

CHAPTER 53: STORMWATER MANAGEMENT AND DISCHARGE CONTROL

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GENERAL PROVISIONS

§ 53.001 TITLE.

This chapter shall be known as the "Stormwater Management and Control Ordinance of the City of Auburn."

(Ord. 07-03, eff. 3-12-2007)

§ 53.002 FINDINGS.

(A) The Federal Water Pollution Control Act of 1972 (otherwise known as the Federal Clean Water Act) provides for the regulation and reduction of pollutants discharged into the waters of the United States by extending National Pollutant Discharge Elimination System requirements to stormwater and urban runoff discharge into the city's municipal separate storm sewer system (MS4).

(B) The city's Stormwater Management Program, as approved by the California Regional Water Quality Control Board for the Central Valley, requires the city to effectively prohibit non-stormwater discharges from the incorporated area of the city into the city's MS4 except as otherwise permitted by law.

(C) The Council finds that the provisions of this chapter provide the city with the legal authority necessary to implement the Stormwater Management Program.

(Ord. 07-03, eff. 3-12-2007)

§ 53.003 PURPOSE AND INTENT.

(A) The purpose and intent of this chapter is to ensure the health, safety, and general welfare of residents, and protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. § 1251 *et seq.*) by reducing pollutants in stormwater discharges to the maximum extent practicable and by prohibiting non-stormwater discharges to the city's MS4.

(B) It is the intent of the Council in adopting this chapter to provide the city with the legal authority to accomplish the following goals:

(1) To reduce the discharge of pollutants in stormwater to the maximum extent practicable;

(2) To effectively prohibit non-stormwater discharges into the city's MS4;

(3) To comply with the requirements of the Federal Clean Water Act and the state Porter-Cologne Water Quality Control Act as they apply to the discharge of pollutants into and from the city's MS4;

(4) To fully implement the city's Stormwater Management Program;

(5) To protect the physical integrity and function of the city's MS4 from the effects of pollutants and materials other than stormwater;

(6) To prevent the contamination of groundwater as a result of pollution migration from the city's MS4;

(7) To protect the health and safety of maintenance personnel and the public who may be exposed to pollutants in the city's MS4;

(8) To provide for the recovery of regulatory costs incurred by the city in the implementation of its Stormwater Management Program, including, but not limited to, enforcement activities, inspections, investigations, sampling and monitoring; and

(9) To establish appropriate enforcement procedures and penalties for violations of the provisions of this chapter.

(Ord. 07-03, eff. 3-12-2007)

§ 53.004 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly requires a different meaning.

BEST MANAGEMENT PRACTICES (BMPs). Activities, prohibition of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce to the maximum extent practicable the discharge of pollutants directly or indirectly to waters of the United States. BMPs also include structural controls, treatment controls, training requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw materials storage.

CITY. The City of Auburn.

CITY HEALTH OFFICER. The individual identified through contract or delegation by the Council to perform the role/function of City Health Officer.

COUNCIL. The City Council of the City of Auburn.

DEVELOPMENT. Any construction, rehabilitation, redevelopment or reconstruction of any public or private residential project, industrial, commercial, retail, and all other nonresidential projects, public or private, or grading for future construction, for which either a discretionary land use approval or any permit is required.

DIRECTOR. The Public Works Department Director or his or her designee(s) including, but not limited to, enforcement officers authorized by the Director and personnel from other departments designated by the Council.

DISCHARGE. The release or placement of any material into the city's MS4, including, but not limited to, stormwater, wastewater, solid materials, liquids, hazardous waste, raw materials, debris, litter or any other substance.

FEDERAL CLEAN WATER ACT. The Federal Water Pollution Control Act as amended from time to time (33 U.S. Code § 1251 *et seq.*).

HAZARDOUS SUBSTANCES. Those materials defined as hazardous substances by Title 40 of the Code of Federal Regulations (40 CFR) Part 117 and/or 40 CFR Part 302 and/or Division 20 of the Cal. Health and Safety Code.

ILLICIT CONNECTION. Any man-made conveyance or drainage system pipeline, conduit, inlet or outlet, or condition of property whether on the surface or subsurface through which the discharge of any pollutant to storm drains or storm sewers occurs or may occur.

IMPLEMENTING AGENCY. The agency or department designated by the Director to enforce the provisions of this chapter with respect to a particular site, facility or industry category.

