

1 **..Title**

2 **Site Development - Prohibited Discharges** – For the purpose of improving the protections of  
3 City waterways and public thoroughfares from harmful discharges from development sites during  
4 non-business hours.

5 **..Body**

6 **CITY COUNCIL OF THE**  
7 **City of Annapolis**

8  
9 **Ordinance 36-20**

10  
11 **Introduced by: Alderman Savidge**  
12 **Co-sponsored by: Alderman Paone, Alderman Arnett,**  
13 **Alderwoman Pindell Charles, Alderman Gay**  
14 **and Mayor Buckley**

15 **Referred to**  
16 **Economic Matters Committee**  
17 **90 day Rule: \_\_\_\_\_**

18  
19 **AN ORDINANCE** concerning

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21 **Site Development - Prohibited Discharges**

22  
23 **FOR** the purpose of improving the protections of City waterways and public thoroughfares from  
24 harmful discharges from development sites during non-business hours.

25  
26 **BY** repealing and re-enacting with amendments the following portions of the Code of the City  
27 of Annapolis, 2020 Edition  
28 17.08.160  
29 17.08.180

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32 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
33 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

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35 **Title 17 -- BUILDINGS AND CONSTRUCTION**  
36 **Chapter 17.08 - GRADING, EROSION, AND SEDIMENT CONTROL**

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38 **Section 17.08.160 - Erosion and sediment control—General requirements.**

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40 A. Effective control of soil to prevent erosion shall include the following:

- 41  
42 1. Development shall be fitted to the topography and soils to create the least erosion  
43 potential.  
44 2. Natural vegetation shall be retained wherever possible.

- 1 3. The smallest practical area of land shall be exposed at any one period during development  
2 for the shortest practical period of time in order to reduce the amount of land area and the  
3 duration of soil exposure.
- 4 4. Temporary vegetation or mulching shall be used to protect soils exposed during the time  
5 of development.
- 6 5. Erosion-control practices consistent with Standards and Specifications shall be installed  
7 to minimize soil and water losses.
- 8 6. During and after development, provisions shall be made to accommodate in an effective  
9 manner the increased water runoff caused by changes in soil and surface conditions and  
10 to avoid siltation of receiving streams.
- 11 7. Satisfactory cover shall be maintained during the life of the project and is subject to  
12 inspection.
- 13 8. Roads and streets shall be placed as close to the pre-existing contour as possible in order  
14 to minimize cutting or filling.
- 15 9. All graded surfaces, erosion-control measures, vegetative covers and other protective  
16 measures TO PREVENT SEDIMENT DISCHARGING FROM THE DEVELOPMENT  
17 SITE THAT IS disturbed or destroyed during the course of operations shall be repaired,  
18 restored, and maintained promptly in accordance with the approved plans and  
19 specifications until permanent measures are accepted by the Department.
- 20 10. The owner must provide contact information for a person(s) whom is responsible for the  
21 maintenance of the sediment and erosion control measures, whom is available twenty-  
22 four hours a day and seven days a week, and whom can respond immediately to resolve  
23 any emergency or necessary field correction. If said person(s) is unreachable via the  
24 submitted contact information during an emergency, or unable to perform required  
25 corrective actions, the owner and/or contractor may be issued a citation.
- 26 B. The Department shall investigate complaints or accept complaints from any interested party  
27 and apply their enforcement procedure when violations are confirmed. Any erosion and  
28 sediment control complaint received shall be acted upon, routinely with three working days,  
29 and the complainant shall be notified of any action or proposed action routinely within seven  
30 working days after receipt of the complaint.

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32 **Section 17.08.180 - Prohibited discharges and prohibited use of coal tar pavement**  
33 **products.**

- 34  
35 A. No TRASH, debris, sediment, wastewater, landscaping/yard waste, refuse, or other pollutant  
36 shall be deposited in floodplains, water resources, public streets, highways, sidewalks, storm  
37 drains, or other public thoroughfares per this chapter of the City Code, Maryland Environment  
38 Title 4 as may be amended from time to time, COMAR 26.08.04, unless otherwise permitted  
39 by the City of Annapolis or the Maryland Department of the Environment. ALL SUCH  
40 MATERIALS SHALL EITHER BE REMOVED FROM THE DEVELOPMENT SITE OR  
41 SECURELY STORED ON-SITE AT THE DAILY CLOSE OF BUSINESS TO PREVENT  
42 ANY THREAT OF DISCHARGE INTO FLOODPLAINS, WATER RESOURCES,  
43 PUBLIC STREETS, HIGHWAYS, SIDEWALKS, STORM DRAINS, OR OTHER PUBLIC  
44 THOROUGHFARES. ~~Such materials shall be properly stored to minimize any threat of~~  
45 ~~discharge.~~  
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1 B. ~~the~~THE following applies to all public and private uses of coal tar:  
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- 3 1. A person may not sell, offer for sale, use, or permit the use of a coal tar pavement product  
4 in the City. A property owner who knowingly permits the application of a product  
5 containing coal tar pavement product on their property shall be in violation of this Section  
6 and may be cited, in addition to the applicator of the product, pursuant to subsection  
7 (B)(3).  
8 2. The Director shall publish, update as needed, and maintain on its website, a list of  
9 alternative products for use on asphalt and concrete that do not contain a coal tar  
10 pavement product.  
11 3. Violators of this Section shall be required to remediate the surface of the coal tar  
12 pavement product. A violation of this Section shall be a municipal infraction and subject  
13 to a fine as established by resolution of the City Council. Each day that a violation occurs  
14 shall be considered a separate offense. The penalties set forth in this Section are in  
15 addition to any other remedies and penalties provided under federal, state, county, or local  
16 law.  
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19 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
20 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.  
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23 **Explanation:**

24 UPPERCASE indicates matter added to existing law.

25 ~~Strikethrough~~ indicates matter stricken from existing law.

26 Underlining indicates amendments.  
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