

Resolution 7-22

An Emergency Declaration Concerning Pollution Discharges

Amendment 4-6 - Savidge

Amendment 4:

On page 2, strike lines 1 down through 31 and insert:

“WHEREAS, there have been recent and repeated discharges of pollution into Quiet Waters Park that could have been minimized or prevented through strict adherence to our Code and standards; and

WHEREAS, certain contractors have repeatedly violated our sediment control and pollution prevention Code provisions and standards, which conduct demonstrates a need for increased enforcement to deter such violations; and

WHEREAS, the enforcement agency has at times provided a contractor 5 days or more to resolve violations, while the City Code requires daily compliance; and

WHEREAS, because of recent violations of sediment control and pollution prevention Code provisions, it is clear that the City’s enforcement agency needs to increase its facilitation of compliance, pro-activeness, and attentiveness by contractor’s on development sites to prevent further violations; and,

WHEREAS, stop work orders were not issued by the enforcement agency for repeat violations and failures to adhere to the City’s compliance orders and corrective notices; and”

and strike lines 39 down through 43.

Amendment 5:

On page 3, in line 9 strike “an” and insert “a significant”, on line 11 after “regulations” insert “and the site had multiple site deficiencies that contributed to the discharge or that needed immediate attention and repair.”

Amendment as Amended:

- “1. A stop work order shall immediately be issued on any project that has ~~an~~ a significant off-site discharge of pollution where the site was not 100% in compliance with the standards in Chapter 17.08 or the MDE sediment and erosion control standards and regulations and the site had multiple site deficiencies that contributed to the discharge or that needed immediate attention and repair.”

Amendment 6:

On page 3, in line 38 after “of” insert “significant” and in line 40 after “requirements” insert “and had multiple deficiencies that contributed to the discharge”.

Amendment as Amended:

10. If three or more instances of significant off-site pollution occur, where such discharges were compounded by negligence on the part of a contractor at a site that was not in 100% compliance with State and City Code requirements and had multiple deficiencies that contributed to the discharge, involving a contractor that has continually failed to meet the standards after being issued field correction notices, and thus is a threat to public safety and the environment, then the grading permit shall be immediately suspended or revoked pursuant to City Code Section 17.08.120 and a complete review by the Department shall be conducted, as is currently required by the City Code, during which time the general public will be allowed to provide comments on any such suspension or revocation prior to the reinstatement of any permits or authorization to resume work at the site.