

City of Santa Fe's Proposed New Ordinance Regarding Storm Water Illicit Discharge Control

Storm Water

Management



Why is the City of Santa Fe introducing a new ordinance for Stormwater Management?

- Under the Federal Clean Water Act, 33 U.S.C.1251 et seq., requires the City of Santa Fe, to implement a stormwater management plan to comply with stormwater discharge permit issued under the national pollutant discharge elimination system (NPDES) which includes the requirement to detect and eliminate illicit discharges of pollutants into the municipal storm drain (storm sewer) system.

What will the new ordinance contain?

- Prohibition of Illicit Discharges
- Prohibition of Illicit Connections
- Waste Disposal Prohibitions
- Water Course Protection
- Requirements to Notify the City of Spills
- Authority to Inspect

Violations; Penalties, and Enforcements

- Whenever the city finds that a person has violated or is violating a requirement of the Ordinance, the city may:
 - Issue a written notice of violations;
 - File a citation in Municipal Court
 - Commence a civil action in district court
 - Determine that the violation is a threat to public health, safety, and welfare and is therefore declared a nuisance, and as such may be abated as set forth elsewhere in the Code.

What are the potential penalties for Stormwater violations?

- Administrative Orders
 - CLASS I
 - \$11,000 per violation; Total maximum of \$32,500
 - Class II
 - \$11,000 per day of Violation; Total maximum of \$157,500
- Civil Actions
 - \$32,500 per day for each violation. Fines can continue to accumulate until violation is corrected
- Criminal prosecutions
 - \$2,500 to \$50,000 per day for each violation or imprisonment up to 3 years, or both.

When will the City of Santa Fe formally adopt the new Stormwater Illicit Discharge Control Ordinance?

- The new Storm Water Ordinance draft is to be presented at the February 2005 Council Meeting for approval.

Contacts...

- For more information regarding the City of Santa Fe's Storm Water Management program call:

Michelle Gutierrez at 505-955-2133,

www.santafenm.gov,

Illicit Discharge Hotline Number 955-5644