

SECTION C-4

LEGAL AUTHORITY

**PROGRAM EFFECTIVENESS ASSESSMENT
2009-10**





SECTION C-4, Legal Authority

C-4.0 Legal Authority

C-4.1 Introduction (LIP Section A-4.1)

This section discusses the legal authority established by the County for controlling pollutant discharges into and from its storm drain system.

C-4.2 County Authority to Control Pollutant Discharges (LIP Section A-4.3)

As discussed in **Section A-4.3** of the LIP, the County has substantial legal authority to control the discharge of pollutants to its municipal storm drain system through a variety of tools which include:

- 1) The **Water Quality Ordinance** [Orange County Code Sec. 4-13-10 et seq. (County Regulations) and OCCO Sec. 9-1-10 et seq. (Flood Control District Regulations)] prohibits unpermitted discharges to the municipal storm drain system and provides the authority for BMPs in new development and significant redevelopment.
- 2) The **Landscape Irrigation Code** (OCCO Sec. 7-9-132.2 et seq., adopted December 15, 2009) promotes the design, installation, and maintenance of landscaping in a manner that conserves regional water resources by ensuring that landscaping projects are not unduly water-needy and that irrigation systems are appropriately implemented to minimized water waste.
- 3) The **Orange County Grading and Excavation Code** (OCCO Sec. 7-1-800 et seq.) regulates excavation, grading and establishes administrative requirements for the issuance of permits in accordance with the requirements in the Uniform Building Code.
- 4) The **Litter Control Ordinance**, as a part of the **Water Quality Ordinance** (OCCO Sec. 4-13-52 et seq. (County Regulations) and OCCO Sec. 9-1-52 et seq. (Flood Control District Regulations)), prohibits the disposal of any waste material on any public or private property.
- 5) The **Fats, Oils, and Grease Disposal Ordinance** (OCCO Sec. 4-13-120 et seq. and Sec. 9-1-120 et seq.), specifies appropriate disposal requirements for a food facility to assure that those facilities control, and appropriately dispose of fats, oils and grease so as to assure that their operations do not cause sanitary sewer blockages.
- 6) The **Orange County Solid Waste Management Ordinance** (OCCO Sec. 4-13-17 et seq.), regulates where solid and liquid wastes, including hazardous and industrial wastes may and may not be deposited or discharged.
- 7) The **Uniform Fire Code**, which has been adopted into the codified ordinances of the County and the cities and prohibits the discharge of any waste liquid containing crude petroleum or its products "into or upon" any drainage canal or ditch, storm drain, sewer, or upon the ground.

C-4.3 Legal Authority Modifications

As the last step in the effectiveness assessment process, the County has evaluated its legal authority to determine if any modifications are necessary. Based on this evaluation, the County will continue to have adequate legal authority to implement its Stormwater Program and achieve desired outcomes.