment must demonstrate to the satisfaction of the director that the grease interceptor installation and operation is physically not feasible or not warranted to fulfill discharge requirements at the site and that the alternative pretreatment device is equivalent to a grease interceptor in controlling the establishment's FOG discharge.

D. Conditional waiver of interceptor requirement. An existing food service establishment may obtain a conditional waiver from installing a grease interceptor if the establishment can demonstrate to the satisfaction of the Director that it has a negligible FOG discharge and an insignificant impact on the POTW. Any waiver granted by the Director shall be voided by the establishment making changes in its operations that significantly affect FOG discharge, including, but not limited to, changes in food preparation activities, renovations of the plumbing system, and increased discharges to the POTW. The waiver shall remain valid until the expiration date specified in the waiver, provided that the food service establishment remains in compliance with the waiver's terms and conditions. A waiver may be revoked at any time when any of the terms and conditions for its issuance is not satisfied or if the justification for the waiver no longer exists.

E. Toilets, urinals, and other similar sanitary fixtures shall not discharge through the grease interceptor unless specifically

approved, in writing, by the director.

**13.34.050 Required maintenance of pretreatment devices.**

A. All pretreatment devices shall be maintained in efficient operating condition at all times by periodic removal of the full contents of such devices, which includes wastewater, accumulated FOG, floating materials, sludge and solids. The maintenance frequency shall be adequate to comply with the design capacity of the pretreatment device. In maintaining the pretreatment device, the owner shall be responsible for the proper removal and disposal, by appropriate means, of the captured material and shall maintain records of the dates, amounts and means of disposal, all of which is subject to review by the director.

B. Grease interceptors shall be fully pumped out and cleaned at a frequency such that the combined FOG and solids accumulation does not exceed 25 percent of the total hydraulic capacity of the grease interceptor calculated by volume or depth, whichever is more stringent. At the minimum, all grease interceptors shall be maintained not less than once every 6 months. Grease interceptors shall be fully pumped out and cleaned quarterly when the maintenance frequency has not been established. The director may change the maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the requirements of this chapter. If the grease interceptor, at any time, contains FOG and solids accumulation that does not meet the requirements of this chapter, the food service establishment shall be required to have the grease interceptor serviced



immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor.

C. Additives that reduce FOG, such as bacteria, may be used in addition to the regular maintenance program for grease interceptors, but shall not impinge on grease interceptor sizing or maintenance frequency. The use of additives is subject to approval by the director. The introduction of emulsifying agents, such as chemicals or solvents, either directly or indirectly into the grease interceptor, other than what is considered typical business operational practices such as dishwashing or sanitation, is strictly prohibited.

D. Wastewater, accumulated FOG, floating materials, sludge solids, and other waste materials removed from the grease interceptor shall be properly disposed off site by waste haulers in accordance with federal, state and local laws. All pumping of grease pretreatment facilities and tallow bin hauling by private contractors must be tracked by a manifest to confirm the pumping and hauling of waste. Food service establishments are required to obtain and maintain a copy of the waste hauler's documentation which must include: (1) the name and address of the hauling company; (2) the name and signature of operator performing the pump out; (3) documentation of full pump out with volume of water and FOG removed (e.g., 1,500 gallons); (4) documentation of the level of floating FOG and settable solids; (5) documentation of any repairs to the grease interceptor; and (6) identification of the facility where the waste hauler is planning to dispose of the

waste.

**13.34.060 Record maintenance required.**

Every food service establishment shall maintain a compliance record of all manifests, receipts and invoices of all cleaning, maintenance, grease removal from pretreatment devices, hauling and disposal of waste, and cleaning of pretreatment facilities, such as grease traps, by facility employees. The compliance record must log the date and time of cleaning, the name of the employee who performed the cleaning, and the volume removed. All compliance records must be retained on site by the food service establishment for a period of not less than three years. The establishment shall, upon request, make the compliance record available to the director.

**13.34.070 Inspection and right of entry.**

A. When required for the purposes of this chapter, the food service establishment shall provide, operate and maintain safe and accessible monitoring facilities (such as a suitable sampling port or manhole) at all times to allow observation, inspection, sampling and flow measurement of the building sewer or internal drainage systems. There shall be ample room in or near such monitoring facility to allow accurate sampling and preparation of samples for analysis.

