

ORDINANCE NO. 2022-06

AN ORDINANCE AMENDING SECTION 16.04.040 OF THE CENTERVILLE CITY ORDINANCES REGARDING PROHIBITED STORMWATER OBSTRUCTIONS

WHEREAS, in order to comply with applicable state and federal regulations regarding stormwater management and pollution control, the City Council desires to amend applicable provisions of Section 16.04.040 of the Centerville Municipal Code as more particularly set forth herein; and

WHEREAS, the City Council finds that the proposed amendments to Section 16.04.040 of the Centerville Municipal Code will help protect the health, safety, and welfare of Centerville City, its inhabitants, and the environment by improving the City's storm drain system, managing and controlling stormwater run-off, protecting property, and preventing polluted waters from entering the City's storm drain system and other receiving waters; and

WHEREAS, the City Council desires to adopt the amendments to Section 16.04.040 of the Centerville Municipal Code, as more particularly set forth herein, pursuant to its authority to create ordinances necessary to preserve the health and safety of the City and its inhabitants under Utah Code § 10-8-84 and stormwater regulatory authority provided under applicable state and federal law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
CENTERVILLE CITY, STATE OF UTAH:**

Section 1. **Amendment.** Section 16.04.040 of the Centerville City Municipal Code regarding Prohibited Stormwater Obstructions is hereby amended to read in its entirety set forth as follows:

16.04.040 Obstructions

- (a) Obstruction. It is unlawful for any person or entity to obstruct or contribute to the obstruction of the flow of stormwater run-off or non-stormwater run-off into any detention basin, storm drain, curb and gutter, drain inlet, or other associated structural controls that convey stormwater and/or non-stormwater run-off, unless the obstruction is authorized in writing by the City.
- (b) Interference. It is unlawful for any person or entity to cause any obstruction that inhibits the normal flow of stormwater and/or non-stormwater run-off in any curb and gutter, unless the obstruction is associated with a street and/or storm drainage improvement project and is authorized in writing by the City and granted with the issuance of a permit signed by an authorized agent of the City.
- (c) Covering Inlet. It is unlawful for any person or entity to cover any drain inlet for any reason or purpose, unless the obstruction is authorized in writing by the City; provided, however, that a drainage system inlet may be temporarily obstructed in emergency situations in order to prevent contaminants from entering the storm drain system.

~~(d) Exceptions. Subsections (a) and (b) shall not apply during clean-up periods established by the City, provided the materials are placed according to any directions from the City and do not obstruct drain inlets.~~

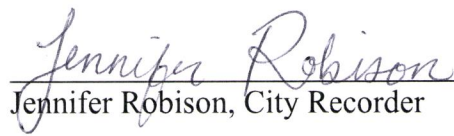
Section 2. Severability Clause. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all provisions, clauses and words of this Ordinance shall be severable. This Section shall become effective without codification.

Section 3. Effective Date. This Ordinance shall become effective on immediately upon publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE,
STATE OF UTAH, ON THIS 19th DAY OF JULY, 2022**

ATTEST:

CENTERVILLE CITY


Jennifer Robison, City Recorder

By: 
Mayor Clark A. Wilkinson

Voting by the City Council:

	"AYE"	"NAY"	"ABSENT"
Councilmember Hirst	☒	☐	☐
Councilmember Ince	☒	☐	☐
Councilmember McEwan	☒	☐	☐
Councilmember Mecham	☒	☐	☐
Councilmember Summerhays	☒	☐	☐

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

Jennifer Robison
JENNIFER ROBISON, City Recorder

DATE: 7-21-2022

RECORDED this 21st day of July, 2022.

PUBLISHED OR POSTED this 21st of July, 2022.

