

**ORDINANCE NO. XX**

**CITY OF ST. FRANCIS  
ANOKA COUNTY**

**AN ORDINANCE AMENDING THE ZONING CODE TO MODIFY THE STANDARDS  
FOR THE STORMWATER MANAGEMENT – STORMWATER POLLUTION  
PREVENTION – 1<sup>ST</sup> READING**

THE CITY COUNCIL OF THE CITY OF ST. FRANCIS, ANOKA COUNTY, MINNESOTA,  
ORDAINS:

Changes in the following sections are denoted with an underline for new text or a ~~striketrough~~  
~~for deleted language~~. Renumbering shall occur as needed when sections are added or deleted.

**Section 1.** Section 10-82-00 Stormwater Management – Stormwater Pollution Prevention of the  
St Francis Code of Ordinances is hereby amended to read as follows:

**10-82-01. Purpose.**

The purpose of this Part is to control or eliminate stormwater pollution along with soil erosion and sedimentation within the City. It establishes standards and specifications for conservation practices and planning services, which minimize stormwater pollution, soil erosion, and sedimentation.

**10-82-02. Scope.**

Except where a variance is granted, any person, firm, sole proprietorship, partnership, corporation, state agency, or political subdivision proposing a land disturbance activity within the City shall submit to the City, for approval, a Stormwater Pollution Prevention Plan, as required by this Part. No land shall be disturbed until the plan is approved by the City and conforms to the standards set forth herein.

**10-82-03. Stormwater pollution prevention plan for small sites.**

Every applicant for a building permit with more than 20,000 square feet but less than 1.0 acres of land disturbance, subdivision approval, or a permit to allow for excavation, filling, grading, or other such activity shall submit a Stormwater Pollution Prevention Plan to the City Engineer for review and approval. Sites that disturb less than 1.0 acre but are part of a larger development or connected action disturbing a cumulative 1.0 or more acres shall meet all the requirements of Section 10-82-04 Stormwater Pollution Prevention Plan for Large Sites.

- A. Control Runoff. Small Sites shall be designed to control runoff rate so as to not cause downstream flooding or erosion.
- B. Minimize Erosion. Small Site Stormwater Pollution Prevention Plans shall be designed to minimize erosion and to contain sediment from exiting the site.
- C. Approval. No building permit, subdivision approval, or permit to allow land disturbing activities shall be issued until the City approves this plan.

#### **10-82-04. Stormwater pollution prevention plan for large sites.**

In addition to meeting the requirements for Stormwater Pollution Prevention Plans for Small Sites, Large Site Stormwater Pollution Prevention Plans shall meet or exceed the following criteria:

- A. Minnesota NPDES/SDS Construction Stormwater General Permit MN R100001 (Construction Stormwater Permit). Designed and implemented to meet or exceed the requirements of the Construction Stormwater Permit.
- B. General Policy on Stormwater Runoff Rates and Water Quality for Large Sites.
  - 1. For new development stormwater runoff rates, volume, total suspended solids, and total phosphorus from the site shall not increase over the predevelopment values, based on the last 10-years of how that land was used. Also accelerated channel erosion must not occur as a result of the proposed activity.
    - a. Stormwater peak discharge rates shall not increase for the 24-hour, 2-year, 10-year, and 100-year storm events.
    - b. Volume, total suspended solids, and total phosphorous may not increase on an average annual basis.
    - c. An instantaneous stormwater volume calculated as one (1) inch of runoff from the new impervious surface shall be retained on-site (excluding linear projects).
    - d. For linear projects, a water quality volume of one (1) inch times the new impervious surface shall be treated on-site, unless infeasible.
  - 2. For redevelopment stormwater runoff rates, volume, total suspended solids, and total phosphorus must be managed from the predevelopment values, based on the last 10-years of how that land was used. Also accelerated channel erosion must not occur as a result of the proposed activity.
    - a. Stormwater peak discharge rates shall not increase for the 24-hour, 2-year, 10-year, and 100-year storm events.
    - b. Volume, total suspended solids, and total phosphorous must show a net reduction on an average annual basis.
    - c. An instantaneous stormwater volume calculated as one (1) inch of runoff from the new impervious surface shall be retained on-site (excluding linear projects).

