

ORDINANCE NO. 1939

INTRODUCED BY: BENSON, BULLOCK, CARSON, DOUGLAS, ELLIOTT, FORD,
MORENO, TETER

AN ORDINANCE AMENDING SECTION 10-3002 OF THE COMMERCE CITY REVISED MUNICIPAL CODE RELATING TO ILLEGAL DISCHARGES

WHEREAS, Article III of Chapter 10 of the Commerce City Revised Municipal Code (the "Code") was enacted to provide for the health, safety and general welfare of the citizens of the City of Commerce City through the regulation of non-stormwater discharges to the storm drainage system (the "MS4") and to comply with requirements of the Colorado Discharge Permit System ("CDPS");

WHEREAS, the Colorado Department of Health and the Environment has concluded that the undefined and unmodified term "firefighting activities" in Section 10-3002(b)(1) of the Code is broad enough to allow discharges into the MS4 that violate the City's CDPS permit; and

WHEREAS, the City Council of the City of Commerce City hereby finds and determines that it is in the best interests of the residents of the City amend Section 10-3002(b)(1) of the Code to prevent undesirable discharges into the MS4 related to non-emergency firefighting activities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

SECTION 1. Section 10-3002(b)(1) of the Commerce City Revised Municipal Code is hereby amended to read as follows:

Water line flushing or other potable water sources, landscape irrigation, diverted stream flow, rising groundwater, groundwater infiltration, uncontaminated pumped groundwater, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, noncommercial vehicle washing, natural riparian habitat or wetland flows, swimming pools (if less than one (1) ppm chlorine), emergency firefighting activities (not including training exercises) and any water not containing pollutants.

SECTION 2. Except as specifically modified herein, the Commerce City Revised Municipal Code shall remain unchanged and in full force and effect.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 5th DAY OF NOVEMBER, 2012.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 3rd DAY OF DECEMBER, 2012.

CITY OF COMMERCE CITY, COLORADO

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk