



CITY CLERK

CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
801 North First Street, Room 116
San José, California 95110
Telephone (408) 277-4424
FAX (408) 277-3285

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Patricia L. O'Hearn, City Clerk and Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 26789**", the original copy of which is attached hereto, was passed for publication of title on the **3RD day of December, 2002**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **17th day of December, 2002**, by the following vote:

AYES: CAMPOS, CHAVEZ, CORTESE, DANDO, DIQUISTO, LeZOTTE,
 REED, SHIRAKAWA, WILLIAMS, YEAGER; GONZALES

NOES: NONE

ABSENT: NONE

DISQUALIFIED: NONE

VACANT: NONE

Said ordinance is effective as of **January 17, 2003**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **8TH day of January, 2003**.

(SEAL) Patricia L. O'Hearn
PATRICIA L. O'HEARN
CITY CLERK AND EX-OFFICIO
CLERK OF THE CITY COUNCIL

ORDINANCE NO. 26789

AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTIONS 20.100.470 AND 20.100.480 OF CHAPTER 20.100 OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE IN ORDER TO MODIFY THE PROVISIONS RELATED TO STORM WATER MANAGEMENT INCLUDING THE REQUIREMENTS FOR A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND A NOTICE OF INTENT

WHEREAS, on October 29, 2002, this Ordinance was found to be categorically exempt from environmental review per the provisions of Section 15308 of the California Environmental Quality Act of 1970, as amended, under File No. PP02-10-311;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE AS FOLLOWS:

SECTION 1 Section 20.100.470 of Chapter 20.100 of Title 20 of the San José Municipal Code is hereby amended to read in its entirety as follows:

20.100.470 Storm Water Management - Projects Disturbing Less Than 1 Acre

- A. All development projects with an approved Development Permit shall conform with the City of San José National Pollutant Discharge Elimination System (NPDES) Storm Water Permit and shall include Best Management Practices (BMPs) as specified in the *Blueprint for a Clean Bay* to control the discharge of storm water pollutants, including sediments associated with construction activities.
- B. Prior to the issuance of a grading permit, the applicant may be required to submit an Erosion Control Plan to the City Project Engineer, Department of Public Works.
- C. The Erosion Control Plan may include BMPs as specified in The Association of Bay Area Government's Manual of Standards Erosion & Sediment Control Measures for reducing impacts on the City's storm drainage system from construction activities.

SECTION 2 Section 20.100.480 of Chapter 20.100 of Title 20 of the San José Municipal Code is hereby amended to read in its entirety as follows:

20.100.480 Storm Water Management - Projects Disturbing 1 Acre or More

- A. All development projects with an approved Development Permit that result in a land disturbance of one (1) acre or more shall, prior to the commencement of

any clearing, grading or excavation, comply with the City of San José National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit as follows:

1. The applicant shall develop, implement and maintain a Storm Water Pollution Prevention Plan (SWPPP) to control the discharge of storm water pollutants including sediments associated with construction activities.
 2. The applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB).
- B. Along with these documents, the applicant may also be required to prepare an Erosion Control Plan. The Erosion Control may include BMPs as specified in the California Storm Water Best Management Practice Handbook for reducing impacts on the City's storm drainage system from construction activities.
- C. Prior to the issuance of a grading permit, the applicant shall submit copies of the NOI and Erosion Control Plan (if required) to the City Project Engineer, Department of Public Works.
- D. The applicant shall maintain a copy of the most current SWPPP on site and shall provide a copy to any City representative or inspector on demand.
- E. The applicant shall implement and maintain all best management practices (BMPs) or control measures identified in the SWPPP and/ or Erosion Control Plan.

PASSED FOR PUBLICATION of title this 3rd day of December, 2002, by the following vote:

AYES: CAMPOS, CHAVEZ, CORTESE, DANDO, DIQUISTO, LeZOTTE, REED, SHIRAKAWA, WILLIAMS, YEAGER; GONZALES

NOES: NONE

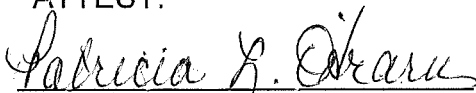
ABSENT: NONE

DISQUALIFIED: NONE



RON GONZALES
Mayor

ATTEST:



PATRICIA L. O' HEARN
City Clerk

SAN JOSE POST-RECORD

~ SINCE 1910 ~

90 N. First Street, Suite 100, San Jose, California 95113-1225
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BILL CARTER
SAN JOSE CITY CLERK
801 N FIRST ST
SAN JOSE, CA 95110

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of Santa Clara) ss

Notice Type: GORSJ SAN JOSE ORDINANCE (1 PUB)

Ad Description: ORDINANCE #26789

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN JOSE POST-RECORD, a newspaper published in the English language in the City of San Jose, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Santa Clara, State of California, under date of February 3, 1922, Case No. 27,844. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

12/10/02

Executed on: 12/10/02
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

C. Bramble

Signature

This space for filing stamp only

RECEIVED
San José City Clerk
2002 DEC 13 A 11:41

SJ#: 474989

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NOES: NONE
ABSENT: NONE
DISQUALIFIED: NONE
RON GONZALES, Mayor
ATTEST:
PATRICIA L. O'HEARN, City Clerk
12/10/02

SJ- 474989#