

**STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF ALLEN PARK**

ORDINANCE #01-2015

AN ORDINANCE OF THE CITY OF ALLEN PARK CODE OF ORDINANCES; AMENDING CHAPTER 48, UTILITIES, ARTICLE V, WASTEWATER DISCHARGE CONTROL, BY THE REPEAL AND READOPTION OF SECTIONS 48-652 AND 48-653 REGARDING THE DISCHARGE OF WASTEWATER INTO WASTEWATER COLLECTION AND TREATMENT SYSTEMS WHICH ARE BINDING UPON THE CITY.

The City of Allen Park Ordains:

SECTION 1. Amendment to Code.

Chapter 48, Utilities
Article V, Wastewater Discharge Control

Sections 48-652 and 48-653 are hereby repealed and readopted to hereafter read as follows:

Sec. 48-652. – Purpose.

- (a) The purpose of this article is the protection of the environment, and of public health and safety by abating and preventing pollution through the regulation and control of the quantity and quality of wastes admitted to or discharged into the wastewater collection and treatment system under the jurisdiction of the City of Detroit and enabling the City of Detroit to comply with all applicable state and federal laws required by the Federal Water Pollution Control Act, being 33 U.S.C. § 1251, et seq), and the General Pretreatment Regulations, being 40 C.F.R. part 403.

- (b) The objectives of this division are:
 - (1) To prevent the introduction of pollutants into the wastewater system which will interfere with the operation of the system or contaminate the resulting sludge, or will pose a hazard to the health or welfare of the People or of employees of the City of Detroit Water and Sewerage department;

- + (2) To prevent the introduction of pollutants into the wastewater system which will pass inadequately treated through the system into receiving waters, the atmosphere or the environment, or otherwise be incompatible with the system;
 - (3) To improve the opportunity to recycle or reclaim wastewater or sludge from the system in an economical and advantageous manner; and
 - (4) To provide for the recovery of the costs from users of the wastewater collection and treatment system sufficient to administer regulatory activities and meet the costs of the operation, maintenance, improvement or replacement of the system.
- (c) This article provides for the regulation of contributors to the Detroit wastewater collection and treatment system through the issuance of wastewater discharge permits to certain users and through the enforcement of general requirements for all users, authorizes monitoring and enforcement, and authorizes fees and penalties.

Sec. 48-653. – Authority.

By virtue of the obligations and authority placed upon the City by the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, being (33 U.S.C. § 1251 et seq; the 1963 Constitution of the State of Michigan; Public Act 245 of 1929, as amended, being M.C.L. 323.1 et seq; M.S.A. 3.521 et seq; the City Charter; the National Pollutant Discharge Elimination System (NPDES) permit for the City of Detroit Publicly Owned Treatment Works (POTW); the Consent Judgment in U.S. EPA v. City of Detroit et al, Federal District Court for the Eastern District of Michigan Case No.77 1100, as amended; and existing or future contracts between the Board of Water Commissioners and suburban communities or other governmental or private entities; or by virtue of common law usage of the system; this article shall apply to every user contributing or causing to be contributed, or discharging, pollutants or wastewater into the wastewater collection and treatment system of the City of Detroit POTW within the jurisdictional boundaries of the City of Allen Park, and the City hereby adopts, incorporates by reference herein and makes a part of this article, the City of Detroit Wastewater Discharge Control Ordinance No. 08-05, and amendments thereto, with the same force

and effect as if fully set forth word for word herein, and which is on file in the office of the city clerk for public inspection, and listed as follows:

- (1) Definitions.
- (2) Discharge prohibitions.
- (3) Fees.
- (4) Wastewater discharge permits.
- (5) Monitoring facilities.
- (6) Inspection, sampling and recordkeeping.
- (7) Confidential information.
- (8) Statutes, laws and regulations.
- (9) Enforcement.
- (10) Reconsideration and appeal.

Appendix A

Appendix B

Appendix C

SECTION 2. Repeal. All ordinance or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Saving Clause.

Nothing in this Ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquiring or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 4. Severability.

Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase, or any portion of the Ordinance held to be so invalid shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

SECTION 5. Publication.

The Clerk for the City of Allen Park shall cause this ordinance to be published in the manner required by law.

SECTION 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the **26th day of May, 2015.**

WILLIAM MATAKAS, Mayor
City of Allen Park

MICHAEL I. MIZZI, City Clerk
City of Allen Park