

## **APPENDIX A**

### **Supplemental Information for Contractors/Developers**

## STORM WATER RESOURCES

1. Environmental Protection Agency (EPA) Region 8  
[www.epa.gov/region8/](http://www.epa.gov/region8/) 800-227-8917
2. Army Corps of Engineers  
[www.usace.army.mil](http://www.usace.army.mil) 916-557-7461
3. Harrisville City  
City Hall  
Public Works Shop  
[www.cityofharrisville.com](http://www.cityofharrisville.com) 801-782-4100  
ext. 1015
4. Utah Department of Environmental Quality  
Division of Water Quality 801-538-6146  
Division of Environmental Response and Remediation 801-536-4100  
Division of Air Quality 801-536-4000  
Solid and Hazardous Waste- Used Oil Hotline 801-458-0145  
[www.deq.utah.gov/](http://www.deq.utah.gov/)
5. Utah Division of Natural Resources  
General Information 801-538-7200  
[www.naturalresoures.utah.gov/](http://www.naturalresoures.utah.gov/)
6. Weber County  
Engineering Office 801-399-8374  
Storm Water Management 801-399-8677  
Weber County Coalition  
[www.co.weber.ut.us/](http://www.co.weber.ut.us/)
7. Utah Storm Water Advisory Committee  
[www.swac.utah.gov/](http://www.swac.utah.gov/)
8. Jones & Associates Consulting Engineers  
City Engineer 801-476-9767  
[www.jonescivil.com](http://www.jonescivil.com)
9. J-U-B Engineers  
Storm Water Management Consultant 801-547-0393  
[www.jub.com](http://www.jub.com)

## GLOSSARY

*Berm:* An earthen mound used to direct the flow of runoff around or through a structure.

*Best Management Practices (BMPs):* Includes schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

*Bioengineering:* Restoration or reinforcement of slopes and stream banks with living plant materials.

*Conveyance System:* Any channel or pipe for collecting and directing the stormwater.

*Culvert:* A covered channel or large diameter pipe that directs water flow below the ground surface.

*Degradation:* (Biological or chemical) The breakdown of chemical compounds into simpler substances, usually less harmful than the original compound, as with the degradation of a persistent pesticide. (Geological) Wearing down by erosion. (Water) The lowering of the water quality of a watercourse by an increase in the amount of pollutant(s).

*Dike:* An embankment to confine or control water, often built along the banks of a river to prevent overflow of lowlands; a levee.

*Discharge:* The release of stormwater or other substance from a conveyance system or storage container.

*Drainage:* Refers to the collection, conveyance, containment, and/or discharge of surface and stormwater runoff.

*Erosion:* The wearing away of land surface by wind or water. Erosion occurs naturally from weather or runoff but can be intensified by land-clearing practices related to farming, residential or industrial development, road building, or timber-cutting.

*Eutrophication:* The process of over-enrichment of waters by nutrients, often typified by the presence of algal blooms.

*Fibric Peats:* Those peats in which the undecomposed fibrous organic materials are easily identifiable. The most common fibric peat is sphagnum moss, which is extremely acidic.

*Fill:* A deposit of earth material placed by artificial means.

*First Flush:* The delivery of a disproportionately large load of pollutants during the early part of storms due to the rapid runoff of accumulated pollutants.

*Forebay:* An extra storage area provided near the inlet of a BMP to trap incoming sediments before they accumulate in a pond BMP.

*Gabion:* A large rectangular box of heavy gage wire mesh, which holds large cobbles and boulders. Used in streams and ponds to change flow patterns, stabilize banks, or prevent erosion.

*General Permit:* A permit issued under the NPDES program to cover a class or category of stormwater discharges.

*Grading:* The cutting and/or filling of the land surface to a desired slope or elevation.

*Hazardous Waste:* By-products of society that can pose a substantial or potential hazard to human health or the environment when improperly managed. Possesses at least one of four characteristics (flammable, corrosivity, reactivity, or toxicity), or appears on special EPA lists.

*Heavy Metals:* Metals of high specific gravity, present in municipal and industrial wastes, that pose long-term environmental hazards. Such metals include cadmium, chromium, cobalt, copper, lead, mercury, nickel, and zinc.

