ORDINANCE NO. 12 , Series 2014
INTRODUCED BY: COUNCILOR BRAD WIESLEY

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, AMENDING SECTION 95-74 (6) OF THE CODE OF ORDINANCES OF LAFAYETTE, COLORADO, PERTAINING TO SPECIFIC POLLUTANT DISCHARGE LIMITATIONS INTO THE CITY'S WATER RECLAMATION CONDUITS

WHEREAS, Section 95-74 (6) of the Code of Ordinances of Lafayette, Colorado, set forth the local limits for the discharge of certain pollutants into the City of Lafayette's ("City") water reclamation conduits; and

WHEREAS, pollutants discharged into the City's water reclamation conduits are collected, carried and treated throughout the City's water reclamation facilities, which includes the water reclamation plant; and

WHEREAS, to ensure that the operation of the City's water reclamation facilities, including its water reclamation plant, remain in compliance with all applicable state and federal law and requirements, the City desires to amend the discharge limitations set forth in Section 95-74 (6) of the Code of Ordinances of Lafayette.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, AS FOLLOWS:

Section 1. Section 95-74 (6), "Specific pollutant limitations," of Article IV of Chapter 95 of the Code of Ordinances of Lafayette, Colorado, is amended to provide as follows:

Sec. 95-74. **Certain discharges into water reclamation conduits prohibited.**

(6) *Specific pollutant limitations.* It is unlawful for any person to discharge effluent containing pollutants in excess of the limitations on discharge, as set forth below:

Pollutant	Concentration (mg/l)
Arsenic (As), total	~~1.23~~ 0.022
Cadmium (Cd), total	~~0.077~~ 0.023
~~Chromium (Cr), total~~	~~2.5~~
~~Chromium (Cr VI), hex~~	~~0.145~~
Chromium Cr III, trivalent	0.097
Copper (Cu), total	~~0.44~~ 0.40
Lead (Pb), total	~~0.39~~ 0.52
Manganese (Mn), total	1.33
Mercury (Hg), total	0.0002

Molybdenum (Mo), total	~~0.18~~ 0.14
Nickel (Ni), total	~~2.7~~ 0.31
Selenium (Se), total	~~0.060~~ 0.032
~~Silver (Ag), total~~	~~0.023~~
Zinc (Zn), total	~~3.4~~ 2.74

Section 2. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

Section 4. The repeal or modification of any provision of the Code of Ordinances of Lafayette, Colorado by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 5. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 6. Violations of this ordinance shall be punishable in accordance with Enforcement, Article VI of Chapter 95 of the Code of Ordinances of Lafayette, Colorado.

Section 7. This ordinance shall become effective upon the latter of the 10th day following enactment, or the day following final publication of the ordinance.

INTRODUCED AND PASSED ON FIRST READING THE 1st DAY OF APRIL, 2014.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THE 15TH DAY OF APRIL 2014.

CITY OF LAFAYETTE, COLORADO

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Christine Berg, Mayor

ATTEST:

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Susan Koster, CMC
City Clerk

APPROVED AS TO FORM:

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David S. Williamson, City Attorney