

CHAPTER 16-04. PROHIBITED ACTIONS

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16-04-010. **Violations of this Title.**

It is unlawful for any person or entity to violate or cause to be violated any of the provisions of this Title.

16-04-020. **Permit Required.**

It is unlawful for any person or entity to conduct or cause to be conducted any activity which is subject to the Storm Water Permit requirements of this Title upon any parcel of real property within the City unless a Storm Water Permit and all of its applicable components have been issued for the subject parcel of real property and activity.

16-04-030. **No Polluted Waters.**

The only substance allowed to be discharged under this Title into the City's storm drain system is storm water, surface drainage, subsurface drainage, ground water, roof run-off, or non-polluted water. Such water may be discharged only into City storm drain system facilities which have adequate capacity for the accommodation of such water. Such discharged water shall comply with the terms and provisions of this Title and the City's storm water quality standards.

16-04-040. **Obstructions.**

(a) **Obstruction.** It is unlawful for any person or entity to obstruct or contribute to the obstruction of the flow of storm water run-off or non-storm water run-off into any detention basin, storm drain, curb and gutter, drain inlet, or other associated structural controls that convey storm water and/or non-storm water run-off, unless the obstruction is authorized in writing by the City.

(b) **Interference.** It is unlawful for any person or entity to cause any obstruction that inhibits the normal flow of storm water and/or non-storm water run-off in any curb and gutter, unless the obstruction is associated with a street and/or storm drainage improvement project and is authorized in writing by the City and granted with the issuance of a permit signed by an authorized agent of the City.

(c) **Covering Inlet.** It is unlawful for any person or entity to cover any drain inlet for any reason or purpose, unless the obstruction is authorized in writing by the City; provided, however, that a drainage system inlet may be temporarily obstructed in emergency situations in order to prevent contaminants from entering the storm drain system.

(d) Exceptions. Subsections (a) and (b) of this Section shall not apply during clean-up periods established by the City, provided the materials are placed according to any directions from the City and do not obstruct drain inlets.

16-04-050. Dumping.

(a) Dumping. It is unlawful for any person or entity to place or dump or allow to be placed or dumped into any detention basin, storm drain, curb, gutter, drain inlet, or other storm drainage structure that conveys storm water and/or non-storm water, any type of deleterious product, including, but not limited to, debris, dirt, sand, petroleum product, chemical, paint, pesticide, herbicide, heavy metal, acid or base product, solid or liquid waste product, hazardous waste product, and/or human or animal waste.

(b) Exceptions. The restrictions set forth in Subsection (a) shall not apply to the normal run-off of non-storm water related to domestic home uses; for example, lawn watering.

16-04-060. Damage to Facilities.

It shall be unlawful for any person or entity to place or cause to be placed in the easement, channel, bed or bank of any river, stream, wash or other natural drain or within or upon any storm drain, flood control channel, reservoir, detention basin, debris basin, spreading ground or other property over which the City has an interest, matter of any kind that may operate to impede, retard or change the normal direction of the flow of flood, storm or other waters, or that may catch or collect debris carried by such waters, or that may be carried downstream by such waters to the damage and detriment of adjacent private or public property, or that may degrade the quality of the water, without first obtaining a written permit for such placement from the City.

16-04-070. Tracking Mud or Materials on Public Street.

It is unlawful for any person or entity to track or drop mud, stones, dirt, concrete, gravel, sediment or other similar materials onto public streets by construction or delivery vehicles. It shall be the duty of the driver of a vehicle who unlawfully drops or deposits mud, stones, concrete, gravel, sediment or other similar materials or permits the load or any portion thereof to be dropped or deposited upon any public street to immediately remove the same or cause the same to be removed. It shall be the duty of the driver of any vehicle to clean the tires and vehicle undercarriage of dirt or debris before the vehicle enters onto a paved public street. Developers, builders and any responsible person shall provide for the cleaning of all construction vehicles on site before the vehicles leave the site. Developers, builders and any responsible person shall be required to bond for protection measure and potential clean up costs as determined by the Storm Water Official or City Engineer in connection with any City approvals or permits issued for the land disturbance or construction activity. In the event construction traffic causes debris to be dropped or deposited onto public streets in violation of this Section, developers, builders and any responsible person shall also be responsible and liable for cleaning the public streets. Curbs, gutters and streets adjacent to construction projects will be inspected by the City for compliance with the provisions herein.

