

CITY OF AUBURN, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING AN ILLICIT DISCHARGE ELIMINATION PROGRAM (IDEP)

An Ordinance to protect the public health, safety, and welfare; to prohibit illicit discharges to the municipal separate storm sewer system (MS4); to establish procedures for preventing, detecting, and eliminating illicit discharges; to provide for enforcement, penalties, and remedies; and to provide for severability and an effective date.

SECTION 1. TITLE

This Ordinance shall be known and may be cited as the **City of Auburn Illicit Discharge Elimination Program (IDEP) Ordinance**.

SECTION 2. PURPOSE AND INTENT

The purpose of this Ordinance is to:

- A. Protect water quality by preventing pollutants from entering the City of Auburn's municipal separate storm sewer system (MS4).
- B. Comply with the requirements of the Michigan Department of Environment, Great Lakes, and Energy (EGLE) and the federal Clean Water Act as it relates to MS4 permits.
- C. Establish legal authority to prohibit illicit discharges, detect and eliminate non-stormwater discharges, and ensure proper enforcement.

SECTION 3. DEFINITIONS

For purposes of this Ordinance, the following definitions shall apply:

- A. **Illicit Discharge:** Any discharge to the MS4 that is not composed entirely of stormwater, except those discharges authorized by an NPDES permit or otherwise allowed by this Ordinance.

B. **MS4 (Municipal Separate Storm Sewer System)**: The system of streets, gutters, catch basins, storm drains, pipes, ditches, swales, and waterways owned or operated by the City of Auburn that convey stormwater.

C. **Pollutant**: Any substance that may contaminate water, including but not limited to oil, grease, paint, chemicals, sewage, animal waste, litter, yard waste, sediment, or wastewater.

D. **Person**: Any individual, firm, partnership, association, corporation, governmental entity, or other legal entity.

E. **Stormwater**: Water resulting from precipitation, including rain or snowmelt.

SECTION 4. APPLICABILITY

This Ordinance shall apply to all persons, properties, and activities within the corporate limits of the City of Auburn that may discharge to the MS4.

SECTION 5. PROHIBITION OF ILLICIT DISCHARGES

A. No person shall introduce or cause to be introduced any illicit discharge into the City's MS4.

B. The following non-stormwater discharges are allowed, provided they do not contribute pollutants:

1. Firefighting activities
2. Landscape irrigation
3. Lawn watering
4. Residential car washing
5. Dechlorinated swimming pool discharges
6. Air conditioning condensation

C. Any discharge that is determined by the City to be a significant contributor of pollutants may be prohibited.

SECTION 6. SPILL REPORTING

Any person responsible for a spill or release of pollutants that may enter the MS4 shall immediately take all reasonable actions to contain the discharge and notify the City of Auburn as soon as practicable.

SECTION 7. RIGHT OF ENTRY AND INSPECTION

The City of Auburn, through its authorized representatives, may enter upon any property at reasonable times for the purpose of inspecting, monitoring, or sampling discharges to the MS4, consistent with applicable law.

SECTION 8. ENFORCEMENT AND PENALTIES

A. The City may issue written notices of violation, cease and desist orders, or require corrective actions.

B. A violation of this Ordinance is a municipal civil infraction punishable by:

1. A fine of up to \$500 for a first offense
2. A fine of up to \$1,000 for repeat offenses

C. The City may recover costs associated with investigation, cleanup, and restoration resulting from an illicit discharge.

SECTION 9. SEVERABILITY

If any section, subsection, or provision of this Ordinance is found to be invalid, such invalidity shall not affect the remaining provisions.

SECTION 10. EFFECTIVE DATE

This Ordinance shall take effect upon adoption and publication as required by law.

ADOPTED:

City Council of the City of Auburn, Michigan

CERTIFICATION

I hereby certify that this Ordinance was adopted by the City Council of the City of Auburn on
March 16, 2026

Berna Schman
City Clerk