

PLEASE NOTE:

This copy of Ordinance No. 239.6 is a “redlined” version for your convenience. Text additions are designated by an underline and text deletions are designated with a strikethrough.

REGULAR

NUMBER: 239.6

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING CHAPTER 16 OF TITLE XI OF THE MILPITAS MUNICIPAL CODE RELATING TO PROHIBITED DISCAHRGES INTO STORM DRAINS

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of _____, upon motion by _____ and was adopted (second reading) by the City Council at its meeting of _____, upon motion by _____. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

RECITALS AND FINDINGS:

WHEREAS, the City of Milpitas is a co-permittee of the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (Permit No. CAS612008); and

WHEREAS, the City is therefore required from time to time to clarify existing prohibitions and enforcement provisions in its stormwater and urban runoff pollution control ordinance.

NOW, THEREFORE, the City Council of the City of Milpitas does ordain as follows:

SECTION 1. RECORD AND BASIS FOR ACTION

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE XI, CHAPTER 16

Chapter 16 of Title XI of the Milpitas Municipal Code is hereby repealed in its entirety and replaced with the text set forth below.

XI-16-5 Discharge into Storm Drains Prohibited

It shall be unlawful to discharge, cause, allow, or permit to be discharged into any storm drain or watercourse, all wastes or pollutants including, but not restricted to, sewage, industrial wastes, petroleum products, coal tar or any refuse substance arising from the manufacture of gas from coal or petroleum, chemicals, polluted cooling water, all kinds of detergents, solvents, paints, contaminated or chlorinated water from pools, spas and fountains (including those treated with copper-based chemicals), swimming pool water, pesticides, herbicides and fertilizers, weeds, rubbish, refuse or dirt, garbage, fruits, vegetables, grease, pollutants, animal wastes, turbid fluids, ~~and~~ vehicle wash rinse water, and wastewater generated from the installation, cleaning, treating and washing of copper architectural features, unless permitted in Section XI-16-8.

Allowable discharges shall not cause any impairment in the beneficial uses or quality of water of the state as defined in the California Water Code or any special requirements of the Regional Water Quality Control Board, San Francisco Bay Region or injure or interfere with the operation of any watercourses within the State.

SECTION 3. EFFECTIVE DATE AND POSTING

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.