B. Persons authorized by the director may inspect and sample the wastewater discharges of any food service establishment to ascertain whether the conditions of this chapter are being met and the discharger is complying with all requirements. Such authorized persons shall have access to any food service

establishment premises, during normal business hours, for purposes of inspecting the food service establishment's grease interceptor or pretreatment devices, reviewing the manifests, receipts and invoices relating to the cleaning and maintenance of pretreatment devices, and allow observation, inspection, sampling and flow measurement of the building sewer or internal drainage systems, in accordance with this chapter.

**13.34.080 Notice of Noncompliance.**

A. In the event that the director determines that a food service establishment is not in compliance with any condition of this chapter, or the terms, conditions and limitations of any waiver or agreement between the city and the food service establishment with respect to the discharge of FOG into the sanitary sewer, the director may issue a notice of noncompliance, whereby the food service establishment shall comply with all directives, conditions and requirements therein within the time prescribed by the notice. Such notice may contain terms and conditions including, but not limited to, installation of pretreatment devices and grease interceptors, payment of noncompliance charges, submittal of drawings or technical reports, limits on rate and time of discharge, or any other provisions to ensure compliance with this chapter. If compliance is not achieved in accordance with the terms and conditions of the notice within the time prescribed therein, the director may issue an order suspending water and sewer services pursuant to section 13.34.090 of this chapter.

B. Any food service establishment determined to be in noncompliance

with the terms and conditions of this chapter, or the terms and conditions of any waiver or agreement between the city and the establishment, may be required to pay a noncompliance charge. The noncompliance charge shall be determined by the director on a case-by-case basis. The purpose of the noncompliance charge is to compensate the city for estimated and actual costs of additional inspection and follow-up, sampling, monitoring, laboratory analysis, treatment, disposal, administrative processing incurred, and any fines imposed on the city by other regulatory agencies as a result of such noncompliance.

**13.34.090 Emergency suspension of services.**

A. The City may, by order of the director, suspend water or sewer services when such suspension is necessary in the opinion of the director to stop an actual or impending discharge which presents an imminent or substantial danger to the health or welfare of persons or to the environment, or may cause sanitary sewer blockages and overflows or interfere with the proper functioning of the POTW, or may cause the city to violate any conditions of its NPDES permit. Any food service establishment notified of a suspension of services, stating the reasons for it, shall immediately cease the discharge of all wastewater containing FOG to the sanitary sewer.

B. In the event that the food service establishment fails to comply voluntarily with the suspension order, the director may take such steps as are reasonably necessary to ensure compliance. These include, but are not limited to, immediate blockage or disconnection of the food service establishment's connection to the

sanitary sewer. The director shall reinstate the water or sewer service when the establishment has demonstrated that the conditions which necessitated the suspension have been eliminated.

C. As soon as reasonably practicable following the issuance of an emergency suspension order, but not more than five (5) business days following the issuance of such order, the director shall hold a hearing to provide the food service establishment the opportunity to present information in opposition to the issuance of the suspension order. The hearing shall be as informal as is compatible with the requirements of justice. The director shall issue a written decision and order within two (2) business days following the hearing, which decision shall be mailed by certified mail to the food service establishment or its legal representative at the establishment's business address. Any decision of the director following the hearing shall be final and is not appealable to the city council, but may be subject to judicial review.

**13.34.100 Recovery of imposed fines or penalties.**

In the event that the city is subject to the payment of fines or penalties pursuant to the legal authority and actions of other regulatory or enforcement agencies based on a violation of law or regulation or its permits, and said violation can be established by the city, as having been caused by the discharge of any food service establishment which is in violation of any provision of this chapter, the city shall then be entitled to recover from the food service establishment all costs and expenses, including, but not limited to, the full amount of said fines or penalties to

which it has been subjected.

**SECTION 2.** If any portion of this ordinance or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent, the remainder of this ordinance shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

**SECTION 3.** This Ordinance shall become effective thirty days from the date of its adoption.

Adopted by the Council of the City of Glendale on the 18th day of August, 2009.

