

**RESOLUTION NO. 026-17R**

**A RESOLUTION SUPPORTING THE AMENDMENT OF PORTIONS OF THE OHIO REVISED CODE AND THE OHIO ADMINISTRATIVE CODE TO REDUCE ALGAE-CAUSING POLLUTION IN LAKE ERIE; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, harmful algal blooms in Lake Erie threaten one of Ohio's most important natural and economic resources by negatively impacting the use of water for drinking, fishing, boating and swimming in northern Ohio; and

**WHEREAS**, in 2015 Lake Erie experienced the largest harmful algal bloom in its history; and

**WHEREAS**, toxins from algal blooms damage the kidneys and liver, and can cause nausea, vomiting, diarrhea, paralysis and potentially death; and

**WHEREAS**, communities that depend on Lake Erie as a source for their drinking water have made significant investments to ensure it is free from dangerous levels of algal toxins; and

**WHEREAS**, toxins from algal blooms threaten the health of anglers, boaters and swimmers exposed to contaminated water; and

**WHEREAS**, the sources of pollution that cause harmful algal blooms include chemical fertilizers, livestock manure, overflow from municipal wastewater systems and wastewater treatment plants, and home sewage treatment systems; and

**WHEREAS**, strict rules are in place that provide tools to reduce municipal sources of pollution, but Ohio lacks the adequate regulatory framework to control agricultural pollution; and

**WHEREAS**, current voluntary incentive programs to reduce agricultural pollution are not sufficient to prevent harmful algal blooms; and

**WHEREAS**, enforcement of the few rules in place to prevent agricultural pollution rely largely on individuals filing complaints with state and local authorities; and

**WHEREAS**, Ohio lacks specific limits on the amount of pollution allowed in its waterways that cause toxic algae; and

**WHEREAS**, legislative changes are supported by the Ohio Environmental Council, the Alliance for the Great Lakes, the Sierra Club-Ohio Chapter, Freshwater Future, Environmental Defense Canada in preventing Lake Erie harmful algal blooms; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to provide notice of support by the City of Sandusky prior to being considered by the State of Ohio; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds

that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission of the City of Sandusky, Ohio, supports amending portions of the Ohio Revised Code and Ohio Administrative Code to achieve the following:

- Require agricultural producers develop and follow plans that will effectively reduce algae-causing pollution and that specifies the best management practices each producer will follow appropriate for each operation; and
- Limits nutrient applications to only what crops need to grow for optimum yields; and
- Improve compliance with agricultural pollution laws resulting in more effective enforcement that does not overly rely on citizen complaints; and
- Establish numeric limits on the concentrations of phosphorus, nitrogen and sediments allowed in Ohio waterways, all of which will help prevent toxic algae.

Section 2. If any section, phrase, sentence or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter