

CHAPTER 147

STORM WATER MANAGEMENT

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147.01 PURPOSE. It is the purpose of this chapter to establish policies to comprehensively manage and control storm water runoff in a safe and economical manner in developing areas for the purpose of promoting the health, safety, and general welfare of the population, and for the protection of property. It is also the intent of this chapter to provide for storm water storage within the City where detention/retention basin facilities have been determined to be beneficial in reducing the peak runoff to subservient lands. Requirements shall be established by this chapter in an effort to manage storm water runoff from development sites. Except as exempted in this chapter, a Storm Water Management Plan, as set forth herein, will be required as part of proposed development activities.

147.02 GENERAL OBJECTIVES. The general objectives of this chapter are:

1. To integrate Storm Water Management Plans in the Evansdale Metropolitan Area with other community plans such as the Hazard Mitigation Plan.
2. To encourage innovative and economic solutions, which provide for multipurpose use of storm water management facilities. The use of land solely for conveyance or storage of storm water runoff should be minimized.
3. To identify the roles and shared responsibilities of all participants in urban storm water management, including regular maintenance of storm water management facilities.
4. To implement a program addressing both individual development sites and a watershed (drainage area) approach to the planning and construction of storm water management facilities.
5. To develop storm water management standards to minimize soil erosion, sedimentation, and adverse effects on ground water.
6. To reduce the adverse impacts on existing developed areas by the implementation of storm water management practices on development sites.
7. To systematically reduce the existing level of storm water inundation in areas currently experiencing flooding, in a manner consistent with the overall goals and objectives for storm water management set forth in this chapter.
8. To adopt engineering methods and techniques for estimating storm water runoff which can be updated as technology improves, and to systematically monitor the effectiveness of the storm water management program.

147.03 DEFINITIONS. The following terms are defined as used in this chapter:

1. “Capacity” (of a storm water facility) means the maximum volume or rate of conveyance available in a storm water management facility, including freeboard, to store or convey storm water without damage to public or private property.

2. “City Building Inspector” means the appointed City official responsible for administering and enforcing the provisions of this chapter.
3. “Civil engineer” means a professional engineer licensed in the State of Iowa to practice in the field of civil works.
4. “Control structure” means part of a storm water management facility designed to regulate the storm water runoff release rate.
5. “Design Standards Manual” means the latest edition of the *Evansdale Metropolitan Area Engineering Design Standards* as approved by the City Council.
6. “Detention basin” means a storm water management facility designed, constructed, or modified to provide short-term storage of storm water runoff, which reduces the peak outflow to a rate less than the peak inflow.
7. “Development” means the improvement of land from its existing state.
8. “Drainage area” means an area of land contributing to storm water runoff.
9. “Overflow system” means the path taken by storm water runoff as a result of flows which exceed the capacity of the underground drainage system. This path may include streets, channels, drainage ways, or areas of sheet flows, and be located on public property or private property within an easement.
10. “Retention basin” means a storm water management facility designed, constructed, or modified to provide long-term storage of storm water runoff, which reduces the peak outflow during a specific rainfall event. This facility is typically designed to maintain a specific water elevation.
11. “Site” means a lot, parcel, or tract of land (or portion thereof) where development is occurring, or has occurred, and may or may not require additional permits.
12. “Storm sewer system” means facilities for the conveyance of storm water runoff, typically a series of conduits and appurtenances, to accommodate frequent storms not generating large peak discharges. These facilities usually include conduits, street gutters, and small swales.
13. “Storm Water Management Plan” means a site plan, certified by a civil engineer, including materials, construction phasing, grading activities, and methods used for mitigation of increased storm water runoff from the site under the requirements set forth in the Design Standards Manual.
14. “Storm water runoff” means the flow of water resulting from precipitation upon a surface area, not absorbed by the soil or plant material.
15. “Storm water runoff release rate” means the amount of storm water runoff discharged from dominant to subservient land.

