

SPONSOR: ROBERT J. GOLEC

**ORDINANCE NO. 6007**

AN ORDINANCE ESTABLISHING SPILL REPORTING REQUIREMENTS AND PROCEDURES WITHIN THE CIVIL CITY OF HAMMOND, INDIANA

**WHEREAS**, there has been an increase in the number of spills and/or leaks of dangerous, hazardous, and toxic substances within the City of Hammond, and

**WHEREAS**, these substances can endanger the health, safety and general welfare of the citizens of Hammond when they are discharged into air, water, or onto the land, and

**WHEREAS**, it is necessary to establish spill reporting requirements, procedures, and policies to adequately evaluate and respond to such spills or leaks by the Hammond Fire Department Hazardous Materials Response Team.

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Hammond, Indiana as follows:

**ARTICLE I**

1. Any spill, leak, discharge, or release of a dangerous, hazardous, or toxic substance into the atmosphere, onto the land, or into any body of water from whatever source shall be immediately reported to the Hammond Fire Department by telephone or in person.

2. Substances considered as dangerous, hazardous, or toxic are those which are:

a. Listed in the latest edition of the U.S. Department of Transportation "Guidebook for Hazardous material Incidents", or

b. Listed in the latest edition "Dangerous Properties of Industrial Materials" by N. Irving Sax and contain the terms - dangerous, hazardous or toxic in the THR (Summary Toxicity Statement), the Disaster Hazard Statement, the Fire Hazard Statement, the Explosion Hazard Statement, or the Acute Toxicity Statement, or,

c. Listed in the latest edition of the "Condensed Chemical Dictionary" by Gessner G. Hauley and the words dangerous, hazardous, or toxic are used in the "Hazard" explanation used to categorize the substances.

3. Immediately - shall be defined as within five (5) minutes of the start of the spill, leak, discharge, or release of the dangerous hazardous or toxic substance.

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4. Person shall mean individual, partnership, co-operative, firm, company, corporation, association, trust, estate, government entity, or any other legal entity or their legal representatives, agents, or assigns.

5. All persons shall allow the Hammond Fire Department - Hazardous Material Response Team to enter any premises whereupon a spill, leak, discharge, or release of a dangerous, hazardous, or toxic substance has been reported or has occurred.

6. This Ordinance shall be enforced by the Chief of the Hammond Fire Department or his designee.

7. Whoever violates any provision of this Ordinance shall be fined not more than \$2,500.00. Every day a violation occurs shall constitute a separate offense.

8. This ordinance shall be in full force and effect immediately after its passage, signing by the President of

the Common Council, approved by the Mayor and publication according to law.

/s/ JON DeGUILIO, President  
Hammond Common Council

ATTEST:

/s/ STANLEY KULIK, City Clerk

VETO by the Mayor on the 28th day of December 1986.

/s/ THOMAS M. McDERMOTT, Mayor  
City of Hammond, Indiana

PASSED by the Common Council of the City of Hammond, Indiana, on the 15th day of December, 1986, presented to the Mayor for his approval or rejection and VETOED by the Mayor on the 23rd day of December, 1986. (Returned to Clerk 1:30 p.m. 12-23-86) d.k.

/s/ STANLEY KULIK, City Clerk

Mayor's veto of Ordinance Number 6007 OVERRIDDEN by the Hammond Common Council on the 12th day of January, 1987.

/s/ REV. JOHN H. PARRISH, President  
Hammond Common Council

ATTEST:

/s/ STANLEY KULIK, City Clerk