

September 2007

Storm Water Control Ordinance Summary Sheet City of East Moline

Purpose of Storm Water Control Ordinance

1. To maintain and improve the quality of water impacted by storm drainage within the City of East Moline.
2. To promote and protect the public health, safety and general welfare of the citizens from the hazards of flooding.
3. To preserve property values by protecting new and existing buildings and improvements to buildings from damage due to storm water flow.
4. To assure that new developments and redevelopments do not increase flood or drainage hazards to others, or create unstable conditions susceptible to erosion.
5. To preserve the natural characteristics of stream corridors in order to moderate flood and storm water impacts, and to protect water quality.
6. To prevent the discharge of contaminated storm water runoff and illicit discharges from industrial, commercial, residential, and construction sites into the storm drainage system within the City of East Moline.
7. To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the storm drainage system.
8. To encourage recycling of used motor oil and safe disposal of other hazardous consumer products.
9. To facilitate compliance with state and federal standards and permits by owners of construction sites within the City of East Moline.
10. To enable the City of East Moline to comply with all federal and state laws and regulations applicable to the National Pollutant Discharge Elimination System (NPDES) permitting requirements for storm water discharges.

Prohibited Actions

1. No person shall release or cause to be released into the storm drainage system any discharge that is not composed entirely of uncontaminated stormwater, except as allowed in listed exemptions of this article. Common prohibited stormwater contaminants include trash, yard waste, stones, earth, concrete, wood, lawn chemicals, pet waste, wastewater, oil, petroleum products, cleaning products, paint products, hazardous waste, and sediment.
2. Notwithstanding the listed exemptions of this section, any discharge shall be prohibited by this article if the discharge in question has been determined by the Director of Engineering to be a source of pollutants to the storm drainage system.
3. The construction, use, maintenance, or continued existence of illicit connections to the storm drainage system, are prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. It is the intention of the City Council that this section shall apply retroactively.

4. No person shall connect a line conveying sanitary sewage, domestic sewage or industrial waste, to the storm drainage system, or allow such a connection to or be made to continue.
5. Surface water shall be allowed to travel its natural or pre-regulations course unless changes are allowed by means of a drainage permit or drainage plans approved by the Director of Engineering. It shall be unlawful for any person to force surface water off that person's property and onto a neighboring property or to prevent surface water which would have entered that person's property from doing so without approval granted by a drainage permit.
6. No buildings or permanent structures, including impervious surfaces, may be placed wholly or in part within an easement that has been granted for access to drainage facilities of any type, including agricultural drainage conduit, without the written approval of the Director of Engineering; provided, however, streets, sidewalks and driveways may be allowed to cross easements by the shortest possible route, provided that the purpose of the easement is maintained and all other requirements are met.
7. It shall be unlawful for any person to cause or maintain any obstruction within a watercourse or drainage facility of any type, except as may be specifically authorized by this article.
8. No person shall interfere with BMPs implemented pursuant to this article.
9. Sump pump and footing drain outlets. No owner or occupant of property abutting a public right of way, or any other person acting as agent for either, shall discharge water originating from sumps, sump pits, sump pumps, footing drains, or any other reservoir serving as a drain or receptacle for water onto a street, alley, or other public right of way so as to cause a hazardous accumulation of water or ice upon said right of way. It should be noted that many areas in and around the city of East Moline have a high groundwater table which may necessitate routine pumping from a sump pit or other similar dewatering facility. To ensure sump pump discharge does not create a hazardous condition in public right of way, it is recommended that owners and/or developers direct such discharges toward the rear of structures away from the right of way, assuming that said discharge can be adequately and safely conveyed by either surface flow or by connection to a private collector drain pipe that is provided specifically for this purpose and maintained by a homeowners association.

