

Attachment A

CHAPTER 86-WATERWAYS

ARTICLE I. - IN GENERAL

Sec. 86-3. - Discharging garbage, trash, etc., into waterways, stormwater management systems.

~~(a) Violations of this section shall be punished as provided in section 1-7.~~

~~(b)~~ (a) It is hereby declared to be unlawful for any person to discharge into the city's waterways, Biscayne Bay or any navigable waters within the territorial limits of the city any garbage, trash, effluvia, waste liquid, construction runoff, sedimentation or any other thing or substance which would obstruct the use of the canal by craft using it or which would make the canal and its banks unsanitary or unsafe, or otherwise cause pollution or endanger marine life.

(b) It shall be unlawful for any property owner or entity performing construction activities to cause, let, allow, discard, permit or suffer runoff, erosion and sedimentation into any stormwater drains, inlets, catch basins, curbs and gutters, retention or detention ponds, swales, manholes, junction boxes, culverts, freshwater lakes, waterways or other related components, designed to convey stormwater runoff within the city.

(c) A violation of this section, or any violation of a duly issued National Pollution Discharge Elimination System (NPDES) permit, shall be punishable by the following:

a. 1st violation within a 12-month period—warning;

b. 2nd violation within a 12-month period—\$1,000.00 fine;

c. 3rd violation within a 12-month period—\$5,000.00 fine;

d. a violation beyond the 3rd occurrence may be punishable by a fine up to \$15,000.00, as a code enforcement matter, upon a finding that the violation was irreparable or irreversible in nature.

(Code 1958, § 7-8; Code 1991, § 14-64; Code 2006, § 86-3; Ord. No. 591, § 5, 3-1-1949)

Secs. 86-4—86-24. - Reserved.