

ORDINANCE NO. 8

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE GARDEN GROVE SANITARY DISTRICT ADDING SECTIONS 6.20.015 AND 6.20.025, PERTAINING TO INSPECTION AND REPLACEMENT OF PRIVATE SEWER FACILITIES FOLLOWING A SEWAGE OVERFLOW, TO CHAPTER 6.20 OF TITLE 6 OF THE GARDEN GROVE SANITARY DISTRICT CODE OF REGULATIONS

District Counsel's Summary

This Ordinance adds Sections 6.020.015 and 6.020.025 to the Enforcement provisions of Title 6 of the Garden Grove Sanitary District Code of Regulations (i) to require property owners to obtain CCTV inspections of private sewer laterals whenever the District finds that a sewage overflow emanating from a private sewer lateral line has reached or threatens to reach public property or onto the private property of a third party, to require property owners to repair lateral lines that the District determines are not being maintained in a safe and sanitary condition and/or in good working order and (ii) to require property owners to replace lateral lines found to have conditions which present a substantial likelihood of continued sanitary sewer overflows and which cannot be corrected through means other than replacement.

WHEREAS, the Board of Directors of the Garden Grove Sanitary District previously adopted the "Garden Grove Sanitary District Code of Regulations" on file in the Office of the Secretary of the District Board; and

WHEREAS, sewage overflows emanating from private sewer lateral lines are a threat to the public health, safety, and welfare; and

WHEREAS, the District Board desires to amend the Garden Grove Sanitary District Code of Regulations in order (i) to require CCTV inspections of private laterals whenever the District finds that a sewage overflow emanating from a private lateral line has reached or threatens to reach public property or onto the private property of a third party, and (ii) to require property owners to replace lateral lines found to have conditions which present a substantial likelihood of continued sanitary sewer overflows and which cannot be corrected through means other than replacement.

NOW, THEREFORE, the Board of Directors of the Garden Grove Sanitary District hereby ordains that the Garden Grove Sanitary District Code of Regulations, on file in the Office of the Secretary of the District Board, shall be amended as follows:

Section 1. Section 6.20.015 is hereby added to Chapter 6.20 of Title 6 of the Garden Grove Sanitary District Code of Regulations to read as follows:

"6.20.015 Inspection of private sewer facilities after sewage overflow. Whenever the District finds that a sewage overflow emanating from a private sewer lateral has reached or threatens to reach public property, including but not limited to a city street or the city storm drain system, or has reached or threatened to reach private property owned by another property owner, the General Manager may require the property owner or such other person responsible for the private sewer lateral to obtain, at the property owner's or other responsible person's sole cost and expense, an inspection of the private sewer lateral using closed circuit television ("CCTV") inspection or other inspection or test methods approved by the General Manager. The CCTV inspection or other inspection/test shall be performed by a licensed contractor or plumber acceptable to the District, and a report of the results of the inspection/test, along with any video footage generated as a result of the inspection, shall be provided to the District. As used herein, "private sewer lateral" means the "building sewer" as defined in the latest edition of the California Plumbing Code. It is the wastewater connection between the building's wastewater facilities and a public sewer system."

Section 2. Section 6.20.025 is hereby added to Chapter 6.20 of Title 6 of the Garden Grove Sanitary District Code of Regulations to read as follows:

"6.20.025 Sewage overflow—Repair and Replacement of private sewer facilities. Whenever the District determines that any private sewer lateral, as defined in Section 6.20.015, is not being maintained in a safe and sanitary condition and/or in good working order, the General Manager may order the property owner, or such other person responsible for the private sewer lateral, to make such repairs to the private sewer lateral as the General Manager reasonably determines are necessary to bring the private sewer lateral into compliance with the provisions of this Code at the property owner's or other responsible person's sole cost and expense. In addition, whenever the District determines that any private sewer lateral has sags, root intrusion, substantial deterioration, or other conditions which present a substantial likelihood of a sewage overflow, which the General Manager reasonably determines cannot be corrected through means other than replacement, the General Manager may order the property owner, or such other person responsible for the private sewer lateral, to replace the private sewer lateral at the property owner's or other responsible person's sole cost and expense. Subject to extension in the exercise of reasonable discretion of the General Manager, all repair or replacement work shall be completed within sixty days of notification by the District that such replacement is required. The property owner, other responsible person, and/or contractor or plumbing contractor performing the repair or replacement work shall

obtain all necessary permits from, and comply with all applicable regulations of, the City of Garden Grove and the District. A replaced private sewer lateral shall not be covered or backfilled until inspected and approved by District. The authority of the General Manager to order the repair or replacement of a private sewer lateral pursuant to this Section 6.20.025 shall be in addition to, and not in lieu of, any other rights of the District or methods of enforcement provided for in this Code or pursuant to federal, state, or local law."

Section 3. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word or portion of this ordinance is, for any reason, held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The District Board hereby declares that it would have adopted this ordinance and each section, subsection, subdivision, sentence, clause, phrase, word or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid.

Adopted this 22nd day of January 2008.

ATTEST:

WILLIAM J. DALTON
PRESIDENT

/s/ KATHLEEN BAILOR
SECRETARY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF GARDEN GROVE)

I, KATHLEEN BAILOR, Secretary of the Garden Grove Sanitary District, hereby certify that the foregoing Ordinance was duly adopted by the Board of the Garden Grove Sanitary District at a meeting held on the 22nd day of January 2008, by the following vote:

AYES: MEMBERS: (5) BROADWATER, JONES, NGUYEN, ROSEN, DALTON
NOES: MEMBERS: (0) NONE
ABSENT: MEMBERS: (0) NONE

/s/ KATHLEEN BAILOR
SECRETARY