

**ORDINANCE NO. 17-13 N.S.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND AMENDING CHAPTER 12.22 OF THE RICHMOND MUNICIPAL CODE TO MODIFY THE CITY'S THRESHOLD FOR LOW IMPACT DEVELOPMENT AND TO UPDATE OTHER ASPECTS OF STORMWATER MANAGEMENT AND DISCHARGE CONTROL**

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The Council of the City of Richmond does ordain as follows:

**Section I. Amendment of Chapter 12.18.**

Chapter 12.22 of the Richmond Municipal Code is hereby amended to read as follows:

Chapter 12.22

**STORMWATER MANAGEMENT AND DISCHARGE CONTROL**

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Sections:

- 12.22.010 - Intent and purpose.
- 12.22.020 - Definitions.
- 12.22.030 - Responsibility for administration.
- 12.22.040 - Construction and application.
- 12.22.050 - Stormwater control plan required.
- 12.22.060 - Prohibited discharges.
- 12.22.070 - Discharge in violation of NPDES permit.
- 12.22.080 - Unlawful discharge and unlawful connections.
- 12.22.090 - Best management practices and standards.
- 12.22.100 - Compliance certificates for stormwater management facilities.
- 12.22.110 - Authority to inspect.
- 12.22.120 - Violations constituting misdemeanors.
- 12.22.130 - Penalty for violation.
- 12.22.140 - Continuing violation.
- 12.22.150 - Concealment.
- 12.22.160 - Acts potentially resulting in violation of the Federal Clean Water Act or Porter-Cologne Act.
- 12.22.170 - Violations deemed a public nuisance.
- 12.22.180 - Civil actions.
- 12.22.190 - Remedies not exclusive.
- 12.22.200 - Notice of violation.
- 12.22.210 - Judicial review.

12.22.010 - Intent and purpose.

- (a) The intent of this chapter is to protect and enhance the water quality in the City of Richmond's watercourses pursuant to, and consistent with the Porter-Cologne

Water Quality Control Act (Water Code Section 13000 et seq.) and the Federal Clean Water Act (33 U.S.C. Section 1251 et seq.).

- (b) This chapter also carries out the conditions in the City's National Pollutant Discharge Elimination System (NPDES) permit that require implementation of appropriate source control and site design measures and stormwater treatment measures for development projects.
- (c) It is the purpose of the City Council in enacting this chapter to protect the health, safety and general welfare of Richmond's citizens by:
  - (1) Minimizing non-stormwater discharges, whose pollutants would otherwise degrade the water quality of local streams, to the stormwater system;
  - (2) Minimizing increases in nonpoint source pollution caused by stormwater runoff from development that would otherwise degrade local water quality;
  - (3) Controlling the discharge to the City's stormwater system from spills, dumping or disposal of materials other than stormwater; and
  - (4) Reducing stormwater runoff rates and volumes and nonpoint source pollution whenever possible, through stormwater management controls and ensuring that these management controls are properly maintained and pose no threat to public safety.

#### 12.22.020 - Definitions.

The following words and phrases when used in this chapter shall be as defined herein. Words and phrases in this chapter and not otherwise defined shall be interpreted as defined in the regulations issued by the U.S. Environmental Protection Agency to implement the provisions of the Federal Clean Water Act, and as defined by the State Water Resources Control Board to implement the Porter-Cologne Act:

- (1) "Best management practices" or "BMP" are structural devices, measures, stormwater management facilities or activities that help to meet development runoff requirements at the premises. BMP also include schedules of activities, prohibitions or practices, general good housekeeping, pollution prevention practices, maintenance procedures and other management practices, to prevent or reduce the discharge of pollutants directly or indirectly to watercourses, water bodies, and wetlands.
- (2) "City's NPDES permit" means the National Pollutant Discharge Elimination System permit issued to the City of Richmond, Permit No. CAS612008, and any subsequent amendment, reissuance or successor to this NPDES permit.
- (3) "Development runoff requirements" means the provisions in the City's NPDES permit that contain performance standards to address both the construction and post-construction phase impacts of new projects and redeveloped projects on stormwater quality.
- (4) "Enforcement officer" or "Officer" mean those individuals designated by the City Manager to act as authorized enforcement officers.
- (5) "Guidebook" means the most recent version of the Contra Costa Clean Water Program Stormwater C. 3. Guidebook.
- (6) "Non-stormwater discharge" means any addition of any pollutant to the City's stormwater system, except discharges pursuant to a NPDES permit, or discharges further exempted in Sections 12.22.060(c) and (d) of this chapter.
- (7) "Pollutant" means any material other than stormwater including, but not limited to, petroleum products or by-products, solid waste, incinerator residue, sewage, sewage sludge, heat, chemical waste, biological materials, radioactive materials, wrecked or discarded equipment, rock,

