

AMENDING SECTION 1131 “STREAM CORRIDOR PROTECTION” AND SECTION 1179.09 “STORM WATER MANAGEMENT” OF THE CITY’S CODIFIED ORDINANCES IN ORDER TO CONTINUE TO COMPLY WITH STATE AND FEDERAL STORMWATER DISCHARGE REQUIREMENTS, AND ADOPTING CHANGES TO THE CITY’S STORMWATER DESIGN MANUAL.

WHEREAS, the National Pollutant Discharge Elimination System (NPDES) is a federal program under Section 402 of the Clean Water Act that forbids discharges of pollutants from point sources to waters of the United States, unless authorized by a NPDES permit; and

WHEREAS, Phase II of NPDES requires municipalities to establish a plan to reduce storm water pollution, thereby protecting the nation’s natural waterways; and

WHEREAS, in 2002, the City of Hilliard filed a Storm Water Management Plan (the “Plan”) with the Ohio EPA as part of the City’s NPDES Phase II permit coverage; and

WHEREAS, the Plan requires that the City update its storm water management regulations, establish a stream corridor protection zone and adopt and implement a policy of operation and maintenance of storm water control facilities in the City; and

WHEREAS, in order to comply with the above requirements, the City adopted two new code sections, identified as Sections 1131 and 1179.09, and adopted a Stormwater Design Manual, by the passage of Ordinance No. 08-26 on June 9, 2008; and

WHEREAS, as a matter of maintaining compliance with the plan, and in consultation with the Ohio EPA, the City recently reviewed its code and is recommending that certain provisions in Sections 1131 and 1179.09 be amended, as provided in Exhibit “A”, attached hereto and incorporated herein; and

WHEREAS, in summary, the changes elaborate on exemptions and waivers, reference requirements for post-construction best management practices, provide a more concise discussion of storm corridor protection zone requirements; and, where necessary, make reference to established Ohio EPA regulations governing post-construction water quality; and

WHEREAS, making the above amendments requires that the City make changes to its Storm Water Design Manual, for the same reasons as previously stated.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio that:

SECTION 1. Sections 1131 “Stream Corridor Protection” and 1179.09 “Storm Water Management,” are amended as provided in Exhibit “A” attached hereto and incorporated herein, with deleted language stricken and new language underlined. Amending these code sections is necessary in order for the City to comply with state and federal storm water protection regulations.

SECTION 2. This Council approves of the changes to the Storm Water Design Manual, attached hereto as Exhibit “B” and incorporated herein, and hereby adopts the same, which manual shall be used by landowners and developers in meeting the City’s storm water protection regulations and drainage requirements.

SECTION 3. This Ordinance shall be in full force and effect from and after the earliest period provided for by law.

ATTEST:

SIGNED:

Lynne M. Fasone
Clerk of Council

Brett A. Sciotto
President of Council

APPROVED AS TO FORM:

APPROVED:

Pamela A. Fox
Director of Law

Donald J. Schonhardt
Mayor

Ordinance 11-35

VOTE:	Yea	Nav	Abstain
President Sciotto			
Vice President McGivern			
Ashenhurst			
Iosue			
Kunze			
Roberts			
Uttley			
Results:			