- d. d. For linear projects, the water quality volume must be calculated as the larger of one (1) inch times the new impervious surface or one-half (0.5) inch times the sum of the new and fully reconstructed impervious surface, unless infeasible.
3. Infiltration systems must be prohibited when the system would be constructed in areas:
- a. that receive discharges from vehicle fueling and maintenance areas, regardless of the amount of new and fully reconstructed impervious surface;
  - b. where high levels of contaminants in soil or groundwater may be mobilized by the infiltrating stormwater. To make this determination, the owners and/or operators of construction activity must complete the MPCA's site screening assessment checklist, which is available in the Minnesota Stormwater Manual, or conduct their own assessment. The assessment must be retained with the site plans;
  - c. where soil infiltration rates are more than 8.3 inches per hour unless soils are amended to slow the infiltration rate below 8.3 inches per hour;
  - d. with less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock;
  - e. of predominately Hydrologic Soil Group D (clay) soils;
  - f. in an Emergency Response Area (ERA) within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, Subp. 13, classified as high or very high vulnerability as defined by the Minnesota Department of Health;
  - g. in an ERA within a DWSMA classified as moderate vulnerability unless the permittee performs or approves a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater;
  - h. outside of an ERA within a DWSMA classified as high or very high vulnerability unless the permittee performs or approves a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater;
  - i. within 1,000 feet up-gradient or 100 feet down gradient of active karst features; or
  - j. that receive stormwater runoff from these types of entities regulated under NPDES for industrial stormwater: automobile salvage yards; scrap recycling and waste recycling facilities; hazardous waste treatment, storage, or disposal facilities; or air transportation facilities that conduct deicing activities.
4. For projects where site constraints limit the ability to provide the required control practices within the project boundary; the project shall provide for downstream

improvements for that portion that cannot be treated within the project boundaries. Such projects may include:

- a. Linear projects where reasonable effort has been made to obtain sufficient right-of-way to install required control practices and said efforts have been unsuccessful;
  - b. Sites where infiltration is prohibited;
  - c. Other locations as determined by the City.
5. Sequencing. Projects that cannot fully meet the stormwater requirements of this Part must demonstrate the site constraints through a sequencing analysis subject to review and approval of the City Engineer. Prior to consideration of off-site mitigation, the applicant must demonstrate on-site treatment to the maximum extent practicable given the site constraints.
6. Projects that have made reasonable effort but have been unable to fully meet volume, total suspended solids and total phosphorus requirements within the project limits may, upon authorization by the City, utilize the following methods to meet that portion not met onsite:
- a. Provide treatment that yields the same benefits in an offsite location to the same receiving water that receives runoff from the project site. If this is not feasible then;
  - b. Provide treatment that yields the same benefits in an offsite location within the same Minnesota Department of Natural Resources catchment area as the project site. If this is not feasible then;
  - c. Provide treatment that yields the same benefits in an offsite location within an adjacent Minnesota Department of Natural Resources catchment area upstream of the project site. If this is not feasible then;
  - d. ~~Provide treatment that yields the same benefits at a site approved by the City.~~ Offsite treatment projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP. Routine maintenance of structural stormwater BMPs owned or operated by the City cannot be used to meet this requirement.
  - e. Offsite mitigation authorized by the City shall be completed within 24-months of the beginning of construction on the permitted site.
7. Applicants shall provide documentation showing compliance with the rate and quality requirements of this Part. Acceptable documentation shall be:
- a. For Rate and Volume. Calculations shall be by a methodology listed in the Minnesota Pollution Control Agency's publication, "The Minnesota Stormwater Manual" or other method approved by the City.
  - b. For total suspended solids and total phosphorus: Calculations shall be done using the Minimal Impact Design Standards (MIDS) Calculator available on the MPCA website, P8 or other method approved by the City.

c. Prepared and certified by a Professional Engineer.

( Ord. No. 314, SS , § 1, 5-15-2023)

**10-82-05. Minimum stormwater pollution prevention measures and related items for all sites.**

These minimum control measures are required where bare soil is exposed for all sites.

