



ORDINANCE NO. 25

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE CAYUCOS SANITARY DISTRICT PROHIBITTING THE DISCHARGE OF CAT FECES AND CAT LITTER INTO THE CAYUCOS SANITARY DISTRICT SEWER SYSTEM

WHEREAS, the Cayucos Sanitary District ("District") provides sewer service to properties located within its service area; and

WHEREAS, the District co-owns a wastewater treatment plant with the City of Morro Bay, wherein treated effluent is discharged into Morro Bay; and

WHEREAS, it is the desire of the Board of Directors ("Board") of the District to remain good stewards of the environment and to minimize impacts to the environment; and

WHEREAS, District Ordinance 5, Part VII, Section 29(g), prohibits the discharge of water or wastewater containing toxic or poisonous substances in sufficient quantity to injure or interfere with any sewage treatment process, that constitutes a hazard to humans or animals, or that creates any hazard in the receiving waters of the wastewater treatment plant; and

WHEREAS, scientists have theorized that toxoplasma gondii ("T. gondii"), a parasitic organism commonly found in domestic and feral cat feces, is washed into the ocean from storm drains, surface runoff, or by Cat Litter flushed down the drain; and

WHEREAS, scientists also have theorized that the T. gondii parasite infects Southern Sea Otters which are found in Morro and Estero Bay, due to their consumption of shellfish that may accumulate T. gondii in their tissue; and

WHEREAS, the Board has found and determined that it is in the best interest of the District, its inhabitants, and the environment to prohibit the discharge of Cat fecal matter into the District Sewer System.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE CAYUCOS SANITARY DISTRICT DOES ORDAIN AS FOLLOWS:

SECTION 1: The above recitals and findings are true, correct, and incorporated herein.

SECTION 2:

A. PURPOSE AND INTENT.

The purpose and intent of this Ordinance is to protect the environment from potential harmful bacteria, parasites, and other toxins which are commonly found in Cat Litter. The intent of this Ordinance is to encourage and promote environmentally friendly disposal of Cat Litter and Cat Fecal Matter through the use of the District's solid waste collection program. It is encouraged that cat owners utilize environmentally friendly Cat Litter and to dispose of Cat Litter and Cat Fecal Matter by depositing such waste in a non-porous container, such as a securely tied plastic bag and placing it with other solid waste for collection and deposit at a licensed land fill.

B. DEFINITIONS.

- a. "Cat Litter" means any contemporary or alternative substance used in connection with the management of fecal matter produced by felines. This includes but is not limited to all common types of cat litter sold for retail, or any other substance, such as dirt, sand or fine rocks which act in a similar manner.
- b. "District Sewer System" means the Cayucos Sanitary District Sewer conveyance system and processing facilities. The system includes, but is not limited to, storm drains, commercial and residential sewer systems, and gutters.
- c. "Cat Fecal Matter" shall include both cat urine and cat excrement.

C. Unlawful to Discharge.

It is unlawful for any person to discharge, place or cause to be deposited into the District Sewer System, Cat Litter and/or Cat Fecal Matter.

D. Violation, Penalty.

Any person discharging, placing or causing to be deposited into the District Sewer System, Cat Litter and/or Cat Fecal Matter, shall be guilty of a misdemeanor.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unlawful, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The Board of Directors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unlawful.

SECTION 4: This Ordinance shall become effective thirty (30) days after the date of its adoption, and within fifteen (15) days after its adoption, it shall be posted in accordance with Section 6490 of the Health and Safety Code.

On motion of Board Member Fones, seconded by Board Member Bell, and by the following roll call vote, to wit:

AYES: Enns, Raimondo, Bell, Fones, McHale

NOES: None

ABSENT: None

the foregoing Ordinance was passed and adopted this 18th day of October, 2006.

SIGNED: Robert B. Enns, President, Board of Directors

APPROVED AS TO CONTENT: Bonnie E. Connelly, District Manager

ATTEST: Nancy Martin, Deputy Clerk

APPROVED AS TO FORM: Ziyad I. Naccasha, District General Co-Counsel