

ORDINANCE NO. 10919

AN ORDINANCE RELATING TO BELLINGHAM MUNICIPAL CODE CHAPTER 10.60 LITTER CONTROL, AMENDING SECTION 10.60.020 (F) WHICH DEFINES LITTER TO INCLUDE MATERIAL THAT CAUSES POLLUTION AND ENVIRONMENTAL DAMAGE AND ADDING A NEW SUBSECTION (2) TO 10.60.100 PROHIBITING THE DISCHARGE OF MOTOR OIL AND OTHER UNAUTHORIZED SUBSTANCES INTO STORM WATER SYSTEMS.

WHEREAS, the City of Bellingham has a responsibility to follow-up on reports of dumping, disposal, and discharges of solid waste and waste liquids which are a source of pollution that affects local surface waters, and

WHEREAS, one source of pollution that affects our local surface waters is used motor oil poured directly on the ground, into storm drains, or into open ditches, and

WHEREAS, there is currently a State law (RCW 90.48) that prohibits unpermitted discharges into the waters of the State which is enforceable by the Department of Ecology, however there is currently no local ordinance prohibiting this specific activity, and

WHEREAS, it is difficult to prevent this type of activity due to the absence of a specific local ordinance prohibiting these unpermitted discharges into the storm water systems, and

WHEREAS, enacting a local ordinance to prohibit unpermitted discharges into the local surface waters would aid in preventing this activity on a local basis and would be more effective in preventing pollution and environmental damage to our local surface waters,

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1: The current Bellingham Municipal Code section 10.60.020 - Definitions, specifically, 10.60.020 F. is hereby amended to read as follows:

F. "Litter" means garbage, refuse, and rubbish, as defined in this section, and in addition all other waste material or other unauthorized substance, including, but not limited to, motor oil, antifreeze, paint, or any other petroleum based products, or solid material which, if thrown or deposited as prohibited in this chapter, tends to create a danger to public health, safety, and welfare or tends to create a danger of pollution or environmental damage.

Section 2: The current Bellingham Municipal Code section 10.60.100 - Deposit in Water, is hereby amended to read as follows:

10.60.100 Deposit in Any Body of Water or Surface Water Drainage System Prohibited.

- A.** No person shall throw or deposit litter in any fountain, pond, lake, stream, bay, or other body of water in a park or elsewhere in the City of Bellingham.
- B.** No person shall pour, allow to drain, discard, or otherwise introduce motor oil and other petroleum -based products, antifreeze, paint, or any other unauthorized substance including solid materials into any surface water drainage course or body of water, including but not limited to lakes, ponds, streams, creeks, storm water catch basins, storm water detention ponds, ditches, and storm water inlets, culverts, and manholes.

City of Bellingham
CITY ATTORNEY
210 Lottie Street
Bellingham, Washington 98225
Telephone (360) 676-6903

Passed by the City Council on this 12th day of January, 1997.

Bob Ryan
Council President

Approved by me this 28th day of January, 1997.

Mark Asund
Mayor

Attest:

Lynn Carpenter
Finance Director

Approved as to form:

Jean Hoisington
Office of the City Attorney

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