- A. *Easements.* If a stormwater management plan involves directing some or all of the site's runoff, the applicant or his designated representative shall obtain from adjacent property owners any necessary easements or other property interests concerning the flowing of such water. It shall be the responsibility of the applicant to obtain any necessary easements or other property interests to allow permanent access to the stormwater management facilities for inspection and maintenance purpose.
- B. *Temporary Stockpiles.* Temporary stockpiling of fifty (50) or more cubic yards of excess soil on any lot or other vacant area will not be allowed without issuance of a grading permit for the earth moving activity in question.
  - 1. For soil stockpiles greater than 10 cubic yards, the toe of the pile must be more than 25 feet from a road, drainage channel or stormwater inlet. If left for more than seven (7) days, they must be stabilized with mulch, vegetation, tarps or other means. If left for less than seven (7) days, erosion from stockpiles must be controlled with silt fences or rock check dams.
  - 2. If for any reason a soil stockpile of any size is located closer than 25 feet from a road, drainage channel or stormwater inlet, and left for more than seven (7) days, it must be covered with tarps or controlled in some other manner.
- C. *Mining Operations.* All sand, gravel or other mining operations taking place on the development site shall have any necessary authorization from the MPCA to discharge under the Minnesota National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) General Permit MNR050000 for Industrial Stormwater Multi-Sector (ISW) and all required Minnesota Department of Natural Resources permits.
- D. *Sweeping.* Traveled surfaces including, but not limited to, streets, parking lots, sidewalks and trails must be cleaned and swept whenever tracking of sediments occurs but no later than the end of each business day. Establishment of a regular sweeping schedule is encouraged.
- E. *Catch basins.* All newly installed and rehabilitated catch basins immediately prior to rivers, lakes, streams, or wetlands must be provided with a minimum three (3) foot sump area for collecting coarse-grained material or a permanent sedimentation pond between the outlet and such water bodies.
- F. *City Inspections.* The applicant shall be responsible for all required erosion and sediment inspections required in the approved Stormwater Pollution Prevention Plan. The City may perform inspections to ensure conformance with this Part. The applicant and/or builder shall provide access to the site and address any deficiencies noted by the City to maintain proper erosion and sediment control at all sites within the timeframes

noted in this Part and the Construction Stormwater Permit. In cases where cooperation is withheld, construction stop orders may be issued by the City, until erosion and sediment control measures are compliant with the Construction Stormwater Permit and this Part. Follow up erosion and sediment control/grading inspections must then be scheduled and passed before the construction stop order is lifted or any other inspections will be done.

- G. *Inspection and Maintenance.* All stormwater pollution control management facilities must be designed to minimize the need of maintenance, to provide easy vehicle and personnel access for maintenance purposes, and be structurally sound. The City or its designated representative shall inspect all stormwater management facilities during construction and during the first year of operation.
- H. *Private Facilities.* Where private facilities are allowed by the City Council the applicant must provide as part of the design a plan of operation and maintenance. The plan must indicate the responsible party or parties charged with the long term maintenance, repair, or replacement of the facilities. The plan shall also include information on the intended final ownership of the properties containing such facilities and the means by which inspection, maintenance, repair, or replacement when necessary shall be funded and accomplished and the party that will be responsible for the operation and maintenance. The details shall be included in an agreement that shall be recorded against the property being developed. In addition, the agreement shall provide for:
  - 1. Access in perpetuity for inspection of the facilities by the City.
  - 2. Access in perpetuity for maintenance of the facilities should the City find that storm water facility maintenance is required and upon written notice the property owners fail to take corrective action with the cost of such maintenance to be paid by the property owner.
  - 3. If upon inspection, the City finds that any private stormwater management facilities require maintenance, repair, or replacement, but such deficiencies do not create a critical or imminent threat to adjacent properties, the environment, or other stormwater facilities; the party or parties responsible for the continued operation of the facilities shall be given written notice of the findings.
  - 4. If upon inspection, the City finds that any private stormwater water management facilities require maintenance, repair, or replacement and such deficiencies create a critical or imminent threat to adjacent properties, the environment, or other stormwater facilities, the City may take immediate corrective action and charge the costs to the properties identified in the agreement as benefiting from the private stormwater facilities. The City Council shall, by appropriate resolution, assess the costs including appropriate administrative fees against said properties, and certify the same to the County Assessor of Anoka County, Minnesota.

#### **10-82-06. Permanent stormwater pollution controls.**

- A. *Stormwater Fees.* The applicant shall install or construct, and pay all appropriate City Stormwater Fees for all stormwater management facilities necessary to manage increased

runoff, so that the proposed stormwater runoff rates and water quality meet the criteria in this Part.