sand, soil and industrial, municipal or agricultural waste discharged into the water or stormwater system.

- (8) "Premises" means any building, structure, facility, or installation, (including a building's grounds or other appurtenances), and adjacent sidewalks and parking strips.
- (9) "Responsible person" means the owner or occupant of any premises or who engages in any activity from which there is or may be a non-stormwater discharge or any person who releases pollutants to the City's stormwater system.
- (10) "Stormwater" means flow on the surface of the ground resulting from precipitation.
- (11) "Stormwater management facility" means any device that utilizes detention, retention, filtration, harvest for reuse, evapotranspiration or infiltration to provide treatment (and/or control volume, flows and durations) of stormwater for purposes of compliance with development runoff requirements.
- (12) "Stormwater control plan" means a plan that meets those criteria contained in the most recent version of the Contra Costa Clean Water Program Stormwater C. 3. Guidebook.
- (13) "Stormwater system" means that system of facilities by which stormwater may be conveyed to any stream, watercourse, other body of water or wetlands, including flood control channels, any roads with drainage systems, city streets, catch basins, curbs, gutters, ditches, improved channels, storm drains or storm drain system, which are not part of a Publicly Owned Treatment Works ("POTW") as that term is defined in 40 CFR Section 122.2.

#### 12.22.030 - Responsibility for administration.

The City Manager or his designee shall administer this chapter for the City.

#### 12.22.040 - Construction and application.

This chapter shall be construed consistent with the requirements of the Federal Clean Water Act and amendments thereto or applicable implementing regulations and the City's NPDES permit.

#### 12.22.050 - Stormwater control plan required.

- (a) In accordance with thresholds and effective dates in the City's NPDES Permit, every application for a development project, including but not limited to a rezoning, tentative map, parcel map, conditional use permit, variance, site development permit, design review, or building permit that is subject to the development runoff requirements in the City's NPDES permit shall be accompanied by a stormwater control plan that meets the criteria in the most recent version of the Contra Costa Clean Water Program Stormwater C. 3. Guidebook.
- (b) Implementation of an approved stormwater control plan and submittal of an approved stormwater control operation and maintenance plan by the applicant shall be a condition precedent to the issuance of a certificate of occupancy for a project subject to this section.
- (c) All stormwater management facilities shall be designed in a manner to minimize the need for maintenance and reduce the chances of failure. Design guidelines are outlined in the guidebook.
- (d) All stormwater management facilities shall be maintained according to the guidebook and the approved stormwater control operation and maintenance plan. The person(s) or organization(s) responsible for maintenance shall be designated in the plan. Unless a different time period is provided for in the plan, those

responsible for maintenance shall inspect the stormwater management facility at least annually. The plan shall also describe how the maintenance costs will be funded. Upon the failure of a responsible person to maintain a stormwater management facility in accordance with this chapter or the plan, the City may perform the maintenance and recover its costs from the responsible person as provided in Sections 12.22.170 and 12.22.180.

- (e) For access to stormwater management facilities for inspections and maintenance, recorded covenants or easements shall be provided by the property owner for access by the City, the Contra Costa Mosquito and Vector Control District, and the Regional Water Quality Control Board.