Mayor

ATTEST:

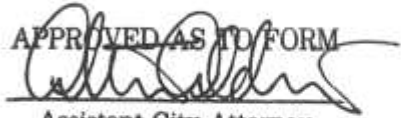
City Clerk

STATE OF CALIFORNIA        )    SS.  
COUNTY OF LOS ANGELES    )  
CITY OF GLENDALE            )

I, Ardashes Kassakhian, City Clerk of the City of Glendale, hereby certify that the foregoing Ordinance No. 5667 was adopted by the Council of the City of Glendale, California, at a regular meeting held on the 18th day of August, 2009, and that the same was adopted by the following vote:

Ayes:     Drayman, Friedman, Najarian, Weaver, Quintero  
Noes:     None  
Absent:   None  
Abstain:  None

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM  
  
\_\_\_\_\_  
Assistant City Attorney  
DATE 7.31.09



CITY OF GLENDALE CALIFORNIA  
REPORT TO CITY COUNCIL

August 11<sup>th</sup>, 2009

**AGENDA ITEM**

Report Regarding the Addition of Chapter 13.34 to the Municipal Code Relating to the Prevention and Reduction of Fats, Oils, and Grease (FOG)

(1) Ordinance for Introduction

**COUNCIL ACTION**

Public Hearing [ ] Ordinance [ X ] Consent Calendar [ ] Action Item [ ] Report Only [ ]  
Approved for August 11<sup>th</sup>, 2009 calendar

**ADMINISTRATIVE ACTION**

**Submitted By**

Stephen M. Zurn, Director of Public Works.....

*[Signature]*  
Signature

**Prepared By**

Maurice Oillataguerre, Sr. Env. Program Specialist.....

*[Signature]* for

**Approved**

Jim Starbird, City Manager.....

*[Signature]*

Scott H. Howard, City Attorney.....

*[Signature]*

**Reviewed**

Bobby Aldesco, Assistant City Attorneys.....

*[Signature]*

**RECOMMENDATION**

It is recommended that the City Council introduce this ordinance adding Chapter 13.34 to the Glendale Municipal Code to reduce the introduction of fats, oils, and grease (FOG) into the City's sewage collection system.

**SUMMARY**

The proposed ordinance was drafted with the ultimate goal of reducing the number of sanitary sewer overflows (SSOs) in the City of Glendale. SSOs can cause extensive property damage when sewage backs-up into residences and/or businesses. In addition, SSOs degrade receiving water quality and can harm aquatic life in the Los Angeles River and Pacific Ocean. More importantly, sewer overflows have been directly linked with disease transmission at the

**EXHIBIT 8 A**



ocean. The City of Glendale Public Works Department is working diligently to reduce the number of SSOs that originate from the City's sewage collection system. While tree roots are the leading cause of SSOs in the City (Public Works has initiated numerous programs to address roots), many overflows are the result of excess grease in city sewer lines.

Among the several additions to the Glendale Municipal Code included in the proposed ordinance are the following:

- operational procedures that food service operators must institute to reduce the discharge of fats, oil, and grease into the city's sewer system;
- a requirement for new food service establishments to install grease removal devices;
- a requirement for food service operators to properly maintain grease removal devices;
- a requirement for food service operators to keep records for all grease removal services;

#### **FISCAL IMPACT**

The adoption of this ordinance has no direct fiscal impact on City operations. No new staff will be required to implement these additions to the Code, if approved.

#### **BACKGROUND**

Sanitary sewer overflows are a major problem in the State of California. The California State Water Resources Control Board (SWRCB) recently adopted a new state law (Order No. 2006-003) which requires public agencies to obtain a permit to operate sewer collection systems. The new law has numerous requirements that each city in the State of California must abide by in order to achieve compliance. Since excessive grease in sewer lines has been shown to be a significant cause of SSOs throughout the State of California, one such requirement is the establishment of an effective FOG Control Program. The program must include the legal authority to inspect food establishments, require the installation of grease removal devices, and require food establishments to properly maintain all grease removal equipment. The addition of Chapter 13.34 to the Glendale Municipal Code would satisfy these requirements as well as other provisions in the new state law.