INDUSTRIAL ACTIVITY. Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

MATERIAL. Any substance, including, but not limited to, raw materials, finished products, garbage and debris, lawn clippings, leaves and other vegetation, biological and fecal waste, sediment and sludge, oil and grease, gasoline, paints, solvents, cleaners and any fluid or solid containing chemicals.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4). A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) designed or used for collecting or conveying stormwater, which is not a combined sewer and which is not part of a publicly-owned treatment works.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT. A permit issued by either the California Regional Water Quality Control Board for the Central Valley or the State Water Resources Control Board pursuant to Chapter 5.5 (commencing with 13370) of Division 7 of the Water Code to control discharges from point sources to waters of the United States, or permit issued by the United States Environmental Protection Agency pursuant to the federal Water Pollution Control Act (33 U.S.C. § 1341 *et seq.*) to control discharges from point sources to waters of the United States.

NON-STORMWATER DISCHARGES. Any discharge to the city's MS4 that is not composed entirely of stormwater.

PERSON. Any natural person as well as any corporation, partnership, public agency, trust, estate, cooperative association, joint venture, business entity or other similar entity, or the agent, employee or representative of any of the above.

POLLUTANT. Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatable substances; pesticides; herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved

and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete rinsates); and noxious or offensive matter of any kind.

POLLUTION. The human-made or human-induced alteration of the quality of waters by waste to a degree which unreasonably affects, or has the potential to unreasonably affect, either the waters for beneficial uses or the facilities which serve these beneficial uses.

PROHIBITED DISCHARGE. Any non-stormwater discharge to the city's MS4, which is not otherwise specifically authorized by this chapter, the Regional Board, state or federal law, or an NPDES permit.

REGIONAL BOARD. The California Regional Water Quality Control Board for the Central Valley Region.

STORMWATER. Any surface flow, runoff, and drainage consisting entirely of water from rainstorm events and snow melt.

SUBJECT ACTIVITIES. Any industrial activity which is determined by the Director to discharge or have the potential to discharge pollutants into stormwater or non-stormwater in quantities or concentrations which may cause exceedance of receiving water limitations.

THREATENED PROHIBITED DISCHARGE. Any condition or activity which does not currently result in a prohibited discharge but is nevertheless determined by the Director to be a condition which results in a substantial likelihood of a future prohibited discharge.

WATERS OF THE UNITED STATES OR WATERS OF THE U.S. Surface watercourses and water bodies as defined in Part 122.2 of Title 40 of the Code of Federal Regulations or any successor provisions.

(Ord. 07-03, eff. 3-12-2007)

§ 53.005 ADMINISTRATION.

The Public Works Department is hereby designated as the city department responsible for the administration of this chapter.

(Ord. 07-03, eff. 3-12-2007)

§ 53.006 CONSTRUCTION.

The provisions of this chapter shall be construed to achieve consistency with the requirements of the federal Clean Water Act (33 U.S.C. § 1251 *et seq.*) and the Porter-Cologne Water Quality Control Act (Cal. Water Code § 13000 *et seq.*), and acts amendatory thereof or supplementary thereto, or any applicable implementing regulations.

(Ord. 07-03, eff. 3-12-2007)

§ 53.007 CONFLICTS.

In the event of any conflict between this chapter and any federal or state law, regulation, order, or permit, that requirement which establishes the higher standard for public health and safety shall govern. To the extent permitted by law, nothing in this chapter shall preclude enforcement of any other applicable law, regulation, order or permit.

(Ord. 07-03, eff. 3-12-2007)

§ 53.008 COMPLIANCE DISCLAIMER.

Compliance by any person with the provisions of this chapter shall not preclude the need to comply with other local, state or federal statutory or regulatory requirements relating to the control of pollutant discharges or protection of stormwater quality, or both. This chapter shall not create liability on the part of the City of Auburn or any agent or employee thereof for any damages that result from any discharger's reliance on this chapter or any administrative decision made thereunder.

(Ord. 07-03, eff. 3-12-2007)

§ 53.009 INDEMNIFICATION.

Any discharge which would result in or contribute to the city's non-compliance with the state's General NPDES permits for Storm Water Discharges from Small MS4s or any amendment, revision, or reissuance thereof, either separately considered or when combined with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person(s) causing or responsible for the discharge, and such person(s) shall defend, indemnify, and hold harmless the city against any claim, expense, liability, or payment for injury or damage to any person or property and shall defend, indemnify, and hold harmless the city in any administrative or judicial enforcement or any legal action resulting from such discharge.

