

ORDINANCE NO. 57
ORDER NO. 15-05

WATER SOFTENER REGULATION ORDINANCE
IRONHOUSE SANITARY DISTRICT

The Board of Directors of the Ironhouse Sanitary District (District) does ordain and order as follows:

SECTION 1. Short Title

This Ordinance shall be known and may be cited as Ironhouse Sanitary District Water Softening Regulation Ordinance.

SECTION 2. Purpose and Findings

Purpose: The purpose of this Ordinance is to protect the health, safety and welfare for the Ironhouse Sanitary District (“District”) and its waterways through the regulation of the discharge of sodium, potassium, and chloride products into the District’s sanitary sewer system: to impose regulations regarding to compliance with requirements of the California Water Code and the California Health and Safety Code 116775 et seq. and to regulate the use of self-generating water softeners and sodium, potassium and chloride based products.

Findings: The District’s Water Recycling Facility’s (WRF) discharge permit, Order No. R5-2013-0157 Provision C.3.c., issued by the Central Valley Regional Water Quality Control Board requires the District to implement a pollution prevention work plan for salinity that was developed in October 2008. The workplan required development of a Salinity Pollution Prevention Plan (PPP) to determine sources of salinity entering the WRF. The Salinity PPP that was adopted by the ISD Board of Directors on November 4, 2014. The results of the Salinity PPP indicate that up to 27% of salinity entering the WRF is from water softeners. To reduce the salinity entering the WRF the District is regulating the use of self-regenerating water softeners and sodium, potassium and chloride based products by both residential and nonresidential users through this ordinance.

The District has determined it can be seen with certainty that there is no possibility that the Water Softening Regulation may have a significant effect on the environment because it will in fact reduce the discharge of sodium, potassium, and chloride products into the District’s sanitary sewer system and therefore the environment. The Board accordingly finds that the Water Softening Regulation is categorically exempt from the California Environmental Quality Act (CEQA) under the Common Sense Exemption, 14 Cal. Code Regulations §15061(b)(3), and a Notice of Exemption will be filed with the Contra Costa County Clerk.

SECTION 3. Definitions and Abbreviations

The following definitions shall apply to the terms used in this Ordinance:

“**Authorized Office**” means the General Manager and District Engineer or any person designated by the District Board.

“Brine” means a heavily concentrated solution containing sodium, potassium, or chloride.

“District” means Ironhouse Sanitary District.

“Person” means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or its legal representatives, agents or assigns.

“Residence” means a structure which is or is intended to be, in whole or in part, a place of dwelling, whether occupied or not, whether fully constructed or not, and includes, without limitation, homes, whether attached to another structure or not, apartments, condominiums and mobile homes.

“Residential self-regenerating water softening appliance” means a water softening device located within or adjacent to a residence located with the District or which discharges in to sewer system that is tributary to the sewer system owned and operated by the District, whereby the capability of the appliance to remove hardness from water is renewed by the on-site application of chloride, potassium or similar salt-containing brine solution to the active softening or conditioning material contained therein, followed by a subsequent rinsing of the active softening or conditioning material.

SECTION 4. Regulations

No person shall install or in any manner assist in the installation of a residential or non-residential self-regenerating water softening appliance that discharges into the District sewer system owned and operated by the District or that discharges into the District sewer system that is tributary to the sewer system owned and operated by the District.

New water softening devices installed for all users or structures shall be of a type and style as selected by the user at their expense, provided however that any such appliances or devices must comply with the terms and conditions of this Ordinance. Use of non-brine discharging water softening devices such as membrane or carbon systems are not prohibited by the District.

SECTION 5. Enforcement

The General Manager and the District Engineer shall administer, implement and enforce the provisions of this Ordinance. Any powers granted to or duties imposed upon the General Manager and District Engineer may be delegated to persons acting in the beneficial interest of or in the employ of the District.

SECTION 6. Violation

The General Manager or any other person designated by the Board may issue a Notice of Violation to any person who fails to comply with any conditions of this Ordinance. A Notice of Violation shall allow a period of 30 days to correct the violation and/or to remove and dispose of the non-compliant self-regenerating water softener. Any person violating this Ordinance after

issuance of a Notice of Violation and the subsequent 30-day period shall pay an administrative fine to the District in the amount of \$250 per month until such system is removed.

Any use or activity in violation of the terms of this Ordinance is declared to be a nuisance per se, and may be abated by order of any court of competent jurisdiction. The District Board, in addition to other remedies may institute any appropriate action or proceedings to prevent, abate, or restrain the violation. All costs, fees and expenses in connection with such action shall be assessed as damages against the violation.

SECTION 7. Severability

The various parts, paragraphs, sections and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

SECTION 8. Adoption and Effective Date

This Ordinance is hereby declared to have been adopted by the District Board at a meeting thereof duly called and held on the 3rd day of February 2015, and ordered to be given effect thirty (30) days after its first publication as mandated by statute.

CERTIFICATION

Passed and adopted at a regular meeting of the Ironhouse Sanitary District Board of Directors held February 3rd, 2015 by the following vote:

AYES, Members: D. Contreras, C. Lauritzen, S. Morgan, M. Painter and D. Scheer

NOES, Members: None

ABSENT, Members: None

ABSTAIN, Members: None



Susan V. Walde
Secretary to the Board
(Seal)

APPROVED: 
David Contreras
President of the Board