The addition of Chapter 3.34 to the Glendale Municipal Code would add the following provisions:

1. Section 13.34.010 defines applicable terms that are used throughout the ordinance
2. Section 13.34.020 prohibits the discharge of FOG in large amounts that can cause sewer overflows.
3. Section 13.34.030 requires food service establishments to implement a program to control FOG and minimize the amount of FOG that enters the City's sewer system.
4. Section 13.34.040 requires new food service establishments to install grease removal devices. This section also applies the same requirement to food service establishments that change ownership or obtain building permits for remodeling projects that cost \$50,000 or more. Finally, the requirement to install grease removal devices can also be applied to food service establishments which have caused a grease-related overflow.
5. Section 13.34.050 requires grease removal devices to be properly maintained.
6. Section 13.34.060 requires food service establishments to maintain copies of invoices for all cleaning, maintenance, and grease removal from grease control devices.
7. Section 13.34.070 grants Public Works Staff the authority to inspect food service establishments and requires food establishment owners to operate and maintain accessible monitoring facilities.

8. Section 13.34.080 establishes procedures for noncompliance.
9. Section 13.34.090 gives the Public Works Director the authority to suspend water or sewer service in the event of an emergency.
10. Section 13.34.100 allows the City to collect money for penalties levied against the City of Glendale that was caused by a food service establishment in violation of any provision of Chapter 13.34.

**EXHIBITS**

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None.



City Departments

How May We Help You...



**Jobs and Employment**

Employment application, current openings, and other resources for job seekers in Glendale.



**Licenses and Permits**

Access to City permit and licensing information.



**Maps and Zoning**

Maps, Zoning, and other Planning information.



**Public Safety**

Fire, Police, and other safety resources in Glendale.



**Housing**

Resources for renters, owners, and prospective buyers.



**Online Services**

Pay your GWP bill online, browse library catalogue, and more!



**Contact Us**

Browse our staff directories

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*\* For charter provisions as to authority of city to acquire and maintain works for the disposition of sewage, see Charter, Art. III, § 1, subsection 11*

**Article I. General Provisions**

**13.40.010 Definitions.**

Unless otherwise expressly stated or the context clearly indicates a different intention the following terms shall, for the purpose of this chapter, have the meanings indicated in this section:

**"Assessment"** means and includes a levy of a special assessment which is shown on the records of the director of public works as including a fair and proportionate share of the cost of the sewer main. The trunk line sewer charge established by this chapter shall not be construed as an assessment.

**"House connection"** means that part of any sewer extending from the sewer main in a public street or right-of-way to private property for the exclusive use of such property.

**Land Use Designations.** The land use designations whenever used in this chapter have the same meanings ascribed to zones set forth in Title 30 of this code.

**"Private property"** means any parcel of property lying within the corporate limits of the city, not belonging to the city, and shown as a separate lot or parcel on maps filed in either the county recorder's office or the county clerk's office, or on resubdivisions authorized as provided elsewhere in this code, or on resubdivisions completed prior to March 26, 1936.

**"Real property tributary to the city sewerage system"** means and includes all private property within the corporate limits of the city as such limits now exist or may hereafter be altered, except such property as is or may hereafter be directly served by a sewer line of the city of Los Angeles. (Prior code § 25-1)

**13.40.020 Compliance.**

Every connection made between private property and any public sewer main in the city shall be made in the manner and with such materials as are required by the specifications of the city for public sewers in the city, except that cast-iron pipe six inches in internal diameter may be used; provided, that the same is laid in accordance with such specifications and Title 15 of this code, relating to plumbing. (Prior code § 25-2)

**13.40.030 Multiple public sewer mains.**

If, by the terms of this chapter, there is no fee required to connect such private property to a public sewer main, or, if such fee is required by this chapter and has been paid, the director of public works may allow such private property to be connected to any available public sewer main designated by the director of public works, in the event there is more than one public sewer main available to the private property. (Prior code § 25-3)



**13.40.040 Connection maintenance.**

All house connections, including the wye or saddle at the sewer main, shall be maintained at the expense of the property owner. (Prior code § 25-4)

**13.40.050 Appeal.**

Any person aggrieved by any act or determination of the director of public works under the provisions of this chapter may appeal to the council within the time and in the manner provided in [Chapter 2.88](#). (Prior code § 25-5)

**Article II. Permit for Connection****13.40.060 Required.**

No person shall connect any private property with any public sewer system in or belonging to the city or to any sewer system, excepting those of the city of Los Angeles or Burbank, which flows into the city sewer system without first procuring a permit to make such connection. (Prior code § 25-6)

**13.40.070 Application.**

Any person desiring to obtain a permit required by Section [13.40.060](#) shall make application for such permit and pay the fees provided for in this chapter to the director of public works. (Prior code § 25-7)

**13.40.080 Requirements affecting property served by sewers in Verdugo Canyon.**

A. No territory in any area annexed to the city after July 1, 1949, shall be permitted to connect to the city's sewer system if the sewage flow will pass through the existing outfall or trunk sewers in the Verdugo Canyon unless the director of public works certifies that in his or her opinion such connection will not have the effect of requiring construction of additional outfall or trunk sewers in the Verdugo Canyon within a period of ten years after such connection.

