

ORDINANCE NO. 03-247

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF LOS ALTOS AMENDING SECTION 10.08.430 A & B OF  
THE LOS ALTOS MUNICIPAL CODE

The City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. Legislative Findings. The Council finds and declares as follows:

A. In order to protect water quality, the U.S. Environmental Protection Agency (USEPA) issued a National Pollutant Discharge Elimination System (NPDES) permit that regulates discharges of storm water to waters of the United States from construction projects that encompass five (5) or more acres of soil disturbance. USEPA has expanded this NPDES permit to address storm water discharges from construction sites that disturb land equal to or greater than one (1) acre and less than five (5) acres.

B. Effective March 10, 2003, all construction activities, which affect sites equal to or greater than one (1) acre must be conducted under permits.

C. The City must revise its stormwater regulations that apply to construction projects that disturb one (1) acre or more of land.

SECTION 2. Amendment of Code. Section 10.08.430 A & B of the Los Altos Municipal Code is amended to read as follows:

“A. A spill response plan for hazardous waste, hazardous materials and uncontained construction materials shall be prepared and available at the construction sites for all projects where the proposed construction site is equal to or greater than one acre of disturbed soil and for any other projects for which the city engineer determines that it is necessary to protect surface waters. Preparation of the plan shall be in accordance with guidelines published by the city engineer.

B. A stormwater pollution prevention plan shall be prepared and available at the construction sites for all projects greater than one acre of disturbed soil and for any other projects for which the city engineer determines that a stormwater management plan is necessary to protect surface waters. Preparation of the plan shall be in accordance with guidelines published by the city engineer.”

SECTION 3. Publication. This ordinance shall be published as provided in Government Code section 36933.

SECTION 4. CEQA Exemption. This ordinance is exempt from the provisions of Chapter 3 (commencing with Section 21100) of Division 13 of the public Resources Code (California Environmental Quality Act (CEQA)) pursuant to the State CEQA Guidelines Section 15308 as an action that assures the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

SECTION 5. Constitutionality. If any section, subsection, sentence, clause, phrase or word of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 6. Effective Date. This ordinance shall take effect upon the commencement of the thirty-first day following the date of its passage and adoption.

The above and foregoing ordinance was duly and properly introduced at a regular meeting of the Los Altos City Council held on May 27, 2003, and was thereafter, at a meeting of the Los Altos City Council held on June 10, 2003, duly passed and adopted by the following roll call vote:

AYES: Mayor Casto, Mayor Pro Tem Becker, Councilmembers La Poll, Lear, and Moss

NOES: None

ABSENT: None

  
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Mayor

ATTEST:

  
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City Clerk