#### 12.22.060 - Prohibited discharges.

- (a) The release of non-stormwater discharges to the City stormwater system and watercourses is prohibited.
- (b) The discharge of stormwater from premises or an activity that causes or contributes to a violation of receiving water limitations in the City's NPDES permit is prohibited.
- (c) The following discharges are exempt from the prohibition set forth in subsection (a) above:
  - (1) Any discharge in compliance with a NPDES permit issued to the discharger; and
  - (2) Flows from riparian habitats and wetlands, diverted stream flows, springs, rising groundwater and uncontaminated groundwater infiltration.
- (d) The following discharges are exempt from the prohibition set forth in subsection (a) above if and only if the discharges are in accordance with the specific conditions for each type of discharge set forth in Section C.15 of the City's NPDES permit: pumped groundwater from non-drinking-water aquifers; pumped groundwater from other sources, foundation drains, and water from crawl space pumps and footing drains; air conditioning condensate; planned discharges from routine operation and maintenance activities in the potable water distribution system; unplanned discharges from breaks, leaks, overflows, fire hydrant shearing, or emergency flushing of the potable water distribution system; emergency discharges of the potable water distribution system as a result of firefighting, unauthorized hydrant openings, or natural or man-made disasters; individual residential car washing; swimming pool, hot tub, spa, and fountain water discharges, and discharges from irrigation water, landscape irrigation, and lawn or garden watering.

#### 12.22.070 - Discharge in violation of NPDES permit.

Any discharge that would result in or contribute to a violation of the City's NPDES permit either separately considered or when combined with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person causing or responsible for the discharge, and such person shall defend, indemnify and hold harmless the City in any administrative or judicial enforcement action relating to such discharge.

#### 12.22.080 - Unlawful discharge and unlawful connections.

- (a) It is unlawful to establish, use, maintain or continue unauthorized drainage connections to the City's stormwater system and watercourses, and to commence or continue any unauthorized discharges to the City's stormwater system and watercourses.
- (b) No discharge shall cause the following conditions, create a nuisance or adversely affect beneficial uses of waters of the state:
  - (1) Floating, suspended or deposited macroscopic matter or foam;
  - (2) Bottom deposits or aquatic growth;

- (3) Alterations of temperature, sediment load, nutrient load, or dissolved oxygen, which cause significant adverse impacts to native aquatic biota;
- (4) Visible, floating, suspended or deposited oil or products of petroleum origin; or
- (5) Substances present in concentrations or quantities which cause deleterious effects on aquatic biota, wildlife or waterfowl, or which render any of these unfit for human consumption.

12.22.090 - Best management practices and standards.

- (a) Generally. Any person owning or operating premises that may contribute pollutants to the City's stormwater system shall undertake best management practices to reduce the potential for pollutants entering the system to the maximum extent practicable. Examples of such premises include, but are not limited to, parking lots, gasoline stations, industrial facilities, paved private streets or roads, and other commercial enterprises. The City reserves the right to permit facilities that potentially contribute pollutants to stormwater, and to require business to hold polluted stormwater from entering the City Municipal Stormwater system when the City may violate its NPDES permit until the discharge meets accepted discharge standards.
- (b) Litter. No person shall throw, deposit, leave, keep or permit to be thrown, deposited, placed, left or maintained, any refuse, rubbish, garbage or other discarded or abandoned objects, articles or other litter in or upon any street, alley, sidewalk, business place, creek, stormwater system, fountain, pool, lake, stream, river or any other body of water, or upon any public or private parcel of land so that the same might become a pollutant, except in containers or in lawfully established waste disposal facilities.
- (c) Covered Loads. No person shall drive or move any vehicle with an open cab/trailer within the City unless such contents are secured by a tarp over the contents or the material being transported is constructed and loaded to ensure that all litter is prevented from being blown or deposited upon any street, alley or other public or private place.
- (d) Sidewalks. The occupant or tenant, or in the absence of occupant or tenant, the owner or proprietor of any real property in front of which there is a paved sidewalk shall maintain said sidewalk free of dirt or litter to the maximum extent practicable. Sweepings from the sidewalk shall not be swept or otherwise made or allowed to go into the gutter or roadway, but shall be disposed of in receptacles maintained as required for the disposal of solid waste.
- (e) Parking Lots, Paved Areas and Related Stormwater Systems. Persons owning, operating or maintaining a paved parking lot, the paved areas of a gasoline station, a paved private street or road, and related stormwater systems shall clean those premises as frequently and thoroughly as practicable in a manner that does not result in the discharge of pollutants to the City's stormwater system.
- (f) Maintenance of Facilities and Landscaped Areas. Best Management Practices shall be implemented to minimize the release of pesticides, herbicides, and other related materials used to maintain landscaping and facilities.
- (g) Construction Activities. All construction shall conform to the requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the City's grading and erosion control ordinance and other generally accepted engineering practices for erosion control as required by the City Manager when undertaking construction activities. The City Manager may establish controls on the rate of stormwater runoff from new developments and redevelopment as may be appropriate to minimize the discharge and transport of pollutants.

