

ORDINANCE NO. 20

AN ORDINANCE OF THE MIDWAY CITY SANITARY DISTRICT, OF ORANGE COUNTY, CALIFORNIA, AMENDING SECTIONS 24 AND 25 OF GENERAL REGULATION ORDINANCE NO. 10 OF SAID DISTRICT; REPEALING ALL MOTIONS, RESOLUTIONS AND ORDINANCES OF SAID DISTRICT INCONSISTENT HEREWITH TO THE EXTENT OF SUCH INCONSISTENCY.

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THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT, of Orange County, California, does hereby ORDAIN as follows:

SECTION 1: That Section 24 of Ordinance No. 10 of this District be and the same is hereby amended to read as follows:

"Section 24: No person or public corporation shall throw or deposit, or cause to be thrown or deposited, in any vessel or receptacle having an open outlet connected with a covered sewer, any sewage or industrial waste creating usage disproportionate to District costs imposed on other property within the District.

"Section 24.1: No user shall exceed reasonable use or reasonable capacity without first obtaining a 'use permit' from the District. Such 'use permit' shall be in addition to a 'connection permit' and shall be annually renewable as long as reasonable use is exceeded.

"Section 24.2: Reasonable Use Defined.

"(1) Reasonable use is hereby established at 25,000 gallons per day peak flow per \$100,000 of assessed valuation for the purpose of computing excess capacity permit fees.

"(2) Reasonable use is hereby established at 10,000,000 gallons per year and 15 dry tons of suspended solids per year per \$100,000 of assessed valuation for the purpose of computing excess usage permit fees.

"(3) Peak flow rate may be considered to be 1.60 times the greatest measured flow rate of sewage or industrial waste over any period of 15 minutes or longer unless user can demonstrate to the satisfaction of the Governing Board of the District that such usage was the result of extraordinary circumstances and not for normal operation.

"(4) Suspended solids are defined as any insoluble solid matter contained as a component of sewage and capable of separation by laboratory filtration.

"Section 24.3: Industrial Waste Discharge Permits.

All connection to District facilities requiring hydraulic capacity in excess of reasonable use as defined in Section 24.2 or discharging harmful substances as defined in Section 24.4 shall require an additional Industrial Waste Discharge Permit from County Sanitation No. 3 in accordance with its Ordinance No. 302. All permittees so licensed shall be required to obtain a supplemental use permit fee from this District to compensate for coordination record keeping and administrative costs. Such fees shall be as follows:

<u>"CLASS I</u> \$25	Institutions (Hospitals, etc.) Commercial Establishments (Restaurants, Hotels, Recreational) not otherwise classified.
<u>CLASS II</u> \$50	Electronic and Electrical Parts Manufacturing Machine Shops Metal Fabricating Beverage Bottling Textile Manufacturing Ceramic Manufacturing General Manufacturing, not otherwise classified.
<u>CLASS III</u> \$75	Plastic Manufacturing and Fabrication Paint Manufacturing Dyeing Commercial Laundries Petroleum Production Metal Plating Dairy Products Bakeries
<u>CLASS IV</u> \$100	Canneries Food Processing, not otherwise classified Chemical Manufacturing Distilleries, Breweries and Beverage Production Citrus By-Products Paper Products Manufacturing Tanneries Rubber Products Petroleum Refineries

Whenever in the opinion of the Manager, the cost of enforcing this Ordinance does not justify the imposition of such fees, he may elect to reduce or waive the same upon the approval of the Board of Directors.

"Section 24.4: Harmful Substances. Any discharge to a District facility which would cause the effluent to exceed (1) an eight-hour temperature average higher than 140° F. (2) More than 100

milligrams per liter of Hexane soluble materials (fats and oils) or 25 milligrams per liter of flowable oil, both based on an average concentration over an eight-hour period. (3) A pH of less than 6.0, provided that at least 80 percent of the time in any eight-hour period, the pH shall be not less than 6.5. (4) Suspended solids or other substances of such a character or in such concentrations which result in improper functioning of any public sewer through which said solids are conveyed or in the improper operation of the District pumping and collection facilities. (5) Any liquid or gas or other substance which singly, or in combination with other substances could cause an explosive, dangerously radioactive, or toxic condition in the District's sewage system.