(Ord. 07-03, eff. 3-12-2007)

GENERAL REQUIREMENTS

§ 53.010 PROHIBITED DISCHARGE.

Except as provided in § 53.011, no person shall discharge or cause to be discharged into the city's MS4 or watercourses any materials, other than stormwater, containing any pollutants that cause or contribute to a violation of applicable water quality standards, including but not limited to pollutants or waters.

(Ord. 07-03, eff. 3-12-2007)

§ 53.011 EXCEPTIONS TO DISCHARGE PROHIBITION.

The following discharges to the city's MS4 are exempt from the otherwise applicable discharge prohibition set forth in § 53.010:

(A) Any discharge regulated under a NPDES permit, waiver, or waste discharge order issued to the discharger and administered by the State of California under the authority of the Federal Environmental Protection Agency or under state authority, provided the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted by the city for any discharge to the city's MS4.

(B) The stormwater containing pollutants has been reduced to the maximum extent practicable by the application of best management practices or other management measures set forth in the city's Stormwater Management Plan.

(C) Any discharge from any of the following activities provided that any such discharge is not identified as a significant contributor of pollutants to the city's MS4 by the Executive Officer of the Regional Board:

- (1) Water line flushing;
- (2) Landscape irrigation;
- (3) Diverted stream flows;
- (4) Rising ground waters;
- (5) Uncontaminated groundwater infiltration [as defined in 40 CFR 35.2005 (20)] to MS4s;
- (6) Uncontaminated pumped ground water;
- (7) Discharges from potable water sources;
- (8) Foundation drains;
- (9) Air conditioning condensate;
- (10) Irrigation water;
- (11) Springs;
- (12) Water from crawl space pumps;

- (13) Footing drains;
- (14) Lawn watering;
- (15) Individual residential car washing;
- (16) Flows from riparian habitats and wetlands;
- (17) Dechlorinated swimming pool discharges; or
- (18) Discharges or flows from emergency fire fighting activities.

(D) Any discharges which the Director, the City Health Officer or the Regional Board determines in writing are necessary for the protection of public health and safety.

(E) With written concurrence of the Regional Board, the city may exempt in writing other non-stormwater discharges which are not a source of pollutants to the city's MS4.

(Ord. 07-03, eff. 3-12-2007)

§ 53.012 EXCEPTIONS TO OTHERWISE APPLICABLE EXEMPTIONS.

Notwithstanding the exemptions provided for in § 53.011 above, if the Regional Board or the Director determines that a discharge which is otherwise exempt from the prohibition on discharges causes or significantly contributes to the violation of any receiving water limitation or results in the conveyance of significant quantities of pollutants to surface waters, or is otherwise a danger to public health or safety, the Director may give written notice to the owner or operator of the facility that the discharge exception shall not apply to the discharge at issue following expiration of the 30-day period commencing upon delivery of the notice. Upon expiration of such 30-day period, any such discharge shall be unlawful.

(Ord. 07-03, eff. 3-12-2007)

§ 53.013 THREATENED PROHIBITED DISCHARGE.

It shall be unlawful for any person to maintain, or cause to be maintained, a threatened prohibited discharge after having received notice of the Director's determination as to the existence of a threatened prohibited discharge.

(Ord. 07-03, eff. 3-12-2007)

§ 53.014 ILLICIT CONNECTIONS PROHIBITED.

(A) It shall be unlawful for any person to establish, use or maintain, or cause to establish, use or maintain, any illicit connection. Illicit connections shall be subject to removal or abatement by the city pursuant to § 53.026 of this chapter.

(B) The prohibition set forth in division (A) above shall apply to illicit connections in existence when this chapter becomes effective. Upon the effective date of this chapter, any person who maintains an illicit connection shall have 30 days from the effective date of this chapter to disconnect and discontinue use of such connection. Notwithstanding the provisions of this section, any person who maintains an illicit connection, as defined in § 53.004, may apply to the city for a permit to continue the connection subject to applicable city standards.

(Ord. 07-03, eff. 3-12-2007)

§ 53.015 NEGLIGENCE OR INTENT NOT REQUIRED.

A violation of the provisions of this chapter shall occur irrespective of the negligence or intent of the violator to construct, maintain, operate or utilize an illicit connection or to cause, allow or facilitate any prohibited discharge.