- B. *Maintenance of Existing Facilities.* Maintenance of existing permanent pollution controls that do not have adequate capacity to meet the runoff and water quality criteria of this Part shall not be accepted in lieu of new or retrofit permanent stormwater pollution controls.
- C. *Community Stormwater Management Facilities.* The applicant shall also make an in-kind or monetary contribution to the development and maintenance of community stormwater management facilities designed to serve multiple land disturbing and development activities undertaken by one or more persons, including the applicant.
- D. *Calculations.* All calculations and information used in the design shall be submitted along with the Stormwater Pollution Prevention Plan for the review and approval of the City Engineer.
- E. *Minimum Design Standards for all Stormwater Facilities.*
  - 1. At a minimum these facilities must conform to the most current technology as reflected in the current version of the Minnesota Pollution Control Agency's publication, "The Minnesota Stormwater Manual" and the Construction Stormwater Permit, and the Upper Rum River Watershed Management Organization's Watershed Management Plan including all amendments.
  - 2. Major stormwater facilities (i.e., ponds, pond outlet systems, and major conveyance systems) shall be designed for a return period of 100 years.
  - 3. All minor drainage systems (i.e., piped collection systems and minor conveyance systems) shall be designed for a return period of 10 years.
  - 4. Minimum building (low floor) elevations shall be above in-situ, designed or designated water levels. The lowest building floor elevation shall be three (3) feet above mottled soils or the highest known or anticipated water table, whichever is higher. The City Engineer may allow deviation from these separations if the applicant submits evidence certified by a Licensed Geotechnical Engineer that a lesser separation can be achieved. Certification by a Licensed Geotechnical Engineer shall include field monitoring of the groundwater with piezometers to establish the highest anticipated ground water elevation.
  - 5. Minimum opening elevations shall be above designed or designated flood levels. The minimum building opening elevation shall be one and a half (1.5) feet above the 100-year flood level or emergency overflow elevation. The 100-year flood level shall be the highest 100-year level resulting from a single event analysis; the 100-year, 10-day snowmelt event; a multiple day runoff event analysis, or the critical event analysis.
  - 6. Landlocked runoff basins shall be sized to handle back-to-back 100-year SCS 24 hour rainfall events, the 10 inch SCS 24 hour rainfall event or the 100-year, 10-day snowmelt snow melt event, whichever produces the higher peak pond elevation (Landlocked high water level). The lowest building floor elevation around landlocked basins shall be two (2) feet above the landlocked high water level.
  - 7. Emergency overflows or outlets to drainage systems shall be provided to any landlocked area if the available stormwater storage capacity is inadequate to prevent

flooding of residences and if the available downstream conveyance system capacity is adequate to accept additional flow.

8. The area of a pond's HWL plus one (1) foot of freeboard shall be contained entirely within an outlot that is owned by the City or within a drainage and utility easement.

#### **10-82-07. Review.**

The City Engineer shall review the Stormwater Pollution Prevention Plan.

- A. **Permit Issued.** If the City determines that the Stormwater Pollution Prevention Plan meets the requirements of this Part, the City shall issue a permit valid for a specified period of time that authorizes the land disturbance activity contingent on the implementation and completion of the approved plan.
- B. **Denial.** If the City determines that the Stormwater Pollution Prevention Plan does not meet the requirements of this Part, the City shall not issue a permit for the land disturbance activity. All land use and building permits must be suspended until the applicant has an approved Stormwater Pollution Prevention Plan.

#### **10-82-08. Modification of plan.**

An approved Stormwater Pollution Prevention Plan may be modified upon submission of a written application for modification to the City, and after written approval by the City Engineer. In reviewing such an application, the City Engineer may require additional reports and data.

#### **10-82-09. Securities.**

The applicant shall provide security for the performance of the work described and delineated on the approved grading plan involving the Stormwater Pollution Prevention Plan related remedial work as listed in the City's fee schedule. This security must be available prior to commencing the project. The form of the securities must be;

- A. *Currency.* The first \$10,000 (in U.S. currency) or 15 percent, whichever is greater, of this financial security must be by cash deposit to the City.
- B. *Deposit.* Deposit, either with the City, a responsible escrow agent, or trust company, at the option of the City, money, negotiable bonds of the kind approved for securing deposits of public money or other instruments of credit from one or more financial institutions, subject to regulation by the state and federal government wherein said financial institution pledges that the funds are on deposit and guaranteed for payment. The type of security must be of a type acceptable to the City.
- C. *Financial Security.* The City may request a greater financial security, if the City considers that the development site is especially prone to erosion or the resource to be protected is especially valuable.
- D. *Maintaining the Financial Security.* If at any time during the course of the work the security falls below 50 percent of the required deposit, the applicant shall make another deposit in the amount necessary to restore the cash deposit to the required amount.