16-04-080. Washing Out Concrete Trucks.

It is unlawful for any person or entity to wash out a concrete truck, including windows, tires and the truck exterior, at any construction site other than in pre-approved designated areas or to discharge waste concrete or concrete truck rinse water except into pre-approved discharge facilities. Dumping of excess concrete at any construction site shall not be allowed. It shall be the duty of the driver of the concrete vehicle to wash out his or her concrete truck in pre-approved designated areas. The driver of the vehicle shall be responsible for cleaning up any concrete or debris deposited on any site in violation of this Section. Developers, builders and any responsible person shall provide a pre-approved designated area for the cleaning of concrete trucks. Developers, builders and any responsible person shall be required to bond for protection measure and potential clean up costs as determined by the Storm Water Official or City Engineer in connection with any City approvals or permits issued for the land disturbance or construction activity. In

construction activity. In the event a concrete truck is washed out or excess concrete is deposited on any site, the developers, builders and any responsible person shall also be responsible and liable for cleaning up the illegally deposited concrete from the site. Projects will be inspected by the City for compliance with the provisions herein.

16-04-090. Stockpiling Debris or Materials.

It is unlawful for any person or entity to stockpile construction or yard improvement materials or debris in the street, gutter or in any drainage channel (natural or man-made). This includes, but is not limited to, ramps being constructed for temporary access across the existing curb and gutter, stockpiling of topsoil or other fill material, stockpiling of sand, gravel, landscape rock, bark, mulch or any other material that may be considered a source of pollution in the storm drain system. Materials stored on a pallet, in a self contained storage unit, or by other acceptable means may be pre-approved by the Storm Water Official.

16-04-100. Chemical Storage or Use.

It is unlawful for any person or entity to use or store chemicals in a manner that causes pollution to the City's storm drain system.

16-04-110. Dumpster Location.

Dumpsters shall not be allowed in the street or on any paved surfaces except as may be approved under special circumstances by the Storm Water Official. Drain plugs with respect to containers designed with drains shall be in place at all times. Dumpsters shall be serviced with sufficient frequency so as to prevent overflow, spillage and the emanation of offensive odors.

16-04-120. Portable Toilet Location.

Portable toilets shall not be allowed in the street, on any paved surfaces, or in the park strip except as may be approved under special circumstances by the Storm Water Official.

16-04-130. Dust Control.

Dust control measures shall be implemented on all construction sites where there will be major soil disturbances or heavy construction activity, such as clearing, excavation, demolition, or excessive vehicle traffic. Dust control measures include, but are not limited to mulch, sprinkling, vegetative cover, wind breaks, stone, and spray on chemical soil treatments.

16-04-140. Illicit Discharges.

(a) No person or entity shall discharge or cause to be discharged into the City's storm drain system or watercourses any materials, including, but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards.

(b) The commencement, conduct or continuance of any illicit discharge to the City's storm drain system is prohibited except as described as follows:

- (1) Water line flushing or other potable water sources;
- (2) Landscape irrigation or lawn watering;
- (3) Approved diverted stream flows;
- (4) Ground water infiltration to storm drains;

- (5) Uncontaminated pumped ground water;
- (6) Air conditioning condensation;
- (7) Natural riparian habitat or wetland flows;
- (8) Fire fighting activities, and any other water source not containing pollutants;
- (9) Swimming pools (only if dechlorinated in accordance with Federal regulations to less than 0.4 PPM chlorine);
- (10) Springs;
- (11) Natural riparian habitat or wetland flows; or
- (9) Discharges specified in writing by the Storm Water Official as being necessary to protect public health and safety.

(c) Dye testing is an allowable discharge, but requires a written notification to the Storm Water Official at least five (5) business days prior to the time of the test.

(d) The prohibitions set forth in this Section shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, 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 by the City.

(e) The prohibitions set forth in this Section expressly include, without limitation, connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. The prohibition also expressly includes, without limitation, connections of sanitary sewer lines to the storm drain system.

(f) No person or entity shall install drainage outlets into curbsides unless approved by the City Engineer or Storm Water Official. Approval shall be granted in limited circumstances and must be based on a showing of good cause.

16-04-150. Residential Roof Drainage Restrictions.

No person or entity shall connect roof drains to the subsurface drainage system. The capacity of the subsurface drainage system is not designed to handle the quantity of run-off generated from roof drains. Run-off from roof drains should be directed to a lawn or a flower bed.