- (h) Notification of Intent and Compliance with General Permits. Each discharger associated with construction activity or other discharger described in any general stormwater permit addressing discharges, as may be adopted by the United States Environmental Protection Agency, the State Water Resources Control Board, or the California Regional Water Quality Control Board, San Francisco Bay Region, shall provide the City Manager with the notice of intent, comply with and undertake all other activities required by any general stormwater permit applicable to such dischargers. Each discharger identified in an individual NPDES permit relating to stormwater discharges shall comply with and undertake all activities required by the permit.
- (i) Development Runoff Requirements. For each new development and redevelopment project subject to the development runoff requirements, every applicant will submit a stormwater control plan and implement conditions of approval that reduce stormwater pollutant discharges through the construction, operation and maintenance of treatment measures and other appropriate source control and site design measures. Similarly, increases in runoff volume and flows shall be managed in accordance with the development runoff requirements.
- (j) Compliance with Best Management Practices. Where best management practices guidelines or requirements have been adopted by any federal, state, regional, city or county agency, for any activity, or operation of premises which may cause or contribute to non-stormwater discharges, every person undertaking such activity, operation or owning and operating such premises shall comply with such guidelines or requirements. Failure to implement and maintain best management practices included in a stormwater permit are subject to administrative citations.
- (k) Stormwater Pollution Prevention Plan. The City Manager may require any business or utility in the City that is engaged in activities that may result in non-stormwater discharges or runoff pollutants to develop and implement a stormwater pollution prevention plan, which must include an employee training program. Business activities which may require a stormwater pollution prevention plan include maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading, fueling, vehicle maintenance, food handling or processing, or cleanup procedures which are carried out partially or wholly out of doors. Failure to implement and maintain best management practices included in a stormwater pollution prevention plan are subject to administrative citations.
- (l) Coordination with Hazardous Material Release Response and Inventory Plans. Any business subject to the Hazardous Material Release Response and Inventory Plan, Division 20, Chapter 6.95 of the California Health and Safety Code (commencing with Section 25500), shall include, in that plan, provision for compliance with this chapter, including the prohibitions of non-stormwater discharges and the requirement to reduce release of pollutants to the maximum extent practicable.

12.22.100 - Compliance certificates for stormwater management facilities.

- (a) Every person who owns, leases or operates any premises containing a stormwater management facility or facilities is required to obtain annually a valid operation and maintenance certificate of compliance certifying to the inspection of and the proper operation and maintenance of the treatment measures and other appropriate source control and site design measures. Each responsible person subject to this requirement shall request an inspection from the City every 12 months. Upon the filing of such request, and the payment of a fee covering the cost of inspection, the City shall inspect the property and shall either issue such certificate upon a determination by the inspector that all treatment measures and other appropriate source control and site design measures have been properly maintained and are in good condition, or shall issue a conditional certificate noting deficiencies that must be corrected within a time indicated on the certificate, or shall deny the

certificate. A certificate shall be valid for one year from the date of issuance. The City Council may by resolution establish the fee for the inspection and certificate.

- (b) In lieu of a City inspection, such person may arrange for an inspection from a private company authorized to conduct inspections by the City. Such company shall use a City-approved inspection form that shall be executed under penalty of perjury. Should such inspection form establish that the treatment measures and other appropriate source control and site design measures have been properly maintained and are in good condition, the City may issue an operation and maintenance certificate of compliance or the City may at its cost re-inspect the property and proceed as described in subsection (a). The filing of a false inspection report shall be a misdemeanor.

