

ORDINANCE 01-16

AN ORDINANCE amending the Code of Ordinances of the City of Laurens, Iowa, 2015 by amendment to Municipal Infractions

BE IT ENACTED by the council of the City of Laurens, Iowa:

The Code of Ordinances of the City of Laurens, Iowa is amended by repealing and replacing Section 3.03.02, Special Civil Penalties, with the following:

2. Special Civil Penalties.

A. A municipal infraction arising from noncompliance with a pretreatment standard or requirement, referred to in 40 C.F.R. §403.8, by an industrial user is punishable by a penalty of not more than \$1,000.00 for each day a violation exists or continues.

B. A municipal infraction classified as an environmental violation is punishable by a penalty of not more than \$1,000.00 for each occurrence. However, an environmental violation is not subject to such penalty if all of the following conditions are satisfied:

(1) The violation results solely from conducting an initial startup, cleaning, repairing, performing scheduled maintenance, testing, or conducting a shutdown of either equipment causing the violation or the equipment designed to reduce or eliminate the violation.

The City is notified of the violation within twenty-four (24) hours from the time that the violation begins.

The violation does not continue in existence for more than eight (8) hours.

REPEALER: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SEVERABILITY CLAUSE: If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or and section, provision, or part thereof not adjudged invalid or unconstitutional.

WHEN EFFECTIVE: This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Laurens City Council on the _____ day of _____, 2016, and approved this _____ day of _____, 2016.

First Reading: _____

Second Reading: _____

Third Reading: _____

ATTEST:

Rich Newgard, Mayor Pro-Tem

Barbara Smith, City Clerk