B. Until such time as additional outfall or trunk sewers are constructed in Verdugo Canyon, no person occupying property in such annexed area which has been permitted to connect to the city's sewer system shall discharge or cause to be discharged into such sewer system on any one day a volume of sewage exceeding by more than fifty percent the average daily sewage flow per house connection in the city during the preceding fiscal year, as shown on records in the office of the director of public works unless the director finds that the quantity and time of discharge will be adjusted to avoid increasing the peak flows in the Verdugo Canyon trunk sewers. (Prior code § 25-8)

**13.40.090 Fees-When applicant's property has borne public sewer cost.**

If private property which is sought to be connected with a public sewer main has actually been assessed to pay for the cost and expenses of the construction of such public sewer main, or, if such public sewer main has been constructed for the use of this property and other private property by private contract by the owner of the private property, or his or her assignor, at no expense to the city, either partially or wholly, from its general funds or from money derived from a bond issue authorized by an election, the director of public works shall issue a permit upon the payment of the fees now or hereafter required for making an excavation in public streets. Provided, however, that nothing contained in this section shall exempt or except the owner of such property from payment of a sewer facilities charge provided for elsewhere in this chapter. (Prior code § 25-9)

**13.40.100 Fees-When applicant's property has not borne public**

**sewer cost.**

If the private property which is sought to be connected to a public sewer main has not been assessed for the construction of a public sewer main in front of or alongside such property with which it is desired to connect such private property, or, if the public sewer main has been constructed by private contract by persons other than the owners of the property or their assignors, or, if the costs and expenses for the construction of such public sewer main shall have been paid wholly or partially by the city either from its general fund or from moneys derived from a bond issue authorized by an election, the director of public works shall issue a permit to connect such private property to the public sewer main upon the payment of the fees now or hereafter required for making an excavation in public streets, and the further payment of the fees required by Sections 13.40.110 and 13.40.120, whichever is applicable. (Prior code § 25-10)

**13.40.110 Fees-When public sewer main was in place prior to January 1, 1942.**

Where a public sewer main to which private property described in Section 13.40.100 is sought to be connected was in place on or before January 1, 1942, a fifty-dollar fee shall be collected for private property having an area of five thousand square feet or less, and a fee of fifty dollars shall be collected for an area of five thousand square feet, plus fifty cents per one hundred square feet or fraction thereof for all area in excess of five thousand square feet of such property sought to be connected to the public sewer main. (Prior code § 25-11)

**13.40.120 Fees-When public sewer main was not in place prior to January 1, 1942.**

When the public sewer main to which private property described in Section 13.40.100 is sought to be connected was not in place on or before January 1, 1942, a fee shall be collected, which fee shall be the portion of the total cost of such public sewer main, including all house connections deemed necessary by the director of public works to serve property adjacent to the sewer main, determined according to the ratio of the area of the private property so sought to be connected to the entire area of all property which can be connected to and which can be benefitted by the public sewer main, or in cases where the substantial portion of the property is unbuildable in the determination of the director of public works connection fees may be based on the ratio of benefits. Each benefit shall represent one usable building site as determined by the director of public works, and such total cost and such entire area shall be as estimated and as determined by the director of public works; provided, that such total cost shall not include any amounts furnished by any county, state or federal government unemployment relief agency; and, further provided, that no fee for any private property shall be less than fifty dollars, except fees for private properties that have previously been only nominally assessed for sewer mains, as provided in Section 13.40.130. (Prior code § 25-12)

**13.40.130 Fees-Sewer facilities charge.**

A. Whenever the owner of real property tributary to the city sewerage system makes application for connection to a sanitary sewer, such owner shall pay in addition to all other fees and charges established by this chapter, a sewer facilities charge, which shall be charged in accordance with a sewer facilities charge schedule, compiled by the director of public works, adopted by resolution of the council, and on file in the office of the permit services administrator. Such schedule shall be derived from the amalgamation system sewer facilities charge as set forth in the Amalgamation Agreement between the city and the city of Los Angeles, and as that agreement may be subsequently amended. The sewer facilities charge shall be adjusted by resolution of the council to reflect the new rates charged by the city of Los Angeles on an as needed basis.

