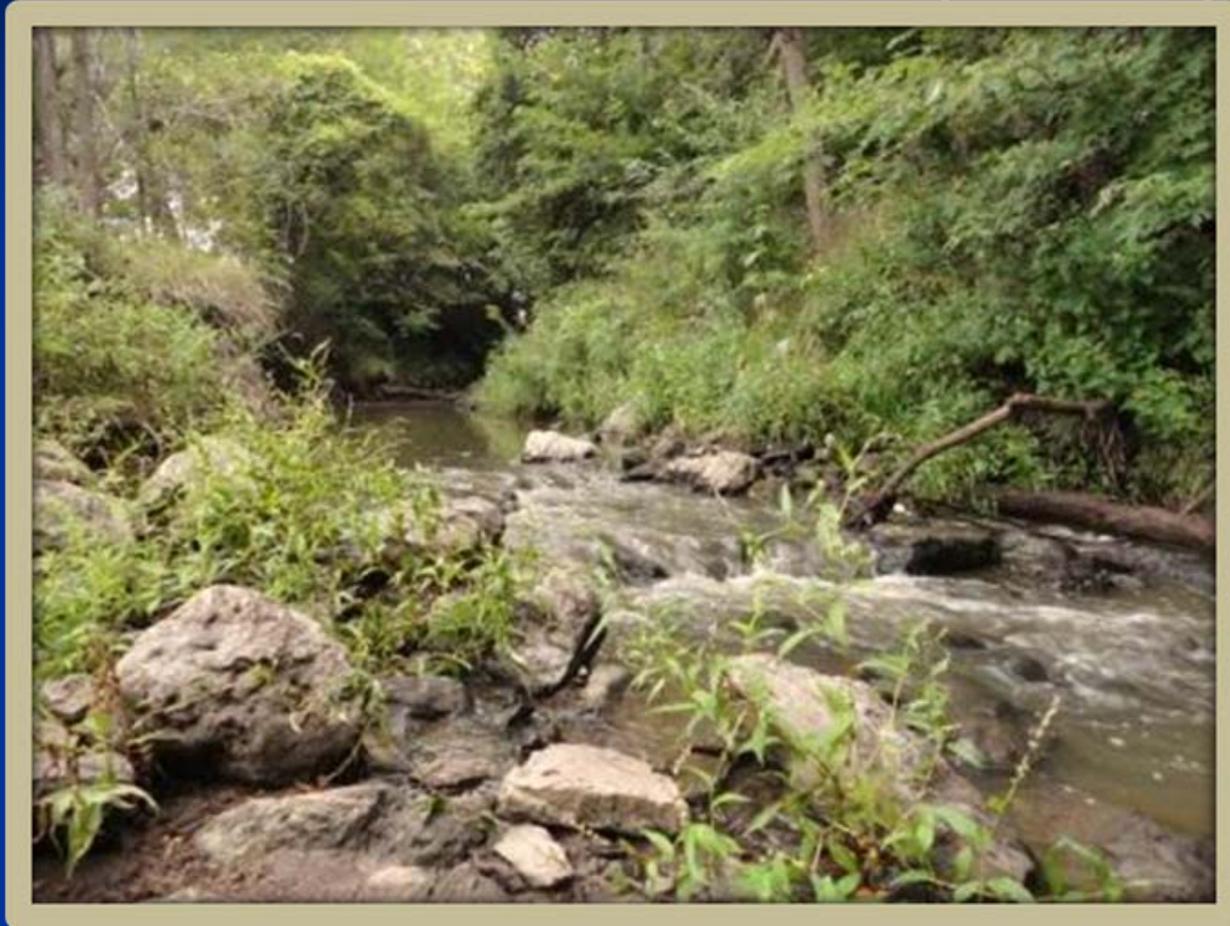


Post Construction Stormwater Draft Ordinances (28.03)



Clean Water Program Task Force

May 28, 2013

L.M.C 28.03.010:

Purpose and Findings

- These are regulations for stormwater runoff from areas of development and redevelopment
- Prevents and manages stormwater pollution and diminishes adverse impacts to health, safety, property, and the general welfare of Lincoln citizens

L.M.C 28.03.020:

Authority and Applicability

- These ordinances apply to Lincoln's corporate limits and also within Lincoln's Extra Territorial Jurisdiction (three mile limit)
- Provides for cooperative efforts between the City and Lower Platte South Natural Resources District

L.M.C 28.03.030: Definitions

- Definitions for:
 - 90% rainfall event: 1.25 inches or less
 - 80% rainfall event: 0.83 inches or less
 - Best Management Practices
 - City Inspections: Annual basis
 - Maintenance Agreement: Recorded document with BMPs for project
 - Qualified individual

L.M.C 28.03.040: Requirements

- All developments and redevelopments of one acre or more required to have a Post Construction Stormwater Management Plan

L.M.C 28.03.050: Post Construction Stormwater Management Procedures

- Developments: Plans to be submitted to Planning Dept. for review and approval as part of any planning application under Land Subdivision codes
- Redevelopments: Plans to be submitted to Building & Safety Dept. for review and approval as part of any building permit as required under the Zoning codes

L.M.C 28.03.060:

Post Construction Stormwater Management Plans

- Land Development plans to include management of the 90% rainfall event
- Land Redevelopment plans to include management of the 80% rainfall event
- Detailed provisions for plans and Best Management Practices are in the Drainage Criteria Manual

L.M.C. 28.03.070: Exemptions

- Single family dwelling, two family dwelling, up to four
- Land Developments with preliminary plats and Redevelopments with building permits that are approved prior to one year from approval of ordinance
- Director granted exemptions

L.M.C. 28.03.080: Maintenance

- Owner of property responsible for maintenance, inspections and submittal of inspection records
- Inspections must be by a qualified individual
- Owner to execute and record maintenance agreement and easement prior to approval of any building permits
- Inspection fee of \$0

L.M.C. 28.03.090: Replacement

- If Best Management Practice is no longer effective, it will be replaced by the City upon request and under City discretion
- Owner will need to demonstrate that the Best Management Practice has been properly designed, installed, inspected and maintained

L.M.C. 28.03.100: Right of Entry

- Grants the right to the City and/or the Lower Platte South Natural Resources District to perform inspections

L.M.C. 28.03.110: Unlawful Acts

- Not maintaining or constructing Best Management Practices according to Agreement
- Not correcting of any noticed violations
- Falsifying records
- Violation of any provisions of this Chapter

L.M.C. 28.03.130: Penalties

- Maximum penalty of \$500 per day per violation
- If immediate nuisance or hazard to public safety, City may issue a 24 hour abatement/removal order

L.M.C. 28.03.140: Appeals

- Standard City appeal language similar to other City ordinances
- Appeal initially heard by Director
- Final order by Director may be appealed to District Court