147.04 EXEMPTIONS. The following are exempt from the requirements of this chapter:

1. Agricultural use of land;
2. Emergencies posing an immediate danger to life or property, or substantial flood or fire hazards.
3. Land within flood plain areas as designated in the Federal Emergency Management Agency maps in effect at the time of development.

147.05 APPLICATION. The requirements of this chapter apply to all developments within the City.

1. Storm water detention basins intended to serve single-family residential development shall be publicly owned and maintained, unless approved otherwise by the City Building Inspector.
2. Non-single family lots with an overall area of one acre or more shall provide on-site storm water detention. Non-single family lots with an overall area less than one acre shall comply with one of the following, as approved by the City Building Inspector:
 - A. Privately owned, on-site detention basin.
 - B. Tributary to a privately or publicly owned detention basin.

In some watersheds, on-site storm water detention may be required, at the discretion of the City Building Inspector, for non-single family lots with an overall area of less than one acre.

3. At the discretion of the City Building Inspector, if a detention basin serves non-single family zoning districts and can provide storm water attenuation for a substantial drainage area, the facilities may be publicly owned and maintained.

147.06 STORM WATER MANAGEMENT REQUIREMENTS.

1. For purposes of obtaining approval of a Storm Water Management Plan, a plan for the site meeting the requirements established in the Design Standards Manual shall be submitted to the City Building Inspector for review and approval. All design criteria and plan details shall be in conformance with the Design Standards Manual.
2. Construction of storm water management facilities shall be in conformance with the approved Storm Water Management Plan for the site.
3. The Storm Water Management Plan, including on-site storm water detention facilities, shall be reviewed and approved by the City Building Inspector prior to the issuance of foundation permits or building permits for the site. The improvements shall be constructed prior to the issuance of final certificates of occupancy. The requirements of this subsection may be deferred at the discretion of the City Building Inspector.
4. For sites on which privately owned and maintained storm water detention and/or conveyance facilities are located, the property owner shall be responsible for the following:
 - A. All future grading, repairs, and maintenance.
 - B. Maintenance of the minimum storm water detention volume, as approved by the City Building Inspector.
 - C. Maintenance of the detention basin control structures and discharge pipes to ensure the maximum theoretical storm water release rate, as approved by the City Building Inspector, is not increased.
5. The property owner shall place no fill material, or erect any buildings, obstructions, or other improvements on the area reserved for storm water detention purposes, unless approved otherwise by the City Building Inspector.
6. The property owner shall dedicate to the City, by instrument or final platting, any property on which public storm water detention basins will be located. Ingress-egress easements for maintenance of public facilities shall be provided prior to final site approval.
7. The City Building Inspector may inspect the sites at any time to determine compliance with these regulations. If deemed necessary by the City Building Inspector, the property owner shall provide certification by a civil engineer verifying the minimum storm water detention

volume and the maximum theoretical storm water release rate, as required by subsection 4 of this section, are in conformance with the approved design.

8. Upon determination that a site is not in compliance with these regulations, the City Building Inspector may issue an order to comply. The order shall describe the problem and specify a date whereby the work must be completed, and indicate the penalties to be assessed for further noncompliance.

9. Except as provided in this chapter, no person shall engage in construction of storm water management facilities, unless a Storm Water Management Plan has been reviewed and approved by the City Building Inspector.

147.07 FEES ESTABLISHED. The City Council may establish fees by resolution for the review and processing of documents necessitated by this chapter. If and when such fees are established, a submittal shall not be considered unless the appropriate fee has been submitted to the City Building Inspector.

147.08 PENALTIES. Any person who engages in development of a site within the area of jurisdiction of this chapter before meeting the requirements of this chapter shall be subject to one or more of the following:

1. The provisions of Chapter 4 of this Code of Ordinances.
2. No foundation permits or building permits shall be issued for the property in question until the violations are corrected.
3. No permanent certificates of occupancy shall be issued for property in question until the violations are corrected. An existing certificate of occupancy may be rescinded.

Nothing contained herein shall limit the right of the City to any other remedies available to the City for the enforcement of this chapter, including the use of municipal infractions. Enforcement of this chapter shall be the responsibility of the City Building Inspector.

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