*Hemic Peats:* Peats which are intermediate in their properties between those of the fibric and sapric categories. They are typically more decomposed than fibric peats but less so than sapric. Similarly, hydraulic conductivity and color of hemic peat are generally intermediate between those of the other two peat categories.

*Hydraulic Head:* The height of water above any plain of reference.

*Individual Permit:* A permit issued under the NPDES program for a specific facility, whereby the unique characteristics of that facility may be addressed through the imposition of special conditions or requirements.

*Infiltration:* The downward movement of water from the surface to the subsoil. The infiltration capacity is expressed in terms of inches/hour.

*Ingress/Egress:* The points of access to and from a property.

*Inlet:* An entrance into a ditch, storm sewer, or other waterway.

*Mulch:* A natural or artificial layer of plant residue or other materials covering the land surface which conserves moisture, holds soil in place, aids in establishing plant cover, and minimizes temperature fluctuations.

*Nonpoint Source:* Pollution caused by diffuse sources (not a single location such as a pipe) such as agricultural or urban runoff.

*NPDES (National Pollutant Discharge Elimination System):* EPA's program to control the discharge of pollutants to waters of the United States.

*NPDES Permit:* An authorization, or license, or equivalent control document issued by EPA or an approved state agency to implement the requirements of the NPDES program.

*Off-site:* Any area lying upstream of the site that drains onto the site and any area lying downstream of the site to which the site drains.

*On-site:* The entire property that includes the proposed development.

*Outfall:* The point, location, or structure where wastewater or drainage discharges from a sewer pipe, ditch, or other conveyance to a receiving body of water.

*Point Source:* Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.

*Plat:* A map or representation of a subdivision showing the division of a tract or parcel of land into lots, blocks, streets, or other divisions and dedications.

*Pollutant:* Generally, any substance introduced into the environment that adversely affects the usefulness of a resource.

*Receiving Waters:* Bodies of water or surface water systems receiving water from upstream constructed (or natural) systems.

*Retention:* The holding of runoff in a basin without release except by means of evaporation, infiltration, or emergency bypass.

*Riparian:* A relatively narrow strip of land that borders a stream or river.

*Riprap:* A combination of large stone, cobbles and boulders used to line channels, stabilize banks, reduce runoff velocities, or filter out sediment.

*Runon:* Stormwater surface flow or other surface flow which enters property other than that where it originated.

*Runoff:* That part of precipitation, snow melt, or irrigation water that runs off the land into streams or other surface water. It can carry pollutants from the air and land into the receiving waters.

*Sapric Peat:* Includes the most highly decomposed peat materials. In sapric peats, the original plant fibers have mostly disappeared. The water-holding capacity of sapric peat is commonly less than that of either fibric or hemic peat. Sapric peats are typically very dark gray to black in color and are quite stable in their physical properties.

*Sedimentation:* The process of depositing soil particles, clays, sands, or other sediments that were picked up by runoff.

*Sheet Flow:* Runoff which flows over the ground surface as a thin, even layer, not concentrated in a channel.

*Sorption:* The physical or chemical binding of pollutants to sediment or organic particles.

*Source Control:* A practice or structural measure to prevent pollutants from entering stormwater runoff or other environmental media.

*Stabilization:* The proper placing, grading and/or covering of soil, rock, or earth to ensure its resistance to erosion, sliding, or other movement.

*Storm Drain:* A slotted opening leading to an underground pipe or open ditch for carrying surface runoff.

*Stormwater:* Rainfall runoff, snow melt runoff, and drainage. It excludes infiltration.

*Swale:* An elongated depression in the land surface that is at least seasonally wet, is usually heavily vegetated, and is normally without flowing water. Swales direct stormwater flows into primarily drainage channels and allow some of the stormwater to infiltrate into the ground surface.

*Treatment:* The act of applying a procedure or chemicals to a substance to remove undesirable pollutants.

*Treatment Control BMP:* A BMP that is intended to remove pollutants from stormwater.

*Turbidity:* Describes the ability of light to pass through water. The cloudy appearance of water is caused by suspended and colloidal matter (particles).

*Urban Runoff:* Stormwater that passes through and out of developed areas to a stream or other body of water.

*Wetlands:* An area that is regularly saturated by surface or ground water and subsequently characterized by a prevalence of vegetation that is adapted for life in saturated soil conditions. Examples include: swamps, bogs, marshes, and estuaries.