"Section 24.5: Substances Prohibited. No person shall discharge into any District sewer any (1) rain, surface, or sub-surface water. (2) Any cesspool, septic tank, seepage pit or drainfield. (3) Nor shall any collection of (1) and (2) be connected to any lateral leading to the District's lines. Additional prohibitions may be specified by the General Manager of the District from time to time as he deems necessary to maintain control of the quality of sewage or industrial waste discharged into District facilities.

"Section 24.6: Commercial Grinders. No commercial food waste grinder shall be connected to the District sewer line without permission of the General Manager and shall require an annual inspection and renewing of the use permit by the District. Further, no commercial food waste grinder shall be connected to any sand or grease interceptor.

"Section 24.7: Commercial Liquid Waste. Except as otherwise provided herein, Commercial Liquid Waste shall not be discharged into the District's sewer system unless it is first processed through an appropriate trap or interceptor designed to the specifications of the District. Commercial Liquid Waste is defined as waste containing grease, flammable waste, sand, solids, acids or alkaline substances or other ingredients deemed by the District to be harmful to the sewer system.

"Section 24.8: Use Permit Fees. Use permit fees for commercial grinders, sand and grease interceptors, shall be established at \$50 for the first unit and \$25 for each supplemental unit, for each permittee.

"Section 24.9: All establishments discharging Commercial Liquid Waste into the District's sewer system as of the date of this ordinance shall be required to install, upon notification by the District, commercial grinders and sand or grease interceptors within 12 months from issuance of formal notification and in all cases on or before July 1, 1972. All non-conforming establishments shall be made to conform immediately upon change of ownership or proprietorship.

"Section 24.10: Property upon which temporary or non-assessable buildings, offices or living quarters, are located shall be assessed an annual 'sewer usage' permit. Such permit fee shall be computed on the basis of \$3.25 of each 1,500 square feet or fraction thereof. Said permit shall be annually renewable by the owner of record of the property upon which such structures are located. Nothing herein shall be construed as imposing any such fee as to property which is rendered exempt from the taxes of this District by the terms of the United States Constitution, the California Constitution, or the California Revenue and Taxation Code."

SECTION 2: That Section 25 of Ordinance No. 10 of this District be and the same is hereby amended to read as follows:

"Section 25: Penalty Provisions. Every person, firm, or corporation, as principal agent, or otherwise, violating or failing, neglecting or refusing to comply with any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars (\$100), or by imprisonment not to exceed one (1) month, or by both such fine and imprisonment; and each such person, firm or corporation, as principal, agent or otherwise, shall be guilty of a separate offense for each day during any portion of which a violation of, or failure, neglect, or refusal to comply with, any of the provisions of this ordinance, is committed, continued, or permitted by such person, firm or corporation."

SECTION 3: Reasonable capacity charges for excess usage shall not be made against connections in use on the effective date of this ordinance unless there is an increase in peak flow rates of sewage and/or industrial waste which exceeds by more than 5,000 gallons per day the highest peak flow rate previously determined for such user.

SECTION 4: That all motions, resolutions and ordinances, and parts thereof, inconsistent herewith be and the same hereby are repealed to the extent of such inconsistency and no further.

SECTION 5: The Secretary of the Governing Board of this District shall certify to the passage of this ordinance and shall cause the same to be published in The Westminster Herald, a newspaper of general circulation

published and circulated in the Midway City Sanitary District, of Orange County, California. This Ordinance shall be in full force and effect as of February 17, 1971.

ADOPTED, SIGNED AND APPROVED this 17 day of February, 1971.

Tad Fujita  
President

ATTEST:

R M Schmitt  
Secretary

I, R. M. SCHMITT, Secretary of the Midway City Sanitary District, of Orange County, California, do hereby certify that the foregoing Ordinance was duly adopted at a \_\_\_\_\_ regular meeting of this Governing Board held on the 17 day of February, 1971, by the following vote of the members of the Board:

AYES: Directors Fujita, Combs, Schmitt, McWhinney  
and Edwards

NOES: Directors None

ABSENT: Directors None

and I further certify that Tad Fujita, as President, and R. M. Schmitt, as Secretary, signed and approved said Ordinance on the 17 day of February, 1971.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of said District this 17 day of February, 1971.

R M Schmitt  
Secretary,  
Midway City Sanitary District