

BILL NO. 2013-39

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE THE CITY'S STORMWATER MANAGEMENT REGULATIONS REGARDING THE DISPOSAL OF WASTES AND DISCHARGE OF POLLUTANTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Jorge Cervantes, Executive Director, Community Development	Summary: Updates the City's stormwater management regulations regarding the disposal of wastes and discharge of pollutants.
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THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: Title 14, Chapter 18, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14.18.090: It is unlawful for any person to dispose of [trash,] construction debris, landscaping clippings, [or] industrial waste materials or other wastes into the storm system, except as allowed by this Chapter or by the Director.

SECTION 2: Title 14, Chapter 18, Section 130 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14.18.130: (A) For any construction[, commercial or industrial] site, the Director may require BMPs that reduce the discharge of pollutants to the maximum extent practicable. These BMPs shall be consistent with applicable local guidance documents developed to implement this Section. BMPs that are consistent with the applicable local guidance documents shall be deemed in compliance with this Section. These BMPs shall be installed and maintained at the sole expense of the owner or operator.

(1) The Director may require the owner or operator of any construction[, commercial or industrial site] to submit a written plan for BMPs before commencement of construction or operation of the site, or at any time thereafter. The Director may require any person who proposes development or significant redevelopment to submit a written plan for BMPs, and for the operation and maintenance of any BMP. Any such plan is subject to approval by the Director, and shall be maintained at the same site for which it was written and be available for inspection during normal business hours.

1 (2) Compliance with all terms and conditions of a valid NPDES stormwater
2 permit authorizing the discharge of stormwater to the storm system shall be deemed in compliance
3 with the provisions of this Section.

4 (B) If the Director determines that existing BMPs do not reduce the discharge of
5 pollutants to the maximum extent practicable, the Director may require additional BMPs to satisfy the
6 provisions of Subsection (A) of this Section.

7 (C) The Director may require secondary containment for any hazardous substance
8 when the Director determines that the substance has the potential to enter the storm system illicitly.
9 Such secondary containment shall be provided and maintained at the sole cost and expense of the
10 person responsible for the substance.

11 (D) In connection with any development proposal or significant redevelopment
12 proposal, the Director may require:

13 (1) The implementation of BMP's to reduce the discharge of pollutants to
14 the storm drain system after development is complete to the maximum extent practicable; and

15 (2) The submission of a written plan for the design, installation, operation
16 or maintenance of post-development BMP's, or any combination thereof.

17 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or
18 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
19 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
20 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
21 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
22 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
23 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
24 invalid or ineffective.

25 SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared
26 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
27 required or the failure to do any act is made or declared to be unlawful or an offense or a
28 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall

1 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
2 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
3 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

4 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
5 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
6 1983 Edition, in conflict herewith are hereby repealed.

7 PASSED, ADOPTED and APPROVED this _____ day of _____, 2013.

8 APPROVED:

9
10 By _____
CAROLYN G. GOODMAN, Mayor

11 ATTEST:

12 _____
13 BEVERLY K. BRIDGES, MMC
City Clerk

14 APPROVED AS TO FORM:

15 Val Steed 8-7-13
16 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2013, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____; thereafter the said committee reported favorably on said ordinance on the
5 ____ day of _____, 2013, which was a _____ meeting of said
6 Council; that at said _____ meeting, the proposed ordinance was read by title
7 to the City Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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12 APPROVED:

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14 By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

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17 BEVERLY K. BRIDGES, MMC
City Clerk

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