ORDINANCE 164

STILLWATER TOWNSHIP
WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE TOWNSHIP'S ORDINANCE REGARDING STORMWATER MANAGEMENT AND EROSION CONTROL

THE BOARD OF SUPERVISORS OF THE TOWN OF STILLWATER ORDAINS:

SECTION 1. Stillwater Township's Ordinance No. 112 shall be amended to add the following:

Article 1, Section 5.0 Application for Permit to Conduct Land Disturbing Activity

C. Applications for any project that will affect more than 1 acre shall also complete a Storm Water Pollution Prevention Plan (SWPPP) and shall comply with all requirements of the current National Pollution Discharge Elimination System (NPDES) regulations.

Article II, Section 2.0, Item A. General Standards

(3) Development must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, and erosion potential, and reduce and delay runoff volumes. Disturbed areas must be stabilized and protected as soon as possible and facilities or methods used to retain sediment on the site. Stabilization must be completed no later than 14 calendar days after land disturbing activity has temporarily or permanently ceased.

(5) If more than ten (10) acres are disturbed and drained to a single point of discharge, temporary sediment basins must be installed. However, if the site has special waters as defined by the MPCA, temporary sediment basins must be installed where five (5) or more acres are disturbed. When site restrictions do not allow for a temporary sediment basin, equivalent measures such as smaller basins, check dams, and vegetated buffer strips can be included.

(6) For disturbed areas less than ten (10) acres in size, sedimentation basins are encourage, but not required. The applicant shall install erosion and sediment controls at locations directed by the community. Minimum requirements include silt fences, rock check dams, or other equivalent control measures along slopes. Silt fences, rock check dams, etc. must be regularly inspected and maintained.

Article II, Section 2.0, Item B. Specific Standards:

(1) The applicant shall use the National Oceanic and Atmospheric Administration (NOAA) Atlas 14, Volume 8, precipitation frequency data for storm water management calculations.

(2) Storm water management facilities and Best Management Practices (BMPs) shall be sized to control the first one (1) inch of runoff volume generated from the proposed net new impervious areas that are greater than or equal to one (1) acre in area.

Article III, Section 2.0, Item B. Specific Standards:

(3) The applicant shall stabilize the normal wetted perimeter of temporary or permanent drainage ditches or swales within one hundred (100) lineal feet of the property boundary or discharge point to a surface water.

(4) Permanent or temporary soil stabilization must be applied to disturbed areas (areas where vegetation has been removed or where cuts have been made), as soon as possible, not to exceed fourteen (14) days after a substantial portion of rough grading has been conducted, unless an extension is granted by the Jurisdiction, or within seven (7) days if the site discharges to and is located within one (1) mile of an impaired or special water as defined by the MPCA.

(5) If more than ten (10) acres are disturbed and drained to a single point of discharge, temporary sediment basins must be installed. However, if the site discharges to special or impaired waters as defined by the MPCA, temporary sediment basins must be installed where five (5) or more acres are disturbed. When site restrictions do not allow for a temporary sediment basin, equivalent measures such as smaller basins, check dams, and vegetated buffer strips can be included.

(6) For disturbed areas less than ten (10) acres in size, sedimentation basins are encouraged, but not required. The applicant shall install erosion and sediment controls at locations directed by the community. Minimum requirements include silt fences, rock check dams, or other equivalent control measures along slopes. Silt fences, rock check dams, etc. must be regularly inspected and maintained.

(9) Earthen structures such as dams, dikes, and diversions must be seeded and mulched within fourteen (14) days of installation, or within seven (7) days if the site discharges to and is located within one (1) mile of an impaired or special water as defined by the MPCA.

(13) All on-site storm water conveyance channels shall be designed and constructed to withstand the expected velocity of flow from a 5-year frequency storm without erosion per *Atlas 14*.

Article IV, Section 2.0, Penalty. Violation of this Ordinance or of a permit or order issued pursuant to this Ordinance is a misdemeanor punishable by up to ninety (90) days in jail and a $1,000 fine. Violation of this Ordinance may also be enjoined. Every day that a violation occurs is a separate violation.

SECTION 2. Stillwater Township's Zoning Ordinance Chapter Two, Section 1.6 shall be amended to add all of the items from Articles I through III above in the appropriate sections.

SECTION 3. This Ordinance Amendment shall be effective immediately upon its passage and publication.

ADOPTED by the Board of Supervisors of Stillwater Township this 10th day of December 2015.

STILLWATER TOWNSHIP

BY: _____
David Johnson, Chair

ATTEST:

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Kathy Schmoeckel, Township Clerk