



**City of Gig Harbor
City Council Meeting Agenda Bill**

Meeting Date: July 11, 2022

SUBJECT: First Reading and Adoption of Ordinance 1490 Relating to Stormwater Source Control Program for Existing Development Contained in Gig Harbor Municipal Code Chapter 14.20

SUBMITTED BY: Brienn Ellis, Stormwater Engineering Technician

DEPARTMENT: Public Works

PHONE: 253-853-2646

SUGGESTED MOTION: Move to approve Ordinance 1490

BACKGROUND INFORMATION: The City of Gig Harbor is mandated under the Western Washington Phase II Municipal Stormwater Permit. Within the 2019 permit are new requirements focusing on stormwater source control.

The Source Control Program for Existing Development (Section S5.C.8) requires the City to implement a program to prevent and reduce pollutants in runoff from areas that discharge to the stormwater system. Implementation of the program must include the following steps:

- Adopt an ordinance
- Establish a business inventory
- Create inspection program
- Develop enforcement policy
- Staff training

The first step, adopting an ordinance, will be met by the proposed Ordinance 1490. The topic was presented to City Council at a study session on April 14. Staff received input to move forward with the ordinance.

FISCAL CONSIDERATION: None

BOARD/COMMISSION/COMMITTEE RECOMMENDATION: None.

ATTACHMENTS: Ordinance 1490

STRATEGIC PLAN PRIORITY: Promote environmental sustainability and preserve Gig Harbor's natural beauty

ORDINANCE 1490

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO STORMWATER SOURCE CONTROL PROGRAM FOR EXISTING DEVELOPMENT CONTAINED IN GIG HARBOR MUNICIPAL CODE CHAPTER 14.20; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Gig Harbor (the “City”) is regulated under the Washington State Department of Ecology’s Western Washington Phase II Municipal Stormwater Permit (the “Permit”); and

WHEREAS, the Permit requires implementation of Source Control Program for Existing Development that prevents and reduce pollutants in runoff areas that discharge to municipal stormwater system; and

WHEREAS, the City shall adopt and make effective an ordinance(s) requiring the application of source control BMPs for pollutant generating sources associated with existing land uses and activities no later than August 1, 2022; and

NOW THEREFORE, the City Council of the City of Gig Harbor, Washington, do ordain as follows:

Section 1. Gig Harbor Municipal Code Section 14.20.155 created. Section 14.20.155 Source Control Program of the Gig Harbor Municipal Code is hereby created as follows:

14.20.155 Source Control Program

All pollution generating sources associated with existing land uses and activities, as defined in Appendix 8 of the 2019 Western Washington Phase II Municipal Stormwater Permit, must implement applicable operational source control BMPs as specified in the Ecology Manual in order to prevent pollutants from entering the City’s stormwater drainage system. Should applicable operational source control BMPs fail to prevent illicit discharges or allow violations of surface, groundwater, or sediment management standards, applicable structural source control BMPs or applicable treatment BMPs shall be implemented. In cases where the manual(s) lack guidance for a specific source of pollutants, the City shall work with the owner/operator to implement or adapt BMPs based on the best professional judgement of the City.

Section 2. Severability. If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 3. Correction of Errors. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Effective Date. This ordinance shall take effect and be in full force and effect five days after passage and publication of an approved summary consisting of the title.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof, held this 11th day of July, 2022.

Tracie Markley
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker, CMC
City Clerk