

Crafting a Local Stormwater Ordinance



Key Stormwater Ordinance Elements

- Applicability/ Waivers
- Reference to a Technical Manual
- Application Requirements
- Plan Elements
- Inspection/ Maintenance Requirements
- Enforcement Procedures

Who's In?

- Activities, Such As:
 - Land Development
 - Subdivision
- "Trigger" Size, Based on:
 - Area of Disturbance ($> 5,000$ square feet)
 - Impervious Cover (sf) ($> 1,000$ square feet)
 - Impervious Cover (%)

Who's Out?

Often, Exempted Activities Include:

- Agriculture
- Silviculture
- Others Based on Special Analyses
- Fee-In-Lieu Provisions
- Redevelopment – Often Separate Requirements or Provisions

Why Incorporate a Manual?

- Difficult to Incorporate Detailed Technical Information Into the Ordinance
- “State of the Art” Changes Over Time

Elements That Can Be Referenced

- Specific Design Features
- Value of Some Design Storms (e.g., “Water Quality” or “Channel Protection” Storm Events)
- Specific Maintenance Activities
- Construction Specifications
- Complete List of “Acceptable” Practices
- Pollutant Removal Rates
- Load Calculation Methodology (If Applicable)
- Specific Hydrologic Assumptions/ Methodologies

Design Elements That Should Be In the Ordinance

- General Performance Goals (e.g., recharge, flood control, water quality)
- Broad Design Features (e.g., pretreatment, conveyance)
- Some Design Storms (e.g., 2-year, 10-year)

Procedural Elements - Application

- Where Do I Send My Plan?
- Who Has to Review It?
- Timelines for Approval

Plan Requirements

Details Regarding:

- Features That Appear on the Plan
- Scale
- How Practices Should Be Incorporated into Concept and Final Plans

Submittal Checklists in the Ordinance Are Helpful

Inspection/ Maintenance

Ordinance Should Specify:

- Who's Responsible for Maintenance
- Who's Responsible for Inspection
- Access for Inspections
- Frequency of Inspections
- Funding Mechanism for Maintenance
- Useful Element: Example Maintenance Agreement
- Authority for Jurisdiction to Take Over Maintenance
- When the Jurisdiction Takes Over Maintenance, and Who Pays for It

Enforcement

- When Enforcement Is Triggered
- Possible Penalties
 - Stop Work Orders
 - Civil Penalties
 - Criminal Penalties
 - Property Liens
- Agency That Administers Enforcement Actions

Some Useful Sources - Web

- www.municode.com –
Example Codes
- Local Ordinances: A User's Guide
Terrene Institute, 1995 (www.terrene.org)
- EPA: www.epa.gov/nps/ordinance/postcons.htm

www.stormwatercenter.net

The screenshot shows a Microsoft Internet Explorer browser window. The title bar reads "Untitled Document - Microsoft Internet Explorer". The address bar contains the path: "Address \\\\Heather\\heather c:\\Sites\\SMRC Site\\default.htm". The browser's menu bar includes "File", "Edit", "View", "Favorites", "Tools", and "Help". The toolbar contains icons for Back, Forward, Stop, Refresh, Home, Search, Favorites, History, Mail, Print, Edit, Discuss, and Dell Home. The main content area displays the "SMRC The Stormwater Manager's Resource Center" logo on the left and a large "INTRODUCTION" heading. Below the heading is a "Welcome to the Stormwater Manager's Resource Center!" message, followed by a paragraph describing the center's purpose. A list of resources is provided, including: Watershed Protection Library, Stormwater Slideshows, Manual Builder, Ordinance Selector, and Monitoring & Assessment. A sidebar on the left contains a navigation menu with radio buttons for Home, Library, Slideshows, Manual, Ordinance, Monitor/Assess, Pollution Prevention, Templates, Fact Sheets, By Category, and Glossary, along with a "Quick Link" dropdown menu.

SMRC
The Stormwater
Manager's Resource Center

INTRODUCTION

Welcome to the Stormwater Manager's Resource Center!

The Stormwater Manager's Resource Center is a website designed specifically for stormwater practitioners, local government officials and others that need technical assistance on stormwater management issues. The SMRC is organized as follows:

- Watershed Protection Library** - a database of reference materials on a variety of stormwater topics. A synopsis of each reference is provided, along with fully downloadable articles from *The Practice of Watershed Protection*.
- Stormwater Slideshows** - a series of slide presentation on important aspects of stormwater management, emphasizing stormwater treatment practices, impacts of urbanization on aquatic resources, and important tools used in watershed management.
- Manual Builder** - a series of options to help communities build their own, comprehensive stormwater manual. This section also includes selection by treatment practice type and stormwater goal.
- Ordinance Selector** - a list of various ordinances for communities interested in protecting their water resources. Topics include erosion and sediment control, illicit discharges, buffer ordinances, open space ordinances, and others.
- Monitoring & Assessment** - a list of different tools that can aid in the development of stream and watershed quality programs. Some of the techniques discussed include the simple method, rapid stream assessment techniques, and others.

Home ●
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Quick Link

Manual Builder

Model Ordinances

Slide Shows

Models & Protocols

Fact Sheets

Library Database