CUMBERLAND TOWN COUNCIL

ORDINANCE NO. 2019-17

AN ORDINANCE OF THE TOWN OF CUMBERLAND AMENDING STORM WATER REGULATIONS TO PROHIBIT PLACEMENT OF GRASS CLIPPINGS ON STREETS

WHEREAS, the Cumberland Storm Water Ordinance, codified in Chapter 51 of Article 5 in the Town Code, regulated discharges of prohibited non-storm water flows into the storm drain system; and

WHEREAS, the purpose of these regulations is to further the goals, objectives and purposes of the National Pollution Discharge Elimination System (NPDES) and the federal Clean Water Act, to promote and provide for the health, safety and general welfare of the citizens of the Town through the regulation of storm water and non-storm water discharges to the storm drainage system, and to protect, conserve and promote the orderly development of land and water resources in the Town; and

WHEREAS, Section 00-05-51-16 of the Town Code prohibits the discharge to a MS4 conveyance, watercourse or waterbody, directly or indirectly, any substance other than storm water or an exempted discharge; and

WHEREAS, Town Storm Water officials have identified grass clipping from lawns which are blown or placed on Town streets as a substance that hinders the functionality of the Town’s storm drainage system and adversely affects the Town’s water pollution control measures; and
WHEREAS, on August 21, the Town’s Storm Water Board recommended that Chapter 51 of Article 5 of the Town Code be amended to prohibit the placement of grass clippings on streets in the Town in order to eliminate these storm water issues; and

WHEREAS, it is in the best interests of the citizens of the Town of Cumberland that Section 00-05-51-16 be amended by adding subsection (C) to specifically prohibit the placement of grass clippings on the Town’s streets

IT IS, THEREFORE, ORDAINED that Section 00-05-51-16 is hereby amended by adding a new subsection, Subsection (C), and this new section will read as follows:

“§ 00-05-51-16 PROHIBITED DISCHARGES AND CONNECTIONS

(C) Prohibition of Grass Clippings on Streets. The prohibition in subsection (A) prohibits the discharge of grass clippings, among other substances, into a MS4 conveyance, watercourse or waterbody, directly or indirectly. In order to prevent, limit and control such discharges of grass clippings, it shall be a violation of this Chapter for any person, firm, company or other entity to place grass clippings on a street or alley in the Town.”

IT IS FURTHER ORDAINED that all other provisions of the Cumberland Town Code which are not expressly amended by this ordinance remain in full force and effect.

IT IS FURTHER ORDAINED that this ordinance will be effective on October 1, 2019.

Adopted this 4th day of September, 2019.
A Majority of the Cumberland Town Council

Joe Siefker, President

Anna Pea, Vice President

Nicole Bell, Council Member

Brian Gritter, Council Member

Aaron Cutshaw, Council Member

ATTEST:

Erica Salmon, Clerk-Treasurer
Town of Cumberland