

Chapter 2

Pollution Abatement

8-2-1	Cleanup of Spilled or Accidentally Discharged Wastes
8-2-2	Storage of Polluting Substances
8-2-3	Water Pollution Control
8-2-4	Prohibited Discharges

Sec. 8-2-1 Cleanup of Spilled or Accidentally Discharged Wastes.

- a) **Cleanup Required.** All persons, firms, or corporations, delivering, hauling, disposing, storing, discharging or otherwise handling potentially polluting substances, solid or liquid, such as, but not limited to, the following: fuel oil, gasoline, solvents, industrial liquids or fluids, milk, grease trap and septic tank wastes, sewage sludge, sanitary sewer wastes, storm sewer catch-basin wastes, oil or petroleum wastes, shall immediately clean up any such spilled material to prevent its becoming a hazard to health or safety or directly or indirectly causing pollution to the lakes and streams under the jurisdiction of the Village.
- b) **Notification.** Spills or accidental release of hazardous materials or pollutants at a site or of a quantity or nature that cannot adequately be cleaned up by the responsible party or parties shall be immediately reported to the Village Clerk-Treasurer so that assistance can be given by the proper agency.
- c) **Financial Liability.** The party or parties responsible for the release, escape or discharge of wastes shall be held financially liable for the cost of any cleanup or attempted cleanup deemed necessary or desirable and undertaken by the Village, or its designated agent, in an effort to minimize the pollutional effects of the discharged waste.

Sec. 8-2-2 Storage of Polluting Substances.

It shall be unlawful for any person, firm or corporation to store any potentially polluting substances unless such substances are stored in such manner as to securely prevent them from escaping onto the ground

surface and/or into any street, sewer, ditch or drainageway, lake or stream within the jurisdiction of the Village of Belleville.

Sec. 8-2-3 Water Pollution Control.

- a) **Legislative Intent.** This Chapter is designed to prevent polluting or spilled material from reaching lakes or streams where it can create hazard to health, a nuisance or produce ecological damage and to assess responsibility and costs of clean-up to the responsible party.
- b) **Discharge or Release Prohibited.** It shall be unlawful for any person, firm or corporation to release, discharge, or permit the escape of domestic sewage, industrial wastes or any potential polluting substance into the waters adjacent to or within the boundaries of the Village of Belleville, or into any stream within the jurisdiction of the Village, or into any street, sewer, ditch or drainageway leading into any lake or stream or to permit the same to be so discharged to the ground surface without authorization from the Village Board.

Sec. 8-2-4 Prohibited Discharges.

- a) **Prohibited Discharges.** No person, firm or corporation shall discharge or cause to be discharged, leaked, leached or spilled upon any public or private street, alley, public or private property, or on to the ground, surface waters, subsurface waters, or aquifers within the Village, except those areas specifically licensed for waste disposal or landfill activities and to receive such materials, any explosive, flammable or combustible solid, liquid or gas, any radioactive material at or above Nuclear Regulatory Restriction levels, etiologic agents, or any solid, liquid or gas creating a hazard, potential hazard, or public nuisance or any solid, liquid or gas having a deleterious effect on the environment.
- b) **Containment, Cleanup and Restoration.** Any persons, firm or corporation in violation of paragraph (a) herein shall, upon direction of the Head of Emergency Government Services, begin immediate actions to contain, cleanup and remove to an approved repository the offending material(s) and restore the site to its original condition, with the offending person, firm or corporation being responsible for all expenses incurred. Should any person, firm or corporation fail to engage the necessary persons and equipment to comply or to complete the requirements of this Section, the Head of Emergency Government Services may order the required actions to be taken by public or private resources. All expenses incurred by the Village in connection with such actions shall be recoverable under paragraph (c) herein.
- c) **Emergency Services Response.** A person, firm or corporation who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall be responsible for reimbursement to the responding agencies for actual and necessary expenses incurred in carrying out their duties under this Ordinance. Actual and necessary expenses may include but not be limited to, replacement of equipment damaged by the hazardous material; cleaning, decontamination and maintenance of the equipment specific to the incident; costs incurred in the procurement and use of specialized equipment specific to the incident; specific laboratory expenses incurred in the recognized and identification of hazardous substances in the evaluation of response; decontamination, clean up and

medical surveillance; and incurred costs in subsequent medical surveillance of response personnel as required by the responding agencies' medical advisor. For purposes of this paragraph, the term "responding agencies" shall include, but not be limited to, fire service, emergency medical service and law enforcement.

- d) **Site Access.** Access to any site, public or private, where a prohibited discharge is indicated or suspected shall be provided to Emergency Government Services officers and staff and to Village police and fire department personnel for the purpose of evaluating the threat to the public and monitoring containment, cleanup and restoration activities.
- e) **Public Protection.** Should any prohibited discharge occur that threatens the life, safety or health of the public at, near or around the site of a prohibited discharge, and the situation be so critical that immediate steps must be taken to protect life and limb, the Head of Emergency Government Services or the senior law enforcement or fire official on the scene of the emergency may order an evacuation of the area or take other appropriate steps for a period of time until the Village Board can take appropriate action.
- f) **Enforcement.** The Head of Emergency Government Services, as well as the Village police officers, shall have authority to issue citations or complaints under this Section.
- g) **Civil Liability.** Any person, firm or corporation in violation of this Section shall be liable to the Village for any expenses incurred by the Village for loss or damage sustained by the Village by reason of such violations.