

ORDINANCE # 91-TS-13

AN ORDINANCE RELATING TO

PROHIBITED DISCHARGES OF HAZARDOUS MATERIALS

The Town Board of the Town of Lafayette, Chippewa County, Wisconsin, does ordain as follows:

PROHIBITED DISCHARGES OF HAZARDOUS MATERIALS

(1) 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 unto the ground, surface waters, subsurface waters, or aquifers, or within the Town, 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, and 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.

(2) Containment, Cleanup and Restoration. Any person, firm or corporation in violation of the above section shall, upon direction of any Emergency Government officer, 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 men and equipment to comply or to complete the requirements of this section, the Office of Emergency Government may order the required actions to be taken by public or private resources and allow the recovery of any and all costs incurred by the Town of Lafayette as action imposed by (3).

(3) Emergency Services Response. Includes, but is not limited to: Fire Service, Emergency Medical Service, Law Enforcement. 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