



Malden, Massachusetts

Date: September 19, 2023

His Honor the Mayor has approved Paper # 302 Series of 2023

Below is a true attest copy of same:

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 11.28.010 Municipal Storm Drainage System is hereby amended by striking sections A, B, and C in their entirety and replacing with the following:

11.28.010 MUNICIPAL STORM DRAINAGE SYSTEM

A. In General:

1. This ordinance shall apply to all water generated on any developed or undeveloped lands and entering Malden's storm drainage, except as explicitly exempted in this ordinance.
2. The city shall maintain and, under the direction of the City Engineer, regulate use of a stormwater drainage system for the collection and dispersion of storm water runoff, snow melt runoff and surface water runoff and drainage. The City Engineer may promulgate rules and regulations to effectuate the provisions of this ordinance and may issue permits for use of the storm drainage system upon such terms and conditions as deemed appropriate.
3. The City Engineer may suspend access to the municipal storm drainage system to any person or property without notice whenever necessary to prevent the actual or threatened discharge of prohibited substances into the storm drainage system and, upon failure of any party to comply with such suspension order, may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

B. Prohibited Activities:

1. Other than the exemptions identified in Part C of this Ordinance, no person shall dump, discharge, cause or allow to be discharged any non-stormwater discharge or pollutant into the municipal storm water drainage system or, onto an impervious surface directly draining to the MS4. Pollutants shall include but are not limited to, paints, varnishes, solvents, automotive fluids, pesticides, herbicides, fertilizers, sewage, fecal coliform and pathogens, dissolved and particulate metals, animal waste, rock, sand, salt, soils, construction wastes and residues, refuse, rubbish, garbage, litter, and other noxious or offensive matter of any kind. For the purposes of this ordinance, application of salt, sand, and/or other equivalent materials of reasonable quantities for winter road maintenance shall not be considered a prohibited activity.
2. No person shall construct, use, allow, maintain or continue any connection to the municipal storm water drainage system from indoor drains, sinks or toilets or which allows discharge of wastewater or wash water, whether or not said connection was approved before the effective date of this ordinance.
3. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written approval from the City Engineer.

4. No person shall connect roof drains or other discrete conveyances from private property or structures into the municipal storm drain system without prior written approval from the City Engineer.
- C. **Exemptions:** Discharge into the municipal storm water system resulting from the following sources shall be exempt from the prohibited activities set forth in Paragraph B, unless the City Engineer deems them to be a significant contributor of pollutants:
1. municipal activities, including but not limited to firefighting, waterline flushing, winter road maintenance (i.e., application of salt, sand, and/or other equivalent materials);
 2. Discharge or flow from potable water sources, springs, riparian habitats and wetlands, diverted stream flow and rising groundwater;
 3. uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), uncontaminated pumped groundwater, water from approved exterior foundation drains, crawl space pumps, air conditioning condensations and footing drains, but not including active groundwater dewatering systems;
 4. discharge from landscape irrigation, lawn watering or individual residential car washing;
 5. discharge from dechlorinated swimming pools which contains one part per million or less of chlorine;
 6. dye-testing, provided that prior verbal notification has been given to the City Engineer;
 7. discharge for which prior written approval has been obtained from the City Engineer as necessary to protect public health, safety and welfare or the environment; and
 8. discharge permitted under a permit, waiver or order issued by any state or federal environmental agency, provided that said discharge is in full compliance with the requirements of permit, waiver or order and applicable laws and regulations.


Sponsored by Peg Crowe, Stephen Winslow

Paper # 302 Series of 2023, of which the above is a true copy

Ordained, by the City Council, by nine (9) yea and one (1) nay votes, with one (1) abstention, the City Council consisting of eleven members at their September 19, 2023 meeting.

Approved, September 22, 2023 by His Honor, Mayor Gary J. Christenson

Attest:



City Clerk Carol Ann T. Desiderio



Council President Barbara M. Murphy



Mayor Gary J. Christenson