**Sample ORDINANCE NO. 24-11-12**

**AN ORDINANCE AMENDING THE City of MUNICIPAL CODE, CHAPTER 111, CONSTRUCTION, GENERAL REQUIREMENTS, TO PROMOTE CLEAN AND SAFE WORKSITES WITHIN THE CITY OF \_\_\_\_\_\_\_\_\_\_**

**WHEREAS**, the City of\_\_\_\_ recognizes the importance of maintaining clean and safe worksites to protect the environment, occupational safety, and public health; and

**WHEREAS**, it is imperative that contractors take measures to minimize the release of dust, trash, debris, plastic, and other contaminants from worksites, thereby reducing pollution and preventing harm to the environment and the community; and

**WHEREAS**, plastics and composite materials do not decompose, and overtime would break down to smaller and smaller particles: microplastics. Microplastic pollution disrupts ecosystems and can cause endocrine, digestive, and respiratory issues in animals including humans, and

**WHEREAS**, the City of \_\_\_\_\_ seeks to regulate construction practices to ensure compliance with environmentally responsible and safe procedures;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of \_\_\_\_\_\_\_as follows:

Chapter 111, Construction, General Requirements, shall be amended to add the following Article III, Clean and Safe Worksites – Control of Dust and Plastic Contaminants.

**Section I: Add**

**ARTICLE III**

**CONTROL OF CONSTRUCTION DUST AND CONTAMINANTS**

**§111-13 1: Definitions**

For the purposes of this ordinance, the following definitions apply:

a) "Contractor" refers to any individual or entity engaged in construction, renovation, or maintenance to commercial or residential properties within the ***City of***\_\_\_\_\_\_.

b) "Worksites" shall include all outdoor and indoor worksites within the jurisdiction of the City of \_\_\_\_\_ where construction, renovation, or related activities are taking place.

**111.14: Dust, Trash, Debris and Plastic Control**

Contractors operating within the ***City of*** \_\_\_\_\_\_ shall do all of the following to control dust, trash, debris and plastic contaminants at their worksites:

14.1 When cutting, drilling, or sanding dust-producing materials, including but not limited to plastic, silica, fiberglass, pavers, or wood treated with chemical contaminants, contractors shall use a vacuum attachment on all saws when practical to minimize the release of dust and micro plastic particles.

14.2 Contractors shall cut, drill, and sand in enclosed spaces to keep dust levels to a minimum and facilitate ease of cleanup and prevent release of debris. These enclosed spaces may include tents to enclose the worksites or hoods made specifically for saws.

14.3 Contractors shall cut, drill, and sand pavers and tiles with wet saws and in enclosed spaces to keep dust levels to a minimum and facilitate ease of cleanup and prevent release of debris. These confined spaces should include tents to enclose the worksites.

14.4 Contractors shall not engage in cutting, drilling, or sanding activities without placing a tarp under power tools to catch debris and contaminants.

14.5 Contractors shall tarp their work areas and clean-up all trash and generated from work of the day [e.g. dust particles, microplastics and saw dust] a minimum of once a day to prevent the dispersion of dust, trash, debris, and plastic contaminants.

14. Contractors shall clean up all contaminants before leaving their worksites, ensuring that no waste is left behind nor can be blown into areas beyond the worksite and/or property.

Contractors must separate waste and recyclable materials, such as cardboard, and dispose of in accordance with City ordinances and State laws.

**§111.15: Prohibition on Storm Drain Disposal**

Contractors are strictly prohibited from blowing or disposing of debris, dust, or plastic contaminants into storm drains. All contractors must dispose of waste materials properly in accordance with existing municipal waste disposal regulations.

*Contractors whose job site drains to a public stormwater inlet after stormwater leaves the property, prior to cutting, drilling, sanding or any activity regulated by this Section 3-22, shall install a filter at that stormwater inlet Polypropylene Geotextile which conforms to ASTM Test D4491, D4751 and D4355.*

**§111.16: Compliance and Enforcement**

16.1 Notice of this ordinance shall be given with each new permit issued for construction, renovation, and related activities.

16.1 The ***City of***\_\_\_\_\_\_\_\_\_ may conduct inspections of worksites to ensure compliance with this Ordinance. Any person who violates, fails, or refuses to comply with this chapter or any part or section thereof, shall, upon conviction in the Municipal Court of \_\_\_\_\_\_\_\_\_ be punished for each offense. Fines and punishments shall be defined by ***City of***\_\_\_\_\_\_ [e.g. a warning for a first offense, up to $1,000 for a second offense, and up to $5,000 for a third or subsequent offense, with each day being considered a separate offense]. Every such violation or refusal shall be deemed a separate violation, and each day that the same shall continue shall be deemed a separate violation.

16.2 Contractors are responsible for informing their employees and subcontractors of the requirements and obligations set forth in this ordinance.

**Section 2. Effective Date**. This ordinance shall take effect [Insert Effective Date] and shall be applicable to all contractors operating within the ***City of*** \_\_\_\_\_\_ from that date onward.

**Section 3.**All ordinances or parts of ordinances inconsistent with any terms of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 4**. This ordinance shall take effect upon its final passage and publication as required by law.

Board of Commissioners of the City of \_\_\_\_\_\_\_\_\_\_

Mayor \_\_\_\_\_\_\_\_\_\_