

**REFERENDUM QUESTION #27: Shall an ordinance entitled, "Amendments to Chapter 31 (Non-stormwater Discharges) of the Municipal Code of Ordinances of the Town of Eliot, Maine, to allow dechlorinated swimming pool water to be discharged to the town's storm drainage system so long as it, and any other allowed discharges, do not violate state water quality standards, dated June 13, 2017," be enacted, per request of the Maine Department of Environmental Protection?**

**THE AMENDMENT WILL:**

- Allow dechlorinated swimming pool water as a permissible discharge to the Town's storm sewer system, so long as it does not violate water quality standards.

**BACKGROUND & RATIONALE:**

- This amendment was requested by the Maine Department of Environmental Protection Stormwater Division to municipalities regulated under the Maine Pollutant Discharge Elimination System (**MEPDES**) Permit, which regulates the discharge of stormwater from the Town's storm drainage system to waters of the State (the Piscataqua River). When Towns originally adopted regulations pertaining to the prevention of stormwater pollution in 2006, a model ordinance, prepared by the State, was used, which inadvertently omitted dechlorinated swimming pool water as an allowable discharge

**PLANNING BOARD RECOMMENDATION:**

The Planning Board recommends this amendment:

**5-0**

(Vote of the Planning Board)

The following "Amendments to Chapter 31 (Non-stormwater Discharges) of the Municipal Code of Ordinances of the Town of Eliot, Maine, to allow dechlorinated swimming pool water to be discharged to the town's storm drainage system so long as it, and any other allowed discharges, do not violate state water quality standards, dated June 13, 2017," , was adopted at the Town Meeting Referendum Election held in Eliot on June 13, 2017 under Article #29.



Wendy J. Rawski, Town Clerk

**Amendments to Chapter 31 (Non-stormwater Discharges) of the Municipal Code of Ordinances of the Town of Eliot, Maine, to allow dechlorinated swimming pool water to be discharged to the town's storm drainage system so long as it, and any other allowed discharges, do not violate state water quality standards, dated June 13, 2017.**

**AMEND CHAPTER 31 AS FOLLOWS:**

**SEC. 31-6. - PROHIBITION OF NON-STORMWATER DISCHARGES.**

**(NEW TEXT UNDERLINED IN BOLD ITALICS)**

- (a) General prohibition. Except as allowed or exempted herein, no person shall create, initiate, originate or maintain a non-stormwater discharge to the storm drainage system. Such non-stormwater discharges are prohibited notwithstanding the fact that the municipality may have approved the connections, drains or conveyances by which a person discharges un-allowed non-stormwater discharges to the storm drainage system.
- (b) Allowed non-stormwater discharges. The creation, initiation, origination and maintenance of the following non-stormwater discharges to the storm drainage system is allowed **as long as it does not cause or contribute to a violation of the State's water quality standards:**
  - (1) Landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)); uncontaminated pumped ground water; uncontaminated flows from foundation drains; air conditioning and compressor condensate; irrigation water; flows from uncontaminated springs; uncontaminated water from crawl space pumps; uncontaminated flows from footing drains; lawn watering runoff; flows from riparian habitats and wetlands; residual street wash water (where spills/leaks of toxic or hazardous materials have not occurred, unless all spilled material has been removed and detergents are not used); hydrant flushing and fire fighting activity runoff; water line flushing and discharges from potable water sources; ~~and~~ individual residential car washing; **and dechlorinated swimming pool and hot tub discharges;**
  - (2) Discharges specified in writing by the enforcement authority as being necessary to protect public health and safety; and
  - (3) Dye testing, with verbal notification to the enforcement authority prior to the time of the test.
- (c) Exempt person or discharge. This chapter shall not apply to an exempt person or discharge, except that the enforcement authority may request from exempt persons and persons with exempt discharges copies of permits, notices of intent, licenses and orders from the EPA or DEP that authorize the discharge(s).

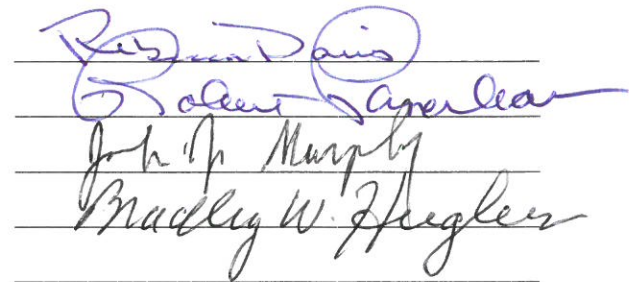
**Municipal Officers' Certification of Official Text of a Proposed Ordinance [30-A M.R.S.A. § 3002(2)]**

To the Town Clerk of the Town of Eliot, Maine:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of an ordinance entitled ***"Amendments to Chapter 31 (Non-stormwater Discharges) of the Municipal Code of Ordinances of the Town of Eliot, Maine, to allow dechlorinated swimming pool water to be discharged to the town's storm drainage system so long as it, and any other allowed discharges, do not violate state water quality standards"***, which is to be presented to the voters for their consideration on June 13, 2017.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Dated: April 27, 2017

  
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Town of Eliot Select Board