

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4552

AN ORDINANCE AMENDING SECTIONS 13.28.010 (DEFINITIONS), 13.28.020(b) (EXEMPTIONS), 13.28.020(c) (REQUIREMENTS), 13.28.030(e)(4) (POST-CONSTRUCTION REQUIREMENT OF PERMANENT BMPs), AND 13.28.040(b) AND (c) (ENFORCEMENT), OF THE GRAND JUNCTION MUNICIPAL CODE REGARDING STORM WATER

Recitals:

The City, as an MS4 permittee, has adopted a storm water protection program pursuant to State and Federal environmental protection laws. The program has included public education, adoption of a storm water ordinance, and an enforcement program.

Periodically the Colorado Department of Public Health and Environment's Water Quality Control Division performs audits of permittees to determine compliance with its CDPS program requirements. Following the audits, the State issues guidelines and requires its permittees to complete Targeted Permit Questionnaires.

These amendments to the City's storm water regulations are intended to conform the City's storm water protection program to State requirements following the most recent round of audits.

The City Council finds that the amendments to these amendments to the storm water regulations of the City further the health, safety and welfare of the citizens and the community.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

13.28.010 (Definitions)

Harmful quantity means the amount of any substance that may cause an adverse impact to the storm drainage system and/or will contribute to the failure of the City to meet the water quality based requirements of the CDPS/NPDES permit for discharges from the municipal separate storm sewer system.

Hazardous waste means any substance identified or listed as a hazardous waste by the EPA pursuant to 40 CFR, Part 261 as amended.

Illicit discharge means any discharge to a storm drain system that is not composed entirely of storm water, except discharges pursuant to a CDPS/NPDES permit,

discharges resulting from emergency fire fighting activities, and discharges further exempted by this chapter.

Waters of the State means any groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, inside the territorial limits of the State and all other bodies of surface water, natural or artificial, navigable or non-navigable, and including the beds and banks of all water courses and bodies of surface water, that are wholly or partially inside or bordering the State or inside the jurisdiction of the State.

[All other defined terms in Section 13.28.010 shall remain unchanged and in full force and effect.]

13.28.020(b)(7)

(7) Discharges approved by the City Manager as being necessary to protect property and/or public health and safety, such as flows from emergency fire fighting.

13.28.020(b)(9)

(9) Water incidental to street sweeping (including associated sidewalks and medians) that is not associated with construction.

13.28.020(c)

(c) Requirements Applicable to Certain Dischargers. Process waters generated from any industrial or commercial source, including carpet and rug cleaners and mobile commercial power cleaning operations, shall not discharge to the storm drainage system without a valid CDPS discharge permit. In the absence of a CDPS discharge permit, discharges from power cleaning operations shall be either discharged to land following the conditions of the CDPHE Low Risk Discharge Guidance: Discharges From Surface Cosmetic Power Washing Operations To Land or Discharge of Potable Water, or be reclaimed via wet vacuum sweeping or other type of containment, then discharged to the sanitary sewer. (Discharge to the sanitary sewer is allowed only at the Persigo Wastewater Treatment Plant upon approval from the Industrial Pretreatment Division.)

13.28.030(e)(4)

(4) The City or its designee will issue annual notices to POAs to ensure inspections and maintenance of permanent BMPs are performed properly.

13.28.040(b)

(b) Whenever the City finds that any person has violated any portion of this chapter, the City Manager may serve a compliance advisory or a notice of violation (NOV). Within the time specified after the date of such notice, the person shall submit to the City Manager evidence of the satisfactory correction of the violation.

13.28.040(c)

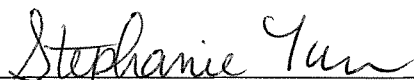
(c) Whenever the City Manager finds that any person has violated or is violating this chapter or a permit or administrative order issued hereunder, the City Manager may have served upon said person an administrative order. Such order may be a verbal warning, compliance order, a show cause order, a cease and desist order, an administrative citation or an order assessing an administrative fine. Compliance with an administrative order shall not relieve the user of liability for any violations occurring before or after the issuance of the notice of non-compliance or prevent the City Attorney from taking any other enforcement action.

All other provisions of 13.28.040 shall remain in full force and effect.

INTRODUCED on first reading the 15th day of August, 2012 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the 5th day of September, 2012 and ordered published in pamphlet form.

ATTEST:



City Clerk



President of the Council