Passed: 9-0

ORDINANCE 98-41

TO AMEND THE TEXT OF TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "ZONING"
(Transferring Review of Storm Water Management Plans from the City Engineering to the City Utilities Department)

WHEREAS, the City of Bloomington by adoption of Ordinance 98-29 has established a Stormwater Utility under jurisdiction of the City of Bloomington Utilities Department; and

WHEREAS, the City of Bloomington wishes to transfer authority for review of stormwater management plans within its jurisdiction to said Stormwater Utility;

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Section 20.06.05.04 Stormwater Management shall be amended to read as follows:

20.06.05.04 Stormwater Management

(a) Criteria for Stormwater Management Plans. A stormwater management plan shall be submitted for review on all subdivisions, proposed planned developments, or site plans. The stormwater management plan shall be designed to the satisfaction of the City Utilities Department Assistant Director for Engineering, and in a manner consistent with the capacity of downstream facilities. The stormwater management plan shall conform to the following criteria:

(1) The existing natural drainage system shall be utilized to the maximum extent possible.
(2) Finished land grades shall be such that there is no ponding of water on the land and that surface water will not cause erosion. This shall not be considered to prohibit storm water retention facilities or other decorative ponds.
(3) The natural vegetation shall be utilized where possible to prevent the concentration of surface water run-off.
(4) Any planned stormwater management construction shall be integrated into the drainage pattern of surrounding properties.
(5) Except for swales used to carry runoff to storm sewer inlets, natural drainage ways, storm water retention facilities, and storm water quality mitigation measures, the construction of open ditches is prohibited.
(6) Storm water detention shall be utilized to limit runoff to pre-development rates, where the City Utilities Department Assistant Director for Engineering determines that detention is necessary in consideration of downstream capacity and the impacts of the proposed development.
(7) The stormwater management plan shall be designed to conform to standards that may be established by the Utilities Service Board and additional recommendations of the City Engineer and City Utilities Department Assistant Director for Engineering.

(b) Review of Stormwater Management Plans: The City Utilities Department Assistant Director for Engineering shall review stormwater management plans. Each petitioner shall furnish a set of the stormwater management plan with the application for approval of any proposed subdivision, planned unit development or site plan. Approval of the stormwater management plan will be based upon, but not limited to, consideration of the following items:

(1) Culvert and storm sewer size and placement;

(2) Grade stabilizing structures;
(3) Curb elevations on streets used as part of the stormwater management system;
(4) Storm water retention; and
(5) Storm water runoff quality.

SECTION II. Severability. If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end the provisions of this chapter are declared to be severable.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, Monroe County, Indiana, and approval of the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 21 day of October, 1998.

TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 21st day of October, 1998.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 21st day of October, 1998.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the text of Title 20 entitled "Zoning" to transfer responsibility for stormwater management plan review to the City Utilities Department Assistant Director for Engineering.

Signed copies to:
BMC File
Clerk / CACA
Mayor File-25
Planning
Utilities
Legal - 5