#### 12.22.110 - Authority to inspect.

- (a) Generally. Routine scheduled or unannounced inspections shall be based upon as reasonable a selection process as may be deemed necessary to carry out the intent of this chapter, including, but not limited to, random sampling or sampling in areas with evidence of stormwater contamination, evidence of the discharge of non-stormwater to the stormwater system, or similar activities. Inspections may also be conducted in conjunction with routine scheduled or unannounced inspections conducted by other public agencies or special district, including but not limited to the Central Contra Costa Sanitary District, the Contra Costa County Fire Protection District, County Environmental Health Department, the Contra Costa Mosquito and Vector Control District, or the Regional Water Quality Control Board.
- (b) Authority to Sample and Establish Sampling Devices. With the consent of the owner or occupant, or pursuant to a search or inspection warrant, any officer may establish on any property such devices as are necessary to conduct sampling or metering operations. During all authorized inspections, the officer may take any sample deemed necessary to aid in the pursuit of the inquiry or in the recordation of the activities on site.
- (c) Notification of Spills. All persons in charge of the premises or responsible for emergency response for the premises have a responsibility to train premises' personnel and maintain notification procedures to ensure that immediate notification is provided to the City of Richmond any suspected, confirmed or unconfirmed release of pollutants creating a risk of non-stormwater discharge into the City stormwater system.

As soon as any person in charge of the premises or responsible for emergency response for the premises has knowledge of any suspected, confirmed or unconfirmed release of non-stormwater discharge entering the City stormwater system, such person shall take all necessary steps to ensure the detection and containment and clean up of such release and shall notify the City of Richmond of the occurrence by telephoning the City Manager. This notification requirement is in addition to and not in lieu of other required notifications.

- (d) Requirement to Test or Monitor. Any officer may require that any person engaged in any activity or owning or operating any premises that may cause or contribute to non-stormwater discharges, undertake such monitoring activities or analysis and furnish such reports as the officer may specify. The burden, including costs of these activities, analysis and reports shall bear a reasonable relationship to the need for the monitoring, analysis and reports and the benefits to be obtained. The recipient of such request shall undertake and provide the monitoring, analysis and reports required.

#### 12.22.120 - Violations constituting misdemeanors.

The violation of any provision of this chapter, or failure to comply with any of the mandatory requirements of this article shall constitute a misdemeanor, except that

notwithstanding any other provisions of this article, any violation constituting a misdemeanor under this chapter may, at the discretion of the officer or City Attorney, be charged and prosecuted as an infraction.

12.22.130 - Penalty for violation.

- (a) Upon conviction of a misdemeanor, a person shall be subject to payment of a fine, or imprisonment, or both, not to exceed the limits set forth in California Government Code Section 36901.
- (b) Upon conviction of an infraction, a person shall be subject to payment of a fine, not to exceed the limits set forth in California Government Code Section 36900.
- (c) Administrative citations shall be \$250 for the first issuance, \$500 for the second issuance, and \$1,000 for the third and all subsequent issuances. Administrative citation procedures are set forth in Section 2.62.

12.22.140 - Continuing violation.

Every day that any violation of this chapter shall continue shall constitute a separate offense.

12.22.150 - Concealment.

Concealing, aiding or abetting a violation of any provision of this chapter shall constitute a violation of such provision.

12.22.160 - Acts potentially resulting in violation of the Federal Clean Water Act or Porter-Cologne Act.

Any person who violates any provision of this chapter, or the provisions of any permit issued pursuant to this chapter, or who releases a non-stormwater discharge, or who violates any cease and desist order, prohibition or effluent limitation, may also be in violation of the Federal Clean Water Act or the Porter-Cologne Act and may be subject to the enforcement provisions of those acts, including civil and criminal penalties. Any enforcement actions authorized pursuant to this chapter may also include notice to the violator of such potential liability pursuant to federal or state law.

12.22.170 - Violations deemed a public nuisance.