B. Whenever such charge to be paid in accordance with the sewer facilities charge schedule is to be based on gpm (gallons per minute) the applicant, prior to issuance of a permit by the city to connect to the city sewerage



system, shall submit calculations of the projected design discharge flow to the superintendent of building for his or her approval upon which a projected sewer facilities charge shall be calculated. Such charge will be reviewed no earlier than one (1) year after the issuance of the permit to connect to the city sewerage system, upon which time an additional sewer facilities charge shall be charged, providing the superintendent of building determines that the original projected design discharge flow is less than the actual discharge.

C. Whenever a lot which has heretofore been connected to a sewer is disconnected therefrom for the purpose of changing the use thereof to a greater use permitted in the zone in which it is located and which increased land use may entail a use of the sewerage system greater than that for which the original permit was issued, a permit based on the new use shall be required and the applicant therefor shall pay a fee in accordance with the new expanded use as set forth in the sewer facilities charge schedule minus any formerly paid sewer connection charge. (Ord. 5452 § 1, 2005; prior code § 25-12.1)

#### **13.40.133 Sewer facilities charge deposit.**

At the time of filing an application for connection to a sanitary sewer, each applicant shall pay a deposit to the director of public works, in an amount equal to the estimated sewer facilities charge in effect at the time. Such deposit shall be applied to the sewer facilities charge at the time of connection to a sanitary sewer. (Ord. 5072 § 1, 1994; prior code § 25-12.1.1)

#### **13.40.135 Deposit adjustments.**

In case the actual sewer facilities charge at the time of connection to a sanitary sewer is less than the amount estimated and deposited, as provided in the preceding section, the director of public works shall return to the permittee the amount of the unused balance of such deposit pursuant to the procedure set forth in Section 13.40.132. In case the actual sewer facilities charge is more than the amount estimated, the director of public works shall collect the unpaid portion of the sewer facilities charge from the permittee who shall pay same. (Ord. 5072 § 2, 1994; prior code § 25-12.1.2)

#### **13.40.137 Procedure for refund of deposit.**

Notwithstanding Section 4.08.010 of this code, whenever the director of public works determines either (A) a sewer connection will not be commenced after the period of time in which the applicable building permit would have been effective; or (B) a sewer facilities charge deposit amount exceeds the actual sewer facilities charge at the time of connection to a sanitary sewer, the director of public works shall return such deposit or portion thereof to the depositor after deducting ten percent thereof not to exceed twenty dollars to cover administrative costs. (Ord. 5072 § 3, 1994; prior code § 25-12.1.3)

#### **13.40.140 Fees-Sewer facilities charge-Subdivisions.**

Whenever real property tributary to the city sewerage system is included within the borders of a new tract map or a subdivision, sewers, if not existing, shall be constructed within or adjacent to the tract to serve each lot, and as a condition of the approval of the tentative map of each tract and prior to the recording of each such tract map, in addition to all other applicable fees and charges, an amount equal to the estimated sewer facilities charge, shall be deposited pursuant to this chapter. (Ord. 5072 § 4, 1994; prior code § 25-12.2)

#### **13.40.150 Fees-Sewer facilities charge-Lot splits.**

A. Whenever real property tributary to the city sewerage system is split into two or more lots, the applicant shall deposit as a condition to the approval of the lot split and in addition to all other applicable fees and charges, an

amount equal to the estimated sewer facilities charge as established pursuant to this chapter.

