

ORDINANCE NO. 2018-____

AN ORDINANCE adding Section 7.85.095 Informal Compliance Actions to the Yakima Municipal Code, Chapter 7.85 Stormwater Illicit Discharge

WHEREAS, chapter 7.85 of the Yakima Municipal Code addresses illicit discharges into the City of Yakima stormwater system; and

WHEREAS, the chapter addresses how violations of the chapter may be addressed, consistent with other laws, including penalties, consent orders and suspensions; and

WHEREAS, the City of Yakima's federal NPDES discharge permit requires that the City implement a compliance strategy for illicit discharge that includes informal compliance actions such as public education and technical assistance as well as other penalties; and

WHEREAS, there currently is no process to provide for informal compliance action in cases where it is most appropriate to provide education and technical assistance to address violations; and

WHEREAS, the City Council of the City of Yakima finds that it is in the best interest of the City and its residents to provide an informal compliance action section to the code to be used in circumstances where education and technical assistance is deemed to be a proper enforcement tool against a violator of the code; now, therefore,

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Chapter 7.85.095 Informal Compliance Actions is added to the City of Yakima Municipal Code is hereby amended to read as follows:

7.85.095 Informal Compliance Actions.

Notwithstanding any other section of this chapter, the wastewater manager may implement a compliance strategy towards violators that includes informal compliance actions such as public education and/or technical assistance, as well as other penalties. Technical assistance for source control best management practices shall be found in Volume IV of the 2004 Stormwater Management Manual for Eastern Washington or another technical stormwater manual approved by the Washington State Department of Ecology.

Section 2. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this ____ day of ____, 2018.

ATTEST:

Kathy Coffey, Mayor

Sonya Claar Tee, City Clerk

Publication Date: _____

Effective Date: _____