

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_  
OFFICE OF THE CITY CLERK  
OAKLAND

  
City Attorney

2008 JUN 12 PM 1:53

# OAKLAND CITY COUNCIL

ORDINANCE No. 12886 C.M.S.

**ORDINANCE AMENDING TITLE 13 OF THE  
OAKLAND MUNICIPAL CODE ADDING  
CHAPTER 13.02 AUTHORIZING THE  
ENGINEER TO ESTABLISH SEWER DESIGN  
STANDARDS**

**WHEREAS**, the Oakland Municipal Code does not currently regulate design standards for constructing or improving the public sewer system; and

**WHEREAS**, such design standards have, in the past, been established by the Public Works Agency's Design and Construction Services Department (DCSD) in accordance with industry standards; and

**WHEREAS**, a recent reorganization has moved the Design and Construction Services Department to the Community and Economic Development Agency; and

**WHEREAS**, it is in the interest of the City to establish responsibilities for development and implementation of sewer design guidelines and enforce them as part of the Oakland Municipal Code; now, therefore

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AND FIND AS FOLLOWS:**

**Section 1.** Title 13 of the Oakland Municipal Code is amended to add Chapter 13.02. The added Section shall now read as follows:

**Chapter 13.02 Sewer System.**

13.02.010 Definitions

13.02.020 Purpose

13.02.030 Responsibility

**Chapter 13.02.010 Definitions.**

“Building Sewer” means the sewer or sewers defined and described in Chapter 13.08.

“City” means the City of Oakland.

“Engineer” means the professional civil engineer, licensed to practice engineering by the State of California, designated by the City Administrator to manage the City’s Sewer System.

“Private Sewer” means a pipe, conduit or channel, not maintained by the City, used to carry sewage.

“Public Sewer” means a pipe, conduit or channel, maintained by the City and used to carry sewage.

“Sanitary Sewer” means any Building Sewer, Private Sewer or Public Sewer used to carry sewage.

“Sewage” means water carrying waste from residences, commercial and industrial establishments, or any combination of such wastes, but excluding storm water when conveyed in a separate storm water system.

“Sewer System” means either the entire network or a portion of that network of publicly and privately maintained pipes, conduits, channels, manholes, pump stations and all appurtenances thereto, under the jurisdiction of the City, used to collect, store and transport sewage.

**Chapter 13.02.020 Purpose.**

The purpose of this chapter is to regulate the design, construction, operation, maintenance, and abandonment of the Sewer System (except Building Sewers).

**Chapter 13.02.030 Responsibilities.**

The Engineer shall be responsible for developing, publishing and enforcing standards for the design, construction, and abandonment of the Sewer System (except for Building Sewers) and for updating the standards from time to time. Such standards shall apply to all sewers regardless of whether they are Public Sewers or Private Sewers.

The Director of Public Works shall be responsible for operation and maintenance of the Public Sewer System.

**Section 2.** Title 13 of the Oakland Municipal Code is amended to change the title of Chapter 13.04 from “Sewer System Generally” to read as follows:

**Chapter 13.04 Sewer System Funding.**

**Section 3.** Title 13 of the Oakland Municipal Code is amended to change certain definitions of Chapter 13.08.20 to reflect the above changes as follows:

“Sanitary Sewer” means any Building Sewer, Private Sewer or Public Sewer used to carry sewage.

“Sewage” means water carrying waste from residences, commercial and industrial establishments, or any combination of such wastes, but excluding storm water when conveyed in a separate storm water system.

“Sewer System” means either the entire network or a portion of that network of publicly and privately maintained pipes, conduits, channels, manholes, pump stations and all appurtenances thereto, under the jurisdiction of the City, used to collect, store and transport sewage.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 15 2008, 2008

**PASSED BY THE FOLLOWING VOTE:**

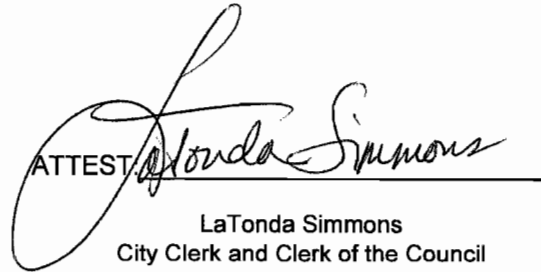
AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST

  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

Introduction Date: JUL 1 2008

DATE OF ATTESTATION: 7/22/08