(Ord. 07-03, eff. 3-12-2007)

§ 53.016 WASTE DISPOSAL PROHIBITIONS.

No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the city's MS4, or waters of the U.S., any refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution. Wastes deposited in streets in proper waste receptacles for the purposes of collection are exempted from this prohibition.

(Ord. 07-03, eff. 3-12-2007)

§ 53.017 DISCHARGES IN VIOLATION OF INDUSTRIAL OR CONSTRUCTION ACTIVITY NPDES STORMWATER DISCHARGE PERMIT.

Any person subject to an industrial or construction NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Director prior to or as a condition of a subdivision map, site plan, building permit, grading permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

(Ord. 07-03, eff. 3-12-2007)

§ 53.018 AUTHORIZATION TO ADOPT AND IMPOSE BEST MANAGEMENT PRACTICES.

The city may adopt requirements identifying BMPs for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the city's MS4, or waters of the U.S.

(Ord. 07-03, eff. 3-12-2007)

§ 53.019 NEW DEVELOPMENT AND REDEVELOPMENT.

The city may adopt requirements identifying appropriate BMPs to control the volume, rate, and potential pollutant load of stormwater runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants. The city shall incorporate such requirements in any land use entitlement, grading and erosion control, construction or building-related permit to be issued relative to such development or redevelopment.

(Ord. 07-03, eff. 3-12-2007)

§ 53.020 RESPONSIBILITY TO IMPLEMENT BEST MANAGEMENT PRACTICES.

(A) Any person engaged in activities or operations, or owning facilities or property which will or may result in pollutants entering stormwater, the city's MS4, or waters of the U.S. shall implement BMPs to the maximum extent practicable to prevent and reduce such pollutants. The owner or operator of a commercial or industrial establishment shall provide reasonable protection from accidental discharge of prohibited materials or other wastes into the city's MS4 or watercourses. Facilities to prevent accidental discharge of prohibited materials or other wastes shall be provided and maintained at the owner or operator's expense.

(B) BMPs required or recommended by the city may be obtained from the Public Works Department.

(Ord. 07-03, eff. 3-12-2007)

§ 53.021 REQUIREMENT TO REMEDIATE.

Whenever the city finds that a discharge of pollutants is taking place or has occurred which will result in or has resulted in pollution of stormwater, the city's MS4, or waters of the U.S., the city may require by written notice to the owner of the property and/or responsible person that the pollution be remediated and the affected property restored within a specified time pursuant to the enforcement provisions of § 53.026 below.

(Ord. 07-03, eff. 3-12-2007)

§ 53.022 REQUIREMENT TO MONITOR AND ANALYZE.

The city may require, by written notice of this requirement, that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to stormwater pollution, illegal discharges, and/or non-stormwater discharges to the city's MS4 or waters of the U.S., undertake at said person's expense such monitoring and analyses and furnish such reports to the city as the Director deems necessary to determine compliance with this chapter.

(Ord. 07-03, eff. 3-12-2007)

§ 53.023 NOTIFICATION OF SPILLS.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the city's MS4, or waters of the U.S. from said facility, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of a hazardous material, said person shall immediately notify emergency response officials of the occurrence via emergency dispatch services (911). In the event of a release of non-hazardous materials, said person shall notify the city's Public Works Department in person or by phone or facsimile no later than 5:00 p.m. of the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the city's Public Works Department within 3 business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least 3 years.

(Ord. 07-03, eff. 3-12-2007)

ADMINISTRATION AND ENFORCEMENT

§ 53.024 AUTHORITY TO INSPECT.

Whenever necessary to make an inspection to enforce any provision of this chapter, or whenever the Director has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this chapter, the Director may enter such premises at all reasonable times to inspect the same and to inspect and copy records related to stormwater compliance. The owner or occupant shall provide immediate access when an emergency exists, regardless of the hour of the day. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining a warrant authorizing such entry. In the event of an emergency affecting the public health or safety, an inspection may be performed without consent or the issuance of such warrant.

(Ord. 07-03, eff. 3-12-2007)

§ 53.025 AUTHORITY TO SAMPLE, ESTABLISH SAMPLING DEVICES, AND TEST.

During an inspection as provided in § 53.024, the Director may take any samples and perform any testing deemed necessary to aid in the pursuit of the inquiry or to record site activities.

