

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ORDINANCE NO. 228, THE TOWN OF HAVERHILL'S STORMWATER MANAGEMENT ORDINANCE, BY ADDING A DEFINITION OF 'ILLCIT DISCHARGE' AND BY PROHIBITING ILLCIT DISCHARGES INTO THE STORM DRAINAGE SYSTEM OF THE TOWN OF HAVERHILL; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, THE TOWN OF HAVERHILL enacted Ordinance No. 228 in order to establish criteria for managing stormwater runoff in the Town; and

WHEREAS, said Ordinance defines terms and provides for the establishes stormwater management practices including certain prohibitions; and

WHEREAS, the Town Council deems it necessary for the purpose of promoting the health, safety and general welfare of the Town to amend Ordinance No. 228 to provide for a definition of "illicit discharge" and prohibit such activity from occurring within the Town; and

WHEREAS, all requirements of the applicable state statutes and Town Charter with regard to the preparation and adoption of this Amendment have been met;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, that:

SECTION 1 - AMENDMENT TO ORDINANCE NO. 228

Section 1, paragraph B, is amended by adding the following language:

15. Prohibit illicit discharges into the storm drainage system.

Section 2, Definitions, is amended to add the following language:

ILLCIT DISCHARGE means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater, except discharges pursuant to an EPA NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) discharges resulting from fire fighting activities, and other seemingly innocent flows that are characteristic of human existence.

Section 3, paragraph E, Prohibitions, is hereby amended by adding the following language after the first paragraph thereof:

Illicit discharges are specifically prohibited.

SECTION 2 - AUTHORITY

Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the Town of Haverhill.

SECTION 3 - REPEAL OF LAWS IN CONFLICT

All ordinances or parts of ordinances in conflict hereto would be and the same are hereby repealed.

SECTION 4 - SEVERABILITY

Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not effect the validity of the remainder of this Ordinance.

SECTION 5 - EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage.

First reading this 28th day of April, 1994.

Second reading this 12th day of May, 1994.

ATTEST:

Jo H. Plyler
Jo H. Plyler, Town Clerk

Douglas A. McMichael
Douglas A. McMichael, Mayor

TOWN OF HAVERHILL

By: C. M. Jackson, Jr.
Claude M. Jackson, Jr.
Council President

By: Jay G. Fay
Jay G. Fay
Council Vice President

By: John Carroll
John Carroll
Council Member

By: Jerry Heck
Jerry Heck
Council Member

By: James L. Barnette
James L. Barnette
Council Member

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