

CITY OF SILVERTON
ORDINANCE
23-05

**AN ORDINANCE MODIFYING SILVERTON MUNICIPAL CODE 13.06.030
VIOLATION – CONTINUING OFFENSES**

WHEREAS, Chapter 13.06 of the Silverton Municipal Code, Utility Enforcement, Inspections and Penalties, identifies the amount of penalties for violations of Title 13, Utilities, of the Silverton Municipal Code; and

WHEREAS, the City of Silverton updated its Mercury Total Maximum Daily Load (TMDL) Implementation Plan in December of 2022; and

WHEREAS, the Oregon Department of Environmental Quality approved the updated TMDL Plan on December 21, 2022; and

WHEREAS, item #10 of the updated TMDL Plan requires the City of Silverton to update its Municipal Code by March 3, 2024 to provide for increased penalties for multiple violations of its Utility Code; and

WHEREAS, the City Council finds it is in the public interest to modify the Code as described in this Ordinance to comply with the updated TMDL Plan.


NOW, THEREFORE, THE CITY OF SILVERTON ORDAINS AS FOLLOWS:

Silverton Municipal Code Section 13.06.030 Violation – Continuing Offenses is revised to state:

13.06.030 Violation – Continuing offenses.


Any person who continues any violation of the Utility Code beyond the time limit provided for in this chapter is guilty of a violation and will be fined. **The violation is punishable by fines as set forth by resolution adopted by City Council.** Each day in which any such violation continues is deemed a separate offense. **For each illicit storm water discharge violation, each offense will increase in an amount as set by resolution.** In addition, the City reserves the right to alleviate or correct the alleged violation with the cost to be borne by the violator. (Ord. 23-04 § 4, 2023)

Ordinance passed by the City Council of the City of Silverton this 5th day of June, 2023.



Jason Freilinger, Mayor

ATTEST:



Kathleen Zaragoza, Pro Tem City Manager/Recorder