(Ord. 07-03, eff. 3-12-2007)

§ 53.026 ENFORCEMENT.

(A) *Notice of violation.*

(1) Whenever the Director finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the

Director may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

- (a) The performance of monitoring, analyses, and reporting;
- (b) The elimination of illicit connections or discharges;
- (c) That violating discharges, practices, or operations shall cease and desist;
- (d) The abatement or remediation of stormwater pollution or contamination of hazards and the restoration of any affected property;
- (e) Payment of administrative and remediation costs with respect to such violation; and
- (f) Implementation or maintenance of source control or treatment BMPs.

(2) If abatement of a violation, restoration of affected property or both is or are required, the notice shall set forth a deadline by which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by the city or a contractor designated by the Director and the expense thereof shall be charged to the violator pursuant to division (E) below.

(B) *Appeal.* Notwithstanding the provisions of division (E) below, any person receiving a Notice of Violation under division (A)(1) above may appeal the determination of the Director pursuant to Title I, Chapter 11, §§ 11.15 through 11.18 of this code except that the City Manager or a hearing officer appointed by the City Manager from a list approved by the City Council shall be the appellate hearing body.

(C) *Abatement by city.* If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or in the event of an appeal under division (B) above, within 10 days of the appeal decision upholding the decision of the Director, then the city or a contractor designated by the Director shall enter upon the subject private property and is authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the Director or designated contractor to enter upon the premises for the purposes set forth above. In the event the owner or occupant refuses entry after a request to enter and remediate the property has been made, the city is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry and remediation.

(D) *Charging cost of abatement/liens.*

(1) Within 30 days after abatement of the nuisance by the city, the Director shall notify the property owner of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment with the City Clerk within 15 days. The City Clerk shall set the matter for public hearing by the City Manager or a hearing officer appointed by the City Manager from a list approved by the City Council. The decision of the City Manager or a hearing officer shall be set forth in writing and be final.

(2) If the amount due is not paid within 10 days of the decision on the appeal or the expiration of the time in which to file an appeal under this article, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. A copy of the resolution shall be filed with the County Assessor so that the Assessor may enter the amounts of the assessment against the parcel as it appears on the current assessment roll, and the tax collector shall include the amount of the assessment on the bill for taxes levied against the parcel of land.

(E) *Urgency abatement.* The Director is authorized to require immediate abatement of any violation of this chapter that constitutes an immediate threat to the health, safety or well-being of the public. If any such violation is not abated immediately as directed by the Director, the city is authorized to enter onto private property, without consent or the issuance of a warrant by a court of competent jurisdiction, and to take any and all measures required to remediate the violation. Any expense related to such remediation undertaken by the city shall be fully reimbursed by the property owner and/or responsible party.

(F) *Violations.* It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter or for any owner of property or other person who controls property to allow another person to do so. A violation or failure to comply with any of the requirements of this chapter shall constitute a misdemeanor (unless the prosecutor determines that the interests of justice require it to be charged as an infraction) and shall be punishable as set forth in Title I, Chapter 10 of this code.

(G) *Compensatory action.* In lieu of other enforcement proceedings, penalties, and remedies authorized by this chapter, a notice of violation under § 53.026 may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, and the like.

(H) *Violations deemed a public nuisance.* In addition to the enforcement processes and penalties provided herein, any condition

caused or permitted to exist in violation of any of the provisions of this chapter is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be abated or restored by the city at the violator's expense, and/or civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken by the city, pursuant to §§ 95.25 - 95.45 of Chapter 95 of Title IX of the Auburn Municipal Code, any other applicable section of the Auburn Municipal Code, and other law.

(I) *Acts potentially resulting in a violation of the Federal Clean Water Act and/or state Porter-Cologne Water Quality Control Act.* Any person who violates any provision of this chapter or any provision of any requirement issued pursuant to this chapter may also be in violation of the federal Clean Water Act and/or the state Porter-Cologne Water Quality Control Act and may be subject to sanctions of those acts including civil and criminal penalties. Any enforcement action authorized under this chapter shall also include written notice to the violator of such potential liability.

(J) *Remedies cumulative.* The requirements of this chapter may be enforced by any remedy available at law, in equity, under this code or otherwise. Resort to one remedy shall not preclude resort to another remedy in the same or a subsequent case and all remedies authorized hereunder shall be cumulative.

(Ord. 07-03, eff. 3-12-2007)