Permits Required

1. Class 1 Grading and Drainage Permit Any construction that meets one of the following thresholds shall require a Class 1 Grading and Drainage Permit:
 - a. Any construction that will include the addition of an impervious surface area (i.e. streets, roof, patio or parking area or any combination thereof) greater than or equal to 1,000 sf and less than one acre (43,560sf)
 - b. Any land disturbing activity (i.e. clearing, grading, stripping, excavation, fill, or any combination thereof) that will affect an area greater than or equal to 10,000 sf and less than one acre (43,560 sf)
 - Fee: \$150.00
 - Site Plan Requirement: Basic
2. Class 2 Grading and Drainage Permit Any construction that meets one of the following thresholds shall require a Class 2 Grading and Drainage Permit:
 - a. Any construction that will include the addition of an impervious surface area (i.e., streets, roof, patio or parking area or any combination thereof) greater than one acre (43,560 sf).
 - b. Any land disturbing activity (i.e., clearing, grading, stripping, excavation, fill, or any combination thereof) that will affect an area greater than one acre (43,560 sf).
 - Fee: \$250.00
 - Site Plan Requirement: Professionally Engineered
 - Performance bond or letter of credit is required

- Required Documentation
 - i. Storm Water Pollution Prevention Plan (SWPPP)
 - ii. Contractor Certification Statement (CCS)
 - iii. Notice of Intent (NOI) per NPDES Phase 2 requirements.
 - iv. NPDES / Erosion Control Inspection Report (ECIR) shall be prepared by the Grading and Drainage Permit holder on a weekly basis and after any 1/2-inch rainfall.
 - v. Incidence of Non-Compliance (ION) and corrective action shall be filed by the Grading and Drainage Permit holder within five (5) working days of any non-compliance incident.
 - vi. Notice of Termination (NOT) shall be filed upon final stabilization of erosion.

Inspections Required

1. Prior to the start of any land disturbing activities
2. Upon completion of installation of erosion control measures
3. As deemed necessary during construction
4. After final stabilization and landscaping and prior to removal of temporary sediment controls.

Implementation

This Ordinance is effective upon passage with the following exceptions:

1. Subdivision Improvements
The requirements for obtaining a Grading and Drainage Permit are waived for a period of three (3) years after passage of this Ordinance if the preliminary plat of a subdivision was approved by the City Council prior to the passage of this Ordinance. All other requirements of the ordinance shall remain in effect.
2. Non-Subdivision Improvements Requiring a Building Permit
The requirements for obtaining a Grading and Drainage Permit for non-subdivision related improvements requiring a building permit are waived for the duration of the building permit if the building permit was issued prior to the passage of this Ordinance. All other requirements of the ordinance shall remain in effect.
3. Improvements that Previously Did Not Require a Permit
The requirements for obtaining a Grading and Drainage Permit for construction that did not require a permit prior to passage of this Ordinance are waived for a period of one (1) year if the construction commenced prior to the passage of this Ordinance. All other requirements of the ordinance shall remain in effect.

Additional Key Points

1. The Engineering Department will approve Grading and Drainage Permits and coordinate inspections, however, it seems prudent that the Building Inspection Department should be the point of contact for permit applications, fee processing, etc. This will be determined in subsequent meetings by staff.
2. The Engineering Department must obtain a copy of all applicable permits prior to approving a Grading and Drainage Permit. This would include EPA, NPDES, IHPA, 404, floodplain development, etc. as applicable.
3. Best Management Practices (BMP's) are described and suggested for use in site design and erosion control measures.
4. Storm Water Pollution Prevention Plan (SWPPP) requirements are outlined in the ordinance.
5. Specific design standards for storm water drainage and detention features are outlined in the ordinance.
6. A lump-sum fee in lieu of detention is up to the discretion of the Director Of Engineering. (Sect. 3, Art. 3, Part O) but this fee may only be utilized for the construction or maintenance of regional detention facilities.
7. Variances or appeals may be made to a six (6) member Stormwater Board of Appeals (SBA), which will need to be appointed by the Mayor and approved by the Council. (Appeal Fee: \$150.00)