

TITLE II - COMMUNITY PROTECTION

ARTICLE XV
HAZARDOUS CONDITIONS

2-15.1 DEFINITIONS.

1. "Hazardous substance" means any substance as defined in Section 455B.381(1), Code of Iowa.
2. "Hazardous condition" means the same as set out in Section 455B.381(2), Code of Iowa.
3. "Person having control over a hazardous substance" means the same as set out in Section 455B.381(8), Code of Iowa.
4. "Cleanup" means the same as set out in Section 455B.381(6), Code of Iowa.
5. "Cleanup costs" means the same as set out in Section 455B.381(7), Code of Iowa, and can include those costs as set forth in Section 455B.392(1), Code of Iowa.

2-15.2 NOTIFICATION REQUIRED.

In addition to the notification required by Section 455B.386 of the Code of Iowa, such person shall notify the Mayor or the Fire Chief.

The first city officer, or employee, who arrives at the scene of a hazardous condition or who learns of such condition, shall notify the Henry County, Iowa, Sheriff's Department.

2-15.3 CLEANUP REQUIRED.

Whenever there is a hazardous condition, the person having control over the hazardous substance that created said condition, hereinafter "responsible party" shall cleanup said condition as rapidly as feasible.

2-15.4 CLEANUP COSTS.

The cleanup costs shall be at the expense of the responsible party. If this party does not cleanup the hazardous condition, or does not cause such cleanup to begin in a reasonable time in relation to the hazard and circumstances of the incident, the City may proceed with the cleanup and bill the responsible party for the cleanup costs. If that bill for cleanup costs is not paid within 30 days, the City attorney shall proceed to collect payment. If the cleanup costs are beyond the capacity of the City, the Mayor or the Fire Chief shall report that fact to the Council and the City shall immediately seek any state or federal funds available for said cleanup.

(Ordinance No. 1989-4, passed October 3, 1989.)