B. Whenever a lot is split and a fee is deposited therefor as provided above, and prior to the improvement of the lot created, a new application for a further split of the lot so created is filed, the applicant shall as a condition of the approval of the lot split and in addition to all other fees and charges, deposit an amount equal to the estimated sewer facilities charge as provided in the above mentioned schedule and calculated in accordance with the use thereof to be made as specified in the application. The payment of such charges shall not entitle the applicant to a greater use of the sewer than that for which application was made and if at the time a building permit is applied for a greater use of the land is shown by such application to be intended, a charge which shall represent the difference between that deposited for the permitted use and charge for the use intended shall be deposited as a condition precedent to the issuance of the building permit. (Ord. 5072 § 5, 1994; prior code § 25-12.3)

**13.40.155 Process and fees for permitting certain properties outside the boundaries of the city to connect to the city's sewer system where said connection is not covered by a joint powers agreement.**

A. Whenever the owner of real property which is tributary by natural flow to Glendale's sewer system and lying specifically within that area of the city of La Canada Flintridge bounded on the west by the westerly boundary of said La Canada Flintridge and on the east by the centerline of La Tour Way and on the north by Interstate Highway No. 210 (commonly known as the Foothill Freeway) and on the south by Verdugo Boulevard, desires to connect said property to Glendale's sewer system and said property lies outside the jurisdictional boundaries of Glendale, which city or district has not purchased discharge and conveyance capacity interests in Glendale's sewer system as evidenced by a joint powers agreement, said owner (applicant) shall make application with Glendale for a permit to connect said property to the Glendale sewer system in accordance with all the provisions of this chapter relating to sewers and sewage, including and in accordance with all applicable federal, state and local laws. Acceptance of said application is subject to the approval of the director of public works.

B. Upon acceptance of the application by said director, the applicant shall cause the legislative body of the jurisdiction in which said property is located, to provide either by motion, resolution or ordinance, formal authorization for said property to connect to Glendale's sewer system. Said authorization shall include a specific provision directing the water distribution authority, which provides water to said property, to provide to Glendale on a bimonthly basis, the water use records of said property for Glendale's purpose of determining sewer use charges.

C. The applicant shall pay for and obtain all applicable permits to connect said property to Glendale's sewer system and shall pay all fees and charges as set forth in this chapter as if said property was located within the boundaries of the city of Glendale.

In addition to the connection fees and charges required under this chapter and all other applicable fees and charges as set forth in this code, the applicant shall also pay a capital improvement cost adjustment charge (the "adjustment charge"). Said adjustment charge shall be based upon a proportionate share of the capital improvement costs for the Hyperion Wastewater Treatment and Disposal System, including all applicable capital improvement costs (e.g., said Hyperion System's outfall sewers, the Los Angeles Glendale Water Reclamation Plant and related systems costs) that have been billed to Glendale since Glendale's adoption of its latest sewer facilities charge schedule. Said proportionate share shall be determined by calculating a ratio between Glendale's wastewater discharge capacity interests in said Hyperion System and said property's estimated wastewater discharge to Glendale's sewer system in relation to said capital improvement costs billed Glendale since the adoption of the latest sewer facilities charge schedule.

In the event of a direct conflict between the capital improvement cost



charges imposed by this section and any other capital improvement cost charge imposed by other provisions of this code or other agreement (except a joint powers agreement) the capital improvement cost charge herein shall prevail.

D. Failure by the applicant, the owner of the property either current or subsequent, or any owner's assignees to comply with the provisions of this chapter or the specific provisions of this section, including but not limited to the failure of a water distribution authority to provide bimonthly water use records, will subject said property, upon notice by the city and opportunity for the applicant or owner or owner's assigns to be heard, to disconnection from Glendale's sewer system. In the event of disconnection, said applicant, owner or owner's assigns (as the case may be) shall be responsible for all costs incurred by Glendale for said disconnection, and shall further continue to be liable for any and all other outstanding costs and charges owed to Glendale. (Ord. 5070 § 1, 1994; prior code § 25-12.4)

**13.40.160 Fees-Sewer facilities charge-When applicant's property has borne a nominal assessment for public sewer cost.**

If the property sought to be connected to a public sewer main has been assessed only a portion of the amount which it should have been assessed for its benefit from the main comparable to amounts levied upon other properties in the district assessed for the main, then the fee specified in the Sections ~~13.40.140~~ and 13.40.150 shall be modified and reduced by subtracting from such fee the amount of the nominal assessment against such property, as shown on the records of the director of public works. (Prior code § 25-13)

**13.40.170 Fees-When applicant's property is not in close proximity to public sewer.**

If the public sewer main is not in place in front of or alongside the private property which it is desired to connect to a sewer, or, if such private property is not clearly intended to be served by an existing public sewer main in close proximity to the property, then a fee, computed on the same basis as set forth in Section 13.40.110, regardless of the date of the construction of the main, shall be paid before the director of public works shall issue a permit to connect such property to any available public mains. (Prior code § 25-14)

