

13G – 200. STORMWATER CONTROL SYSTEM MANAGEMENT.

13G – 210. Purpose. The purpose of this section is to ensure all construction which adds to, connects to, or otherwise impacts the stormwater control system is done in accordance with the city's standards, goals and procedures and the city's NPDES permit. To do so the city has established a permitting process whereby the city can review and then approve or disapprove of the infrastructure to be put in place to properly control stormwater once the project is complete.

13G – 220. Stormwater Control System Management Permit.

- (A) Permit Required. No person, company, or entity shall construct or caused to be constructed any building, facility, structure or other improvement on any parcel of land when such construction involves in any way the city's stormwater control system without first obtaining a Stormwater Control System Management Permit from the City.
- (B) Construction and Redevelopment. Without affecting the generality of subsection (A) above, any person beginning any type of construction requiring a building permit shall, with that building permit, obtain a Stormwater Control System Management Permit before commencing construction.
- (C) Exempt Construction. The following improvements are exempt from the requirement to obtain a Stormwater Control System Management Permit:
 - (1) Detached single family residence or accessory building, provided that the runoff from the residence is handled according to a plat or site plan approved by the City or where it can be shown that all runoff from the residence or accessory building stays on the property. However, any person desiring to use a basement pump, foundation drain, or other related fixture directly or indirectly connecting to the stormwater control system must obtain a Stormwater Control System Management Permit.
 - (2) Connections to the stormwater control system made by the City.
- (D) Application. The applicant for a Stormwater Control System Management Permit shall submit the following to the City:
 - (1) Application Form. A completed application form. If the applicant proposes to obtain the Permit in conjunction with another development activity requiring City approval (e. g. building permit, subdivision plat, site plan, or conditional use permit), the application for the Stormwater Control System Management Permit will be included as part of the application form for the other development activity. If the applicant proposes to obtain the Permit independent of any other City approval, the applicant shall apply for the Permit on a separate form prepared by the City. Application forms will be available at the City Office.
 - (2) BMP Plan. A Best Management Practices (BMP) plan.

- a. Requirements. The BMP plan shall designate specific BMPs that the applicant will use to regulate, control and facilitate stormwater discharges from the site. All BMP plans shall provide for pretreatment of stormwater unless the applicant demonstrates to the satisfaction of the City that pretreatment is not necessary because of: 1) lack of pollutants in the stormwater from the site, or 2) insufficient quantity of stormwater from the site.
 - b. Purpose of BMPs. The BMPs shall be designed to ensure that the quality and quantity of stormwater discharged to the City's stormwater control system meets the requirements of federal, state and local laws and regulations and the City's NPDES permit, and will not exceed the designed capacity of the stormwater control system or jeopardize the integrity of the stormwater control system.
 - c. Acceptable BMPs. BMPs may be structural and/or non-structural, depending on the needs of the site. The applicant may propose BMPs designed specifically for a given site, or may propose BMPs that have been pre-approved by the City. The City shall establish a menu of pre-approved BMPs by administrative policy. The policy may designate specified areas of the City where certain types of BMPs may or may not be used.
 - d. City Approval of BMP Plan. The applicant's BMP Plan must be approved by the City. The BMP Plan will be reviewed as part of the Stormwater Control System Management Permit review process described below.
- (3) Maintenance Plan. A plan outlining how the applicant will maintain the stormwater system improvements listed in the application.
 - (4) Plans with Engineer's Stamp. Plans showing permanent stormwater system improvements to be made on the site. These plans shall be submitted with an engineer's stamp.
 - (5) Fee. A fee in an amount established in the most recently adopted prevailing fee schedule.
- (E) Review of Application. The Stormwater Control System Management Permit application shall be reviewed by the Stormwater Director and either approved, approved with conditions, or denied.
- (1) Factors. When deciding whether to approve, conditionally approve, or deny a Stormwater Control System Management Permit application, the Stormwater Director shall consider the following factors:

- a. Whether the application complies with applicable City ordinances and policies.
 - b. Whether the application complies with the City of North Logan Storm Drainage Master Plan.
 - c. Whether the application includes an effective BMP plan. The BMP plan shall be considered effective if: 1) it complies with the City's menu of pre-approved BMPs, or 2) it ensures that the quality and quantity of stormwater discharged to the City's stormwater control system meets the requirements of federal, state and local laws and regulations and the City's NPDES permit, and will not exceed the designed capacity of the stormwater control system or jeopardize the integrity of the stormwater control system.
 - d. Whether the proposed development introduces pollutants into the storm drain system.
 - e. Whether the proposed development affects the integrity of the stormwater control system infrastructure.
 - f. Whether the proposed development endangers the City's drinking water.
 - g. Whether the applicant has submitted a maintenance plan ensuring the proper maintenance and upkeep of the applicant's on-site stormwater improvements.
 - h. Whether written permission to discharge to a canal has been secured from the local canal company with jurisdiction in cases where discharge will be made to a canal.
- (2) Appeals. Either the permit applicant or the City may appeal the Stormwater Director's decision to the City Administrator. The appeal shall be made according to procedures established by the City Administrator.
- (F) As-Built. Any person connecting to the stormwater control system shall provide the City's stormwater utility with "as-built" plans showing the details and the location of the connection. The plans shall be in a format that is acceptable to the City.
- (G) Failure to Comply with Permit. Failure to construct or maintain stormwater improvements in accordance with an approved Stormwater Control System Management Permit (including the BMP plan and/or the maintenance plan) shall be a violation of this ordinance.

13G – 230. Easements. The Stormwater Director may enter any city-owned easement for the purposes of inspecting, observing, measuring, sampling, repairing or maintaining any portion of

the storm sewer facilities lying within the easement, or the performance of any other duties pertinent to the operation of the stormwater control system. All entry and subsequent work, if any, on an easement, shall be completed according to any special terms of the easement.

13G – 240. Authority to Inspect. Whenever necessary to make an inspection to enforce any provision of this Ordinance, or whenever the City has cause to believe that there exists, or potentially exists, a condition which constitutes a violation of this Ordinance, an emergency or a dangerous situation, the City may enter the premises at all reasonable times to inspect the same and to inspect and copy records related to stormwater compliance. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

13G – 250. Requirements to Monitor and Analyze. If city tests or inspections indicate that a site is causing or contributing to stormwater pollution, illegal discharges, and/or non-stormwater discharges to the stormwater control system or waters of the United States, and if the violations continue after notice from the City, the City may require any person engaged in the illicit activity and/or the owner or operator of the site to provide, at their own expense, monitoring and analyses required by the City to determine compliance with this Ordinance.