

ORDINANCE NO. O-54-2023

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH, AMENDING THE
EAGLE MOUNTAIN MUNICIPAL CODE CHAPTER 13.75.150 ILLICIT
DISCHARGES.**

PREAMBLE

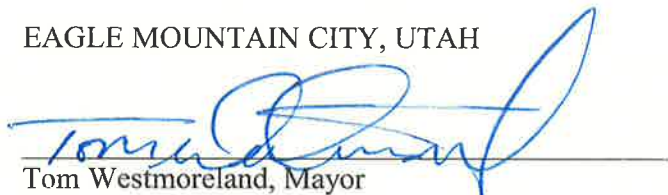
WHEREAS the City Council of Eagle Mountain City finds that it is in the public interest to amend the Eagle Mountain Municipal Code, Chapter 13.75.150 Illicit Discharges, as described in Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider an amendment to the Eagle Mountain Municipal Code Chapter 13.75.150 Illicit Discharges.
2. The amendment described in Exhibit A is hereby approved.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City on the 5th day of December 2023.

EAGLE MOUNTAIN CITY, UTAH


Tom Westmoreland, Mayor

ATTEST:


Fionnuala B. Kofoed, MMC
City Recorder



CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 5th day of December 2023.

Those voting yes:

☒ Donna Burnham

☒ Colby Curtis

☐ Jared Gray

☒ Carolyn Love

☒ Brett Wright

Those voting no:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Colby Curtis

☒ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those abstaining:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright


Fionnuala B. Kofoed, MMC
City Recorder



Posted on _____ by _____.

Exhibit A

13.75.150 Illicit discharges.

A. Scope. This section shall apply to all water generated on developed or undeveloped land entering the municipality's separate storm sewer system.

B. Prohibition of Illicit Discharges. No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of storm water. The commencement, conduct or continuance of any non-storm-water discharge to the municipal separate storm sewer system is prohibited except uncontaminated discharges from the following sources:

1. Water line flushing or other potable water sources;
2. Landscape irrigation or lawn watering with potable water;
3. Diverted stream flows;
4. Rising ground water;
5. Ground water infiltration to storm drains;
6. Uncontaminated pumped ground water;
7. Foundation or footing drains;
8. Crawl space pumps;
9. Air conditioning condensation;
10. Springs;
11. Natural riparian habitat or wetland flows;
12. Swimming pools (if dechlorinated – typically less than one PPM chlorine);
13. Firefighting activities;
14. Any other uncontaminated water source; and
15. Discharges specified in writing by the city engineer as being necessary to protect public health and safety.
16. Individual residential car washing
17. Dechlorinated water reservoir discharges
18. Uncontaminated ground water infiltration
19. Residual Street wash water
20. Irrigation water
21. Lawn watering runoff

The prohibition shall not apply to any non-storm-water discharge permitted under a UPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the state of Utah Division of Water Quality; provided, that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations; and provided, that written approval has been granted for any discharge to the storm drain system.

C. Prohibition of Illicit Connections.

1. The construction, use, maintenance or continued existence of illicit connections to the separate municipal storm sewer system is prohibited.
2. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practice applicable or prevailing at the time of connection.

D. Reduction of Storm Water Pollutants by the Use of Best Management Practices. Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the BMPs necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

E. Notification of Spills. Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials which are resulting in, or may result in, illicit discharges or pollutants discharging into storm water, or the municipal separate storm sewer system, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials, the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of nonhazardous materials, the person shall notify the city engineer in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the city engineer within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least two years. [Ord. O-20-2022 § 2 (Exh. A); Ord. O-02-2014 (Exh. A)].