**13.40.180 Fees-Additional inspections.**

When any person shall have violated or failed to comply with any of the requirements of this chapter, or when, through any such violation or failure to comply by any person doing the work, it is necessary to make extra inspections of the work, there shall be charged such person a fee of one dollar for each such extra inspection made necessary on account of such violation or failure to comply. (Prior code § 25-15)

**13.40.190 Excavation fees applicable to additional connections.**

No additional fees, except fees for making excavations in public streets, shall be collected for additional connections to private property; provided, that the original fee, if any, prescribed in this chapter, has been paid for the property thus sought to be connected. (Prior code § 25-16)

**13.40.200 Fees-Refunds.**

If a public sewer main, including all house connections deemed necessary by the director of public works to serve property adjacent to the sewer main, is or has been installed after January 1, 1942, by private contract or otherwise, by certain owners of property, at no expense to the city, or, if the cost and expenses of such main are shared by the city and certain owners of property, with or without the additional aid of some governmental unemployment work relief agency, and then if other owners who have not, either themselves or their assignors, contributed toward the cost of such public sewer main, desire to connect to it, the director of public works shall

collect the fees set forth in Sections 13.40.110 and 13.40.120, and shall authorize the refunding of such fees which are collected within ten years from the date of the installation of the main to the owners who contributed toward the cost of the construction of the main; provided, such owners file a written application, together with the necessary supporting affidavits within six months after the completion of the main, setting forth the properties for which they are contributing and also the total cost to them, and other necessary information; otherwise, such fees shall revert to the general fund of the city; provided further, that the total amount of such fees turned over to the owners shall not exceed the total amount contributed by the owners toward that portion of the cost of the public sewer main, including all house connections deemed necessary by the director of public works to serve property adjacent to the sewer main, which serves property not owned by them; the total amount to be as estimated and as verified by the director of public works. (Prior code § 25-17)

**13.40.210 Fees-All property under same ownership or control subject to connection fee.**

In connecting private property to a public sewer main, the fees described in this chapter shall be paid on all of the contiguous property under the same ownership or control which is being put to a joint use thereof or clearly intended to be used jointly or in any way connected with the property desired to be connected, regardless of lot lines or property division lines. (Prior code § 25-18)

**13.40.220 Fees-Exception.**

No sewer connection fee shall be charged for connecting to the sewer main located in Chevy Chase Drive from Cascadia Drive to Golf Club Drive or to the sewer main located in the first alley northeasterly of Glencaks Boulevard and running northwesterly from Glendale Avenue to the Verdugo Wash, such sewer mains having been heretofore constructed under agreements providing that no sewer connection fee would be required. (Prior code § 25-19)

**13.40.240 Fees-Collection and deposit.**

All fees provided for in this chapter shall be collected by the director of public works, who shall issue proper receipts therefor. The director of public works shall pay over to the city treasurer all money so collected by the director of public works on the day such money is collected. (Prior code § 25-21)

**Article III. Use of Sewers**

**13.40.250 Placing of certain materials prohibited.**

A. Except as provided in Section 13.40.260, no person shall place, throw or deposit, or cause or permit to be placed, thrown or deposited in any public sewer, drain, catchbasin, water closet, privy, vault or cesspool, any dead animal, offal or garbage, or place, throw, deposit or discharge, or cause or permit to be placed, thrown, deposited or discharged in any public sewer, drain or catchbasin, any fish, fruit or vegetable waste or any other solid matter or material of any kind whatsoever, of such a nature or in such quantities as will, or will be likely to clog or obstruct any such public sewer, drain or catchbasin, or which will or will be likely to interfere with or prevent the effective or efficient use of the operation of any of the same.

B. No person shall cause or permit to be deposited or discharged into any public sewer, drain or catchbasin, water or sewage, or liquid waste of any kind, containing chemicals, greases, oil, tar or other matter or material which would by reason of precipitation or settlement of such matter or materials be likely to clog or obstruct any of the same, or which by reason thereof will be likely to interfere with or prevent the effective or efficient use of any of same, or which will be likely to necessitate or require frequent repair, cleaning out or flushing of any such sewer, drain or catchbasin. (Prior code § 25-22)