



## PUBLIC HEARING AGENDA ITEM

<b>DATE OF PUBLIC HEARING:</b> October 10, 2017
<b>SUBJECT:</b> Amendment to Ordinance No. 11 concerning Illicit Discharges to the Public Drainage System or Waters of the State of Colorado within Unincorporated Adams County
<b>FROM:</b> Jeffrey A. Maxwell, P.E., PTOE, Director of Public Works
<b>AGENCY/DEPARTMENT:</b> Public Works and County Attorney's Office
<b>HEARD AT STUDY SESSION ON</b>
<b>AUTHORIZATION TO MOVE FORWARD:</b> <input type="checkbox"/> YES <input type="checkbox"/> NO
<b>RECOMMENDED ACTION:</b> That the Board of County Commissioners Approves the revisions to Ordinance No 11 as presented.

### **BACKGROUND:**

Adams County's Municipal Separate Storm Sewer System (MS4) Permit issued by the Colorado Department of Public Health and Environment (CDPHE), requires the County to implement an effective illicit discharge program to protect stormwater quality. In order to provide a more effective regulatory framework, Ordinance No. 11 enacted November 15, 2006 and revised on March 14, 2012 needs the following revisions:

- Standardization of definitions to be consistent with CDPHE and other regulations.
- Definitions added consistent with Adams County Standards and Regulations: Notice of Violation and Compliance Schedule
- Removal of definitions that are no longer used, such as Inspector since that position is no longer referenced in the Ordinance.
- Clarification to the illicit discharge exemption list:
  - Potable water discharges allowed in accordance with CDPHE's Low Risk Policy.
  - Swimming pools discharges allowed in accordance with CDPHE's Low Risk Policy.
  - Other discharges such as potable water monitoring devices, snow melting, surface cosmetic power washing operations to land, hot spring, uncontaminated groundwater to land, allowed in accordance to CDPHE's Low Risk Policy.

- Enforcement tools added: Suspension to the MS4 (with notification for non-emergency/non-compliance) and installation of monitoring devices to stormwater discharges when needed.
- Clarification added to the notification requirements for hazardous and non-hazardous waste discharges.
- Notice of Violation now includes not only corrective, but also preventative measures.
- Clarification of right of entry to access drainage easements dedicated to the County.
- Minimum penalties for second and third offenses.

Public Works worked closely with the County Attorney's Office, and the Community and Economic Development Department to review Ordinance No. 11.

**AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:**

Public Works, County Attorney's Office, Community and Economic Development Department

**ATTACHED DOCUMENTS:**

Ordinance No. 11

**FISCAL IMPACT:**

Please check if there is no fiscal impact ☒. If there is fiscal impact, please fully complete the section below.

**Fund:****Cost Center:**

	<b>Object Account</b>	<b>Subledger</b>	<b>Amount</b>
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
<b>Total Revenues:</b>			

	<b>Object Account</b>	<b>Subledger</b>	<b>Amount</b>
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
<b>Total Expenditures:</b>			

**New FTEs requested:** ☐ YES ☐ NO

**Future Amendment Needed:** ☐ YES ☐ NO

**Additional Note:**