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Date June 19, 2006

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by repealing Division 3, Contractors, of Article II, Sewage and Sewage Disposal, of Chapter 118, Utilities, Sections 118-106 through 118-117, and adding and enacting a new Division 6, Regulation of Hauled Waste to Article III, Regulation of Industrial Wastewater and Commercial Wastewater of Chapter 118, Utilities, Sections 118-450 through 118-464",

which was considered and voted upon for the first time under Roll Call No. 06- 1027 of May ~~22~~, 2006, and considered and voted upon for the second time under Roll Call No. 06- 1119 of ~~JUNE~~ 5, 2006, again presented.

Moved by _____ that this ordinance do now pass.

ORDINANCE NO. _____

(Council Communication No. 06-393)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLASSIS				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

Mayor

City Clerk



Council Communication

Office of the City Manager

Date May 22, 2006

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Agenda Item No. 41
Roll Call No. 06-1027 1119
Communication No. 06-313
Submitted by: William G. Stowe, 48
Assistant City Manager/Public
Works/Engineering

AGENDA HEADING:

An Ordinance to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by repealing Division 3, Contractors, of Article II, Sewage and Sewage Disposal, of Chapter 118, Utilities, Sections 118-106 through 118-117, and adding and enacting a new Division 6, Regulation of Hauled Waste to Article III, Regulation of Industrial Wastewater and Commercial Wastewater of Chapter 118, Utilities, Sections 118-450 through 118-464.

SYNOPSIS:

Recommend approval to delete Sections 118-106 through 118-117 and add Sections 118-450 through 118-464 of the Municipal Code pertaining to regulation of hauled waste in order to adopt the WRA unified hauled waste ordinance. This ordinance is substantially similar to the existing hauled waste ordinance with changes made to provide for greater ease of enforcement including the addition of administrative penalties, municipal infractions, and corrective action orders.

FISCAL IMPACT:

Amount: No new fees or expenses are added as a result of this ordinance. Existing fees and service level commitments are maintained.

Funding Source: NA

ADDITIONAL INFORMATION:

The Wastewater Reclamation Facility's (WRF's) National Pollutant Discharge Elimination System (NPDES) permit requires an Industrial Pretreatment program which is administered under the Wastewater Reclamation Authority (WRA) Operating Agreement and legally implemented when each constituent community passes this ordinance. The Industrial Pretreatment Program regulates wastewater discharges throughout the WRA service area and is required to prevent the discharge of pollutants that would interfere with collection and treatment systems or pass through the wastewater treatment plant and cause environmental harm.

Control of wastes that enter the WRF via waste haulers is a significant part of maintaining a properly operating wastewater treatment facility. This ordinance provides for the sanitary removal, transportation, and disposal of hauled waste and collection of appropriate treatment fees to cover the treatment and program administration costs which make the hauled waste program self-funded. This ordinance is substantially similar to the existing hauled waste ordinance but changes were made to provide for greater ease of enforcement. The ordinance provides for administrative penalties, municipal infractions and corrective action orders that

make the ordinance enforceable as required by the Iowa Department of Natural Resources (IDNR). This ordinance has undergone an IDNR specified public review and comment process, approval by the WRA Board, and is now presented to the Council for their consideration.

PREVIOUS COUNCIL ACTION(S): NONE

Date: NA

Roll Call Number: NA

Action: NA

BOARD/COMMISSION ACTION(S):

Date: April 18, 2006

Board Resolution Number: 06-36

Action: WRA Board passage

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Second and third consideration followed by ordinance publication.