

# ORDINANCE FOR STORMWATER OPERATION AND MAINTENANCE

## ORDINANCE #2004-16

*BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, ALABAMA*  
as follows:

### **Section I. Best Management Practice (BMP)**

*Definitions.* Structural device, measure, facility, or activity that helps to achieve stormwater management control objectives at a designated site.

*Plan.* A document approved at the site design phase that outlines the measures and practices used to control stormwater runoff at a site. The plan shall be prepared by a professional engineer. The subdivision regulations and the building code shall be revised to include these regulations.

### **Section II. Design**

- A. All stormwater BMPs shall be designed in a manner to minimize the need for maintenance and reduce the chances of failure. Design guidelines are outlined in the most recent version of the subdivision regulations of the City of Florence.
- B. Stormwater easements and covenants shall be provided by the property owner for access for facility inspections and maintenance. Easements and covenants shall be recorded with City of Florence prior to the issuance of a permit.
- C. Final design shall be approved by The City Engineer.
- D. The property owner/developer will acquire an NPDES Permit from ADEM and present a copy to the City Engineer.
- E. A permit will be issued by the City Engineer prior to construction start up. This permit acknowledges receipt of proper BMP and ADEM permit.

### **Section III. Routine Maintenance**

- A. All stormwater BMPs shall be maintained according to the measures outlined in the most recent version of The City of Florence Stormwater Pollution Prevention Plan, as required by the subdivision regulations and as approved in the permit.
- B. The person(s) or organization(s) responsible for maintenance shall be designated in

the plan. Options include

- 1) Property owner
- 2) Homeowner's association, provided that provisions for financing necessary maintenance are included in deed restrictions or other contractual agreements
- 3) Private contractor under contract with the Owner.

C. Maintenance agreements shall specify responsibilities for financing maintenance.

#### **Section IV. Nonroutine Maintenance**

Nonroutine maintenance includes maintenance activities that are expensive but infrequent, such as pond dredging or major repairs to stormwater structures.

- A. Nonroutine maintenance shall be performed on an as-needed basis based on information gathered during regular inspections.
- B. If nonroutine maintenance activities are not completed in a timely manner or as specified in the approved plan, The City of Florence may fine the Owner an appropriate amount to cover the cost of the city providing maintenance.

#### **Section V. Inspections**

- A. The person(s) or organization(s) responsible for maintenance shall inspect stormwater BMPs on a regular basis as outlined in the plan.
- B. Authorized representatives of The City of Florence may enter at reasonable times to conduct on-site inspections or routine maintenance.
- C. For BMPs maintained by the property owner or homeowner's association, inspection and maintenance reports shall be filed with The City of Florence, as provided for in the plan.
- D. Authorized representatives of The City of Florence, may conduct inspections to confirm the information in the reports filed under Section C.

***ADOPTED*** this the 16<sup>th</sup> day of March, 2004.