

**Section 01-060. Composition; Terms; Filling Vacancies**

The five (5) members of this board shall be appointed by the City Council of the City of Pelham for terms of four (4) years. All members shall serve until their successor is appointed and all members shall serve at the pleasure of the City Council. In the event of a vacancy, the City Council shall appoint a member to fill the unexpired term. The Board shall select its own chairman, vice-chairman and secretary. The members shall serve without compensation, are eligible for reimbursement of their actual expenses incurred in attending meetings of the Board and the performance of any duties as members of the Board as are properly documented and authorized by Law.

**DIVISION 1. GENERALLY**

**Sec. 01-001. Authority.**

The Alabama Department of Environmental Management, pursuant to the authority delegated to it under the Clean Water Act, 33 U.S.C. Section 1251, *et seq.*, has required the City of Pelham to obtain a National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges from the Municipal Separate Storm Sewer System (MS4), effective October 1, 1995. Therefore, the City is subject to the federal storm water laws, as presented in 33 U.S.C. ¶ 1342 (P) and 40 CFR ¶ 122.26, and as such, is required to adopt local storm water management ordinances. Act No. 95-775, Legislature of Alabama - § 11-89C-1 - 14, Code of Alabama 1975, and other provisions thereof, grants the authority to adopt such ordinances to the governing bodies of all Class 1 municipalities within the state and to the county governing bodies in which the Class 1 municipalities are located and to the governing bodies of all municipalities located within those counties, and where any such municipality is also located partially within an adjoining county, then to the governing body of such adjoining county and to which governing bodies are specifically designated by ADEM pursuant to the authority delegated to it under the Clean Water Act, 33 U.S.C. Section 1251, *et seq.*

**Sec. 01-002. Purpose.**

- (a) It is the purpose of this ordinance to protect, maintain, and enhance the environment of the City of Pelham and the short-term and long-term public health, safety, and general welfare of the citizens of the City of Pelham by controlling discharges of pollutants to the MS4 and to maintain and improve the quality of the community waters into which the storm water outfalls flow, including, without limitation, the lakes, streams, ponds, wetlands, sinkholes, and groundwater of the City of Pelham. This ordinance prohibits the discharge of non-storm water into the MS4 and the community waters and provides enforcement procedures and penalties to ensure compliance.
- (b) It is further the purpose of this ordinance to enable the City of Pelham to comply with the National Pollutant Discharge Elimination System (NPDES) permit and applicable regulations (40 CFR ¶ 122.26) for storm water discharges.