1. If the applicant does not bring the financial security back up to the required amount within seven (7) days after notification by the City that the amount has fallen below fifty (50) percent of the required amount the City may:
  - a. Withhold the scheduling of inspections and/or the issuance of a Certificate of Occupancy.
  - b. Revoke any permit issued by the City to the applicant for the site in question or any other of the applicant's sites within the City's jurisdiction.
- E. *Proportional Reduction of the Financial Security.* When more than half of the development's exposed soil area achieves final stabilization, the City may reduce the total required amount of the financial security by half, if recommended by the City Engineer.
- F. *Action Against the Financial Security.* The City may act against the financial security if any of the conditions listed below exist. The City shall use funds from this security to finance remedial work undertaken by the City, a private contractor hired by the City, or to reimburse the City for all direct costs incurred in the process of remedial work including, but not limited to, staff time, consultant time, and attorney's fees.
  1. The applicant ceases land disturbing activities and/or filling and abandons the work site prior to completion of final stabilization.
  2. The applicant fails to conform to the grading plan and/or the Stormwater Pollution Prevention Plan as approved by the City.
  3. The permanent stormwater control measures required by this Part fail within one (1) year of site final stabilization.
  4. The applicant fails to reimburse the City for corrective action taken under this Part.
- G. *Returning the Financial Security.* Any unspent amount of the financial security deposited with the City for faithful performance of the Stormwater Pollution Prevention Plan and any Stormwater Pollution Prevention Plan related remedial work may be released one full year after the completion of the installation of all stormwater pollution control measures as shown on the grading and/or Stormwater Pollution Prevention Plan and establishment of final stabilization.

#### **10-82-10. Right of entry and inspection.**

- A. *Powers.* The permittee shall allow the City and their authorized representatives, upon presentation of credentials to:
  1. Enter upon the permitted site for the purpose of obtaining information, examination of records, conducting investigations or surveys.
  2. Bring such equipment upon the permitted development as is necessary to conduct such surveys and investigations.
  3. Examine and copy any books, papers, records, or memoranda pertaining to activities or records to be kept under the terms and conditions of this permitted site.

4. Inspect the stormwater pollution control measures required as part of the Storm Water Pollution Prevention Plan.
5. Sample and monitor any items or activities pertaining to permits issued by the City.

**10-82-11. Notification of failure of the stormwater pollution prevention plan.**

- A. *Notification by the City.* The initial contact will be to the party or parties listed on the application and/or the Stormwater Pollution Prevention Plan. 48 hours after notification by the City or 72 hours after the failure of erosion control measures, whichever is less, the City, at its discretion, may begin corrective work.
- B. *Erosion Off-Site.* If erosion breaches the perimeter of the site, the applicant shall immediately develop a cleanup and restoration plan, obtain the right-of-entry from the adjoining property owner, and implement the cleanup and restoration plan within 48 hours of obtaining the adjoining property owner's permission. In no case, unless written approval is received from the City, shall more than seven (7) calendar days lapse without corrective action being taken. If in the discretion of the City, the applicant does not repair the damage caused by erosion, the City may do the remedial work required and charge the cost to the applicant.
- C. *Erosion into Streets, Wetlands or Water Bodies.* If eroded soils (including tracked soils from construction activities) enter or appear likely to enter streets, wetlands or other water bodies, prevention strategies, cleanup and repair must be immediate. The applicant shall provide all traffic control and flagging required to protect the traveling public during the cleanup operations.
- D. *Failure to Do Corrective Work.* When an applicant fails to conform to any provision of this policy within the time stipulated, the City may take the following actions:
  1. Withhold the scheduling of inspections and/or the issuance of a Certificate of Occupancy.
  2. Revoke any permit issued by the City to the applicant for the site in question or any other of the applicant's sites within the City's jurisdiction.
  3. Direct the correction of the deficiency by the City or by a separate contract. The issuance of a permit constitutes a right of entry for the City or its contractor to enter upon the construction site for the purpose of correcting deficiencies in erosion control.
  4. All costs incurred by the City in correcting stormwater pollution control deficiencies must be reimbursed by the applicant. If payment is not made within 30 days after costs are incurred by the City, payment will be made from the applicant's financial securities as described in this Part.
  5. If there is an insufficient financial amount, in the applicant's financial securities as described in this Part to cover the costs incurred by the City, then the City may assess the remaining amount against the property. As a condition of the permit, the owner shall waive notice of any assessment hearing to be conducted by the City, concur that the benefit to the property exceeds the amount of the proposed assessment, and waive all rights by virtue of Minnesota Statutes, Sec. 429.081 to challenge the amount or validity of assessment.