In addition to the penalties provided herein, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to the public health, safety and welfare. Such condition is hereby declared and deemed to be a public nuisance, which may be abated as provided in Chapter IX (commencing with Section 9.22.100) of this Code, including the assessment of the costs of abatement which may be collected at the same time and in the same manner as ordinary municipal taxes as provided by Government Code Section 38773.5, and by civil action to abate, enjoin or otherwise compel the cessation of such nuisance by the City Attorney.

12.22.180 - Civil actions.

- (a) In addition to any other remedies provided in this chapter, any violation of this chapter may be enforced by civil action brought by the City. In any such action, the City may seek, as appropriate, any and all of the following remedies:
  - (1) A temporary restraining order, preliminary injunction and permanent injunction; and/or
  - (2) An action for an unlawful business practice pursuant to Business and Professions Code Section 17206.
- (b) In addition any person violating this chapter shall be liable for:
  - (1) Reimbursement for the costs of any investigation, inspection or monitoring which led to the discovery of the violation;

- (2) Costs incurred in removing, correcting, or terminating the adverse effect(s) resulting from the violation;
- (3) Compensatory damages for the loss of, or destruction to, water quality, wildlife, fish or aquatic life. Costs and damages under this subsection shall be paid to the City and shall be used exclusively for costs associated with monitoring and establishing a stormwater discharge pollution control system and implementing or enforcing the provisions of this chapter;
- (4) The cost of maintenance and repair of any BMP or stormwater management facility that is not maintained in accordance with the guidebook or the stormwater control plan; and
- (5) The reasonable costs of preparing and bringing administrative action under this chapter.

12.22.190 - Remedies not exclusive.

The remedies identified in this chapter are in addition to, and do not supersede or limit, any and all other remedies, administrative, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive.

12.22.200 - Notice of violation.

Any person required to perform monitoring, analysis, reporting or corrective activity by any officer may be informed of such decision, in writing, by a notice of violation. Any person aggrieved by the decision of the officer, may file a written appeal of the notice of violation to the City Manager within 10 (ten) days following the date of the notice of violation. Upon receipt of such request, the City Manager shall request a report and recommendation from the officer and shall set the matter for hearing at the earliest practical date. At said hearing, all evidence and testimony deemed relevant and admissible by the City Manager shall be considered, and the City Manager may reject, affirm, or modify the officer's decision. Formal rules of evidence shall not apply. The decisions of the City Manager shall be final. Failure to request a hearing or appear at the hearing shall constitute a waiver and failure to exhaust administrative remedies.

12.22.210 - Judicial review.

The provisions of Code of Civil Procedure Section 1094.5 are applicable to judicial review of determinations made by the City Manager pursuant to this chapter.

12.22.220 – Performance of work by the City.

In the event that a City Source Control Inspector or Supervisor determines that there is an immediate need for repair or maintenance of the storm drain collection system, including but not limited to cleaning lines from illicit discharges, the City Manager or his/her designee may take any necessary action to correct the condition, and shall bill the person who the City Source Control Inspector or Supervisor determines has created the condition to reimburse the City for costs incurred. In the event such costs are not paid within thirty days after receiving written notice therefor, the City Manager or his/her designee may notify the County Assessor who shall enter the amount due for the said work upon the assessment rolls of Contra Costa County and to collect said amount in the same manner as real property taxes are collected.

*(Source: Ordinance No. 4-05 N.S.)*

**Section II. Severability.**

If any sections, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

**Section III. Effective Date.**

This Ordinance shall take effect thirty (30) days following its adoption

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First read at a special meeting of the Council of the City of Richmond held September 10, 2013, and finally passed and adopted at a regular meeting thereof held September 17, 2013, by the following vote:

AYES:	Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Vice Mayor Boozé.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	Mayor McLaughlin.

DIANE HOLMES

CLERK OF THE CITY OF RICHMOND

(SEAL)

Approved:

COURTLAND BOOZÉ

Vice Mayor

Approved as to form:

BRUCE GOODMILLER

City Attorney

State of California	}	
County of Contra Costa		: ss.
City of Richmond	}	

I certify that the foregoing is a true copy of **Ordinance No. 17-13 N.S.** finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on September 17, 2013.