

**ORDINANCE NO. 01-18-2007A**

**AN ORDINANCE AMENDING THE ELKINS MUNICIPAL CODE CONCERNING GRADING, EROSION CONTROL, AND STORMWATER POLLUTION PREVENTION, BY ADDING CHAPTER 10.30 STORMWATER/EROSION CONTROL**

WHEREAS, the City Council of the City of Elkins, Arkansas believes it to be in the best interest of the citizens of the city to enact provisions governing construction grading, erosion control during construction projects and the prevention of stormwater pollution, and

WHEREAS, the City of Elkins has desired to take a stronger position concerning the practices used by contractors and builders in the above-stated areas.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELKINS, ARKANSAS:**

SECTION 1: That the Elkins Municipal Code is hereby amended by adding the following to

Title 10:

**CHAPTER 10.30**

**STORMWATER/EROSION CONTROL**

Sections:

- 10.30.01 General Provisions
- 10.30.05 Prohibitions and Requirements
- 10.30.10 Stormwater Discharges from Construction Activities
- 10.30.15 Grading
- 10.30.20 Enforcement

**GENERAL PROVISIONS**

1. Other Legal Action

Notwithstanding any other remedies or procedures available to the City, if any person discharges into the storm drainage system in a manner that is contrary to the provisions of this ordinance, the City Attorney may commence an action for appropriate legal and equitable relief including damages and costs in any court of competent jurisdiction. The City Attorney may seek a preliminary or permanent injunction or both which restrains or compels the activities on the part of the discharger.

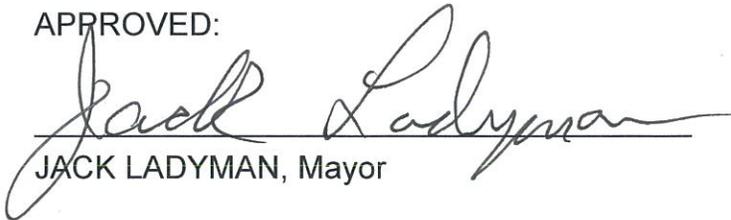
2. Violations/Schedule of Fines

A violation of any of the foregoing provisions shall be punished in accord with the following schedule of fines:

Offense	Fine (per offense)
First	\$ 1,000
Second	\$ 2,000
Third	\$ 4,000
Fourth and subsequent offenses	\$ 8,000

Passed and approved this 1st day of March, 2007.

APPROVED:

  
JACK LADYMAN, Mayor

ATTEST:

  
PEGGY BARTON, Recorder/Treasurer