

**BUSINESS OF THE CITY COUNCIL
WINDSOR HEIGHTS, IOWA
AGENDA STATEMENT**

Item No. 14
For Meeting of 02-01-10

ITEM TITLE: Consideration of an ordinance 10-02 amending the 2010 Code of Ordinances for the City of Windsor Heights, Iowa by creating a schedule of administrative penalties for Industrial Pretreatment Violations Relating to Regulation of Hauled Waste.

CONTACT PERSON: Marketa George Oliver

SUMMARY EXPLANATION

In 2006, the Windsor Heights City Council created ordinance 06-09, which created what is now Chapter 100 of the Windsor Heights Code. The chapter notes regulations of industrial wastewater, commercial wastewater and hauled waste. The Urbandale/Windsor Heights Sewer District has already adopted this and have requested that the cities adopt it. This addition creates a schedule of administrative penalties for chapter 100.

Resolution <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Contract <input type="checkbox"/> Other (Specify) _____
Funding Source _____ NA
APPROVED FOR SUBMITTAL _____ <p style="text-align:right">City Administrator</p>

STAFF RECOMMENDATION: Discuss and possibly Move the first and/or more reading(s) of this ordinance on a roll call vote.

COUNCIL ACTION:

ORDINANCE NO. 10-01

CONSIDERATION OF AN ORDINANCE 10-02 AMENDING THE 2010 CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS, IOWA BY CREATING A SCHEDULE OF ADMINISTRATIVE PENALTIES FOR INDUSTRIAL PRETREATMENT VIOLATIONS RELATING TO REGULATION OF HAULED WASTE.

BE IT ENACTED by the City Council of the City of Windsor Heights, Polk County, Iowa:

SECTION 1. Purpose. The purpose of this ordinance is to create certain sections of Chapter 100 of the Municipal Code, to set up a schedule of administrative penalties for Industrial Pretreatment Violations Relating to Regulation of Hauled Waste

SECTION 2. Created and Amended. Chapter 100. is amended to read as follows:

SCHEDULE OF ADMINISTRATIVE PENALTIES

for Industrial Pretreatment Ordinance Violations Relating to Regulation of Hauled Waste

The following schedule of administrative penalties for violations of Chapter 100, Division 6 of the Code of Ordinances for the City of Windsor Heights shall be charged pursuant to Division 6:

VIOLATION	PENALTY	
	First Violation within 12 months	Second & Subsequent Violations within 12 months
Sec. 36-502 Failure to obtain a license	\$100	\$200
Sec. 36-503 Failure to pay application fee or provide bond.	\$100	\$200
Sec. 36-504 Failure to comply with vehicle and equipment standards.	\$100	\$200
Sec. 36-505 Improper disposal of hauled wastes.	\$100	\$200
Sec. 36-506 Failure to provide source and disposal information.	\$100	\$200
Sec. 36-507 Mixture of residential and nonresidential sources.	\$100	\$200
Sec. 36-508 Failure to comply with disposal standards	\$100	\$200
Sec. 36-509 Failure to remove or dispose of rejected wastes	\$100	\$200
Sec. 36-510 Failure to pay treatment fees	\$100	\$200

Notice of violation with the applicable penalty for such violations noted thereon shall be issued to the violator. Penalties shall be paid in full within 30 days of the issuance of the notice to

Urbandale-Windsor Heights Sanitary District, c/o Paul A. Drey, Esq., District's Attorney, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266.

Industrial Pretreatment Ordinance Violations Relating to Regulation of Hauled Waste Administrative Penalties adopted by Roll Call. No. _____ dated _____.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this ordinance shall be adjudged to be unconstitutional or invalid, such adjudication shall not affect the validity of this ordinance as a whole, or any section, provision or part thereof not adjudged unconstitutional or invalid.

SECTION 5. Effective Date. This ordinance shall be effective from and after its final passage, approval and publication as provided by law.

Passed by the City Council this day of and approved this day of, .

David J. Sullivan, Mayor

ATTEST:

Marketa George Oliver, City Administrator/Clerk