## **10-82-12. Illicit discharge.**

No person shall throw, deposit, place, leave, maintain, or keep nor permit to be thrown, placed, left, maintained or kept, any refuse, rubbish, garbage, or any other discarded or abandoned objects, articles, accumulations, or pollutants, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin conduit or drainage structure, business place, or upon any public or private plot of land in the City, so that the same might enter a public water, except in containers, recycling bags, or other lawfully established waste disposal facility.

- A. *Illegal Discharges.* No person shall cause any illegal discharge to enter the municipal storm water system unless such discharge:
  - 1. Consists of non-storm water that is authorized by an NPDES point source permit obtained from the MPCA; or
  - 2. Is associated with firefighting activities.
- B. *Good Housekeeping Provisions.* Any owner or occupant of property within the City shall comply with the following good housekeeping requirements:
  - 1. No person shall leave, deposit, discharge, dump, or otherwise expose any chemical or septic waste in an area where discharge to streets or storm drainage system may occur. This Subsection shall apply to both actual and potential discharges.
  - 2. Runoff of water from residential property shall be minimized to the maximum extent practicable. Runoff of water from the washing down of paved areas in commercial or industrial property is prohibited unless necessary for health or safety purposes and not in violation of any other provisions in the City's codes.
- C. *Storage of Materials, Machinery, and Equipment.* Objects, such as motor vehicle parts, containing grease, oil or other hazardous substances, and unsealed receptacles containing hazardous materials, shall not be stored in areas susceptible to runoff. Any machinery or equipment which is to be repaired or maintained in areas susceptible to runoff shall be placed in a confined area to contain leaks, spills, or discharges.
- D. *Removal of Debris and Residue.* All motor vehicle parking lots located in areas susceptible to runoff shall be swept to remove debris. Such debris shall be collected and properly disposed. Fuel and chemical residue or other types of potentially harmful material, such as animal waste, garbage or batteries, which is located in an area susceptible to runoff, shall be removed as soon as possible and disposed of properly in accordance with all State and Local requirements.
- E. *Pet Waste.* Owners or custodians of pets shall remove and properly dispose of feces on City owned property.
- F. *Salt Storage.* All commercial, institutional, and non-NPDES permitted industrial facilities shall properly manage salt, including:
  - 1. Designated salt storage shall be covered or indoors;
  - 2. Designated salt storage shall be located on an impervious surface;

3. Best Management Practices shall be implemented to reduce exposure and risk of runoff when transferring material in designated salt storage areas (e.g. sweeping, runoff diversions, and/or containment measures).

#### **10-82-13. Enforcement.**

The City is responsible for enforcement of this Part.

- A. The City has adopted Enforcement Response Procedures (ERP) that includes increasing penalties for Illicit Discharges of Pollutants. The ERP is hereby referenced as part of this Part.
- B. Any person who has violated or continues to violate the provisions of this Part, may be subject to the enforcement actions outlined in this Part or may be restrained by injunction or otherwise abated in a manner provided by law.
- C. In the event the violation constitutes an immediate danger to public health or public safety, the City is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The City is authorized to seek costs of the abatement as outlined in this Part.

**Section 2.** This Ordinance shall take effect and be enforced from and after its passage and publication according to law.

Approved and adopted by the City Council of the City of St. Francis this 5<sup>th</sup> day of May, 2025.

SEAL

CITY OF ST. FRANCIS

By: \_\_\_\_\_  
Mark Vogel, Mayor

\_\_\_\_\_  
Attest: Jenni Wida, City Clerk

DRAFTED BY:  
**HKGi**  
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