

TITLE

AN ORDINANCE TO AMEND TITLE 14, TITLED "ZONING AND LAND USE CONTROL," CHAPTER 5, TITLED "STORMWATER MANAGEMENT," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY AMENDING SECTION 14-509, TITLED "ENFORCEMENT," SUBSECTION (1)(C) TO ADD A CROSS-REFERENCE FOR CIVIL PENALTIES, AND BY AMENDING SECTION 14-510, TITLED "PENALTIES," TO RENUMBER SUBSECTIONS AND CREATE A NEW SUBSECTION ON CIVIL PENALTIES AND AN ENFORCEMENT RESPONSE PLAN, ALL FOR THE PURPOSE OF COMPLIANCE WITH THE CITY'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) DISCHARGES.

WHEREAS, the City's existing stormwater management provisions (City Code Title 14, Chapter 5) were recently reviewed for compliance with the City's National Pollutant Discharge Elimination System (NPDES) general permit for Municipal Separate Storm Sewer System (MS4); and

WHEREAS, this review yielded two modifications to the existing provisions: (1) the addition of a cross-reference in City Code §14-509(1)(c) for civil penalties, and (2) to add a new subsection to City Code §14-510 on civil penalties and the Enforcement Response Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. Title 14, titled "Zoning and Land Use Control," Chapter 5, titled "Stormwater Management," Section 14-509, titled "Enforcement," Subsection 1, titled "Enforcement Authority," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended to add a notational reference to City Code §14-510(4) in subsection (c) as follows:

Section 14-509. Enforcement.

- (1) Enforcement Authority. The City shall have the authority to issue notices of violation and citations, and to impose the civil penalties provided in this section. Measures authorized include:
 - (c) Citations with Administrative Penalties – The City Manager or the City Manager's designee has the authority to assess monetary penalties, which may include civil and administrative penalties. (See City Code §14-510(4))

Section 2. Title 14, titled "Zoning and Land Use Control," Chapter 5, titled "Stormwater Management," Section 14-510, titled "Penalties," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by renumbering subsections (4), (5), (6), and (7) as subsections (5), (6), (7), and (8) respectively, to make room for a new subsection (4).

Section 3. Title 14, titled "Zoning and Land Use Control," Chapter 5, titled "Stormwater Management," Section 14-510, titled "Penalties," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by creating a new subsection (4), titled "Schedule of Civil Penalties and Enforcement Response Plan," which new subsection shall read as follows:

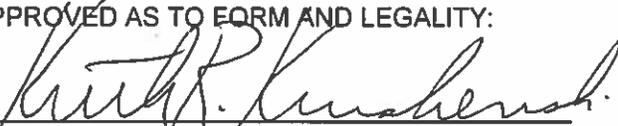
Section 14-510. Penalties.

- (4) Schedule of Civil Penalties and Enforcement Response Plan. The City has established by resolution an Enforcement Response Plan (ERP) for fair and just enforcement to all parties involved and to provide adequate guidance to stormwater field personnel. The ERP authorizes the City Manager to develop a schedule of civil penalties which can be

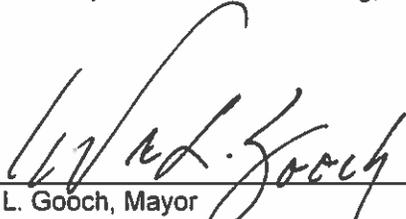
assessed for certain specific violations or categories of violations in accordance with statutory requirements.

Section 4. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

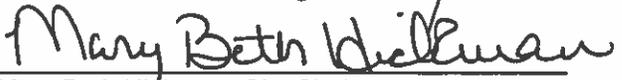
APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney



Warren L. Gooch, Mayor



Mary Beth Hickman, City Clerk

First Reading: 07/08/2019
Publication Date: 07/11/2019
Second Reading: 08/12/2019
Publication Date: 08/15/2019
Effective Date: 08/22/2019