

ORDINANCE 21-08

AN ORDINANCE AMENDING TITLE 13G STORMWATER CONTROL SYSTEM ORDINANCE

WHEREAS, the City Council of the City of North Logan, Utah, adopted and passed the Code of Revised Ordinance of the City of North Logan on March 16, 1989, which Code was published and effective on March 20, 1989; and

WHEREAS, the City on March 3, 2006 enacted Ordinance 06-03 to establish procedures and regulation by which stormwater is to be managed within the city; and

WHEREAS, said Code includes Title 13G - Stormwater Control System Ordinance, which the City Council has deemed necessary to amend and provide clarification.

NOW, THEREFORE, the City Council of the City of North Logan, Utah hereby adopts, passes and publishes the following:

BE IT ORDAINED by the City Council of the City of North Logan, Cache County, and State of Utah as follows:

SECTION I: Title 13G, Sections 301, 411, 412, 504, 504.1 are hereby modified as follows: (highlighted portions added, crossed through items deleted):

13G-301 Construction Activity Permit

Except as otherwise exempted under Section ~~13G-302~~ **13G-302**, any person or entity proposing to disturb one (1) acre or more of ground in connection with any development, land disturbance, or construction activity within the City or any person or entity proposing to disturb less than one (1) acre of ground which is part of a larger common plan of development that disturbs one (1) acre or more of ground shall be required to obtain a Construction Activity Permit from the City. Such permit is required to be obtained prior to or in conjunction with the issuance of any demolition, excavation, land disturbance, building, site plan, land use or subdivision permit or approval or any development or construction activity within the City. A Construction Activity Permit shall also be required for any building permit for a structure requiring earth moving, unless otherwise waived by the Public Works Director. In determining whether to grant a waiver, the Public Works Director shall consider the following with respect to the property and circumstances associated with the same: topography, vegetation, wetlands, steep slopes, sensitive areas, high water table, proximity to water channels, creeks, well or riparian areas.

13G-411 Dumpster Location

Dumpsters shall not be allowed in the street or on any paved surfaces except as may be approved under special circumstances by the Director of Public Works, or designee. Drain plugs with respect to containers designed with drains shall be in place at all times. Dumpsters shall be serviced with sufficient frequency so as to prevent overflow, spillage and the emanation of offensive odors.

13G-412 Portable Toilet Location

Portable toilets shall not be allowed in the street, on any paved surfaces, or in the park strip except as may be approved under special circumstances by the Director of Public Works, or designee. **Portable toilets shall not be facing the street (in the event of tipping or being knocked over).**

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13G-504 Removal of Obstructions

In addition to any penalties which may be imposed pursuant to this Title, the City may do the following:

1. Remove any of the obstructions and any pipelines or other devices installed in violation of the provisions of this Title;
2. Give written notice to persons in violation of the provisions of this Title requiring the removal of offending installations from natural channels or other storm drainage facilities. Notices may be personally served or may be mailed to violators by registered mail provided that a copy is also posted on offending installations for a period of ~~ten (10) days. If such installations are not removed within ten (10) days after notice is given~~ **for a period of Twenty-Four (24) Hours with the ability to extend allotted time period at the discretion of the Public Works Director and/or His or Her Designee.. If such installations are not removed within Twenty-Four (24) hours or the allotted time period, after notice is given,** the City may ~~effect~~ **affect** removal at the expense of the person in violation and may recover its costs and expenses therefor **(including but not limited to, fuel used, material dumping fee, or any other expenses undertaken by the city in order to resolve the installment offenses);** and/or
3. Bring an action for the abatement of the nuisance caused by the offending installation, and/or for the recovery of the City's costs and expenses incurred in removing the offending installation pursuant to Subsections (a) or (b), above.

13G-504.1 Escalating Enforcement

This ordinance gives authority to the inspector to enforce the requirements of this ordinance with the following increments in enforcement, as further described herein.

1. Verbal Warning
2. **Written Warning via. email, letter, or any other written means to convey violations**
3. **Fines up to One-hundred USD (\$100) a day**
- 2- 4. Stop Work Order and/or Written Warning
- 3- 5. Revocation of Permit
- 4- 6. Notice of Violation/Citation

SECTION II: CONFLICT. To the extent of any conflict between this ordinance and any other North Logan City ordinance(s) or regulation(s), the provisions of this Ordinance shall be controlling.

SECTION III: SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

SECTION IV: EFFECTIVE DATE. In the opinion of the City Council of North Logan, it is necessary that this ordinance take effect immediately; therefore, this Ordinance shall take effect immediately upon its passage and first posting as provided by law.

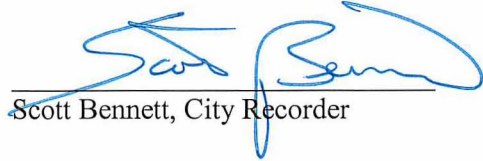
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STORMWATER CONTROL SYSTEM ORDINANCE**

ADOPTED AND PASSED by the City Council of the City of North Logan, Utah, this 20th day of October, 2021.

NORTH LOGAN CITY, A Utah Municipal Corporation

ATTEST:



Scott Bennett, City Recorder

By 

Damon Cann, Mayor

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CERTIFICATE OF DUE POSTING

I, SCOTT BENNETT, City Recorder of North Logan, Utah, hereby certify that I, on the 21st day of October, 2021, in the City of North Logan, Cache County, State of Utah, posted the foregoing Ordinance No. 21-08 in a likely manner, a copy of which is hereto attached, in each of three public places in the said City of North Logan, to-wit:

1. North Logan City Offices, 2076 North 1200 East
2. North Logan City Library, 475 East 2500 North
3. North Park Police Department, 575 East 2500 North

WITNESS my hand this 21st day of October, 2021.



Scott Bennett, City Recorder