**APPENDIX B**

**Supplemental Information for  
Public Works Personnel**

## SWPP Facilities Checklist

1. Storm Water Pollution Prevention Plan Requirements
  - a. Pollution Prevention Team -- Identified individual or individuals responsible for developing the plan and assisting in implementation. \_\_\_\_\_
2. Drainage
  - a. Site map outlining the drainage area within the facility boundary. \_\_\_\_\_
    - i. Include all drains, inlets, and outlets. \_\_\_\_\_
      1. Where do the outlets discharge to? \_\_\_\_\_
      2. Where does water drain to? \_\_\_\_\_
    - ii. Show directions of flow. \_\_\_\_\_
  - b. Note locations exposed to significant precipitation. \_\_\_\_\_
  - c. Note covered locations. \_\_\_\_\_
  - d. What kind of treatment does the storm water receive? \_\_\_\_\_
3. Inventory of Exposed Materials
  - a. Inventory of materials that may potentially be exposed to precipitation. \_\_\_\_\_
  - b. Note existing control measures to reduce pollution. \_\_\_\_\_
4. Spills and Leaks
  - a. Note locations of any major spills or leaks. \_\_\_\_\_
  - b. Where do they drain to? \_\_\_\_\_
5. Storage Areas
  - a. Note locations of storage of potential pollutants. (Fertilizer, paint, gas, oil, chemicals, metals, antifreeze, batteries, etc.) \_\_\_\_\_
  - b. What is being done to prevent leaks and spills? \_\_\_\_\_
  - c. Is everything labeled clearly? \_\_\_\_\_
6. Engine Maintenance and Repair Areas
  - a. Note all areas of maintenance (welding, fueling, engine maintenance and repair, sanding, blasting, painting, metal fabrication, etc.) \_\_\_\_\_
  - b. Where is maintenance being performed? (indoors or outdoors) \_\_\_\_\_
  - c. How are fluids being cleaned up? (hosing floor, dry cleanup, etc) \_\_\_\_\_
  - d. Where are vehicles being fueled? \_\_\_\_\_

7. General Yard Area

- a. Is there a schedule for routine yard maintenance? \_\_\_\_\_
- b. How are things being cleaned up and contained? \_\_\_\_\_

8. Preventive Maintenance

- a. Is there a schedule for routine maintenance of storm water management devices? (oil/water separators, sediment traps, etc.) \_\_\_\_\_
- b. Is equipment being inspected regularly for breakdowns or failures that could cause pollutant discharge? \_\_\_\_\_

9. Spill Prevention and Response

- a. Note locations of potential spills. \_\_\_\_\_
- b. Where do they drain to? \_\_\_\_\_
- c. How are spills being cleaned up? \_\_\_\_\_

10. Inspections

- a. Are inspections of the facility being performed regularly? \_\_\_\_\_

11. Employee Training

- a. Are employees being trained on spill response and material management practices? (used oil, spent solvent, fueling procedures, batteries, etc.) \_\_\_\_\_
- b. Are they being informed about BMP's for the facility? \_\_\_\_\_

12. Recordkeeping and Internal Reporting

- a. Are records of incidents (major spills or discharges) being kept? \_\_\_\_\_
- b. Are reports of quality/quantity of storm water discharges being filed? \_\_\_\_\_
- c. Are inspections and maintenance activities being documented? \_\_\_\_\_

13. Certification of Non-Storm Water

- a. Is it possible to evaluate for the presence of non-storm water? \_\_\_\_\_
- b. If so, is its presence being tested for and certified? \_\_\_\_\_

14. Sediment and Erosion Control

- a. Note locations of high potential for soil erosion. \_\_\_\_\_
- b. What preventative/stabilization measures are being implemented? \_\_\_\_\_

15. Runoff Management

- a. What practices (other than those controlling source of pollutants) are being used in the traditional storm water management of the facility? \_\_\_\_\_



# UPDES STORM WATER INSPECTION EVALUATION FORM FOR SWPPP COMPLIANCE



## BACKGROUND INFORMATION

Site Name:		UPDES Permit #:
Site Address:		
Local Jurisdiction or County:		
Permit Effective Date:	Permit Expiration Date:	
Total Project Area:	Total Disturbed Area:	
Project Type: (circle)	<i>Subdivision</i>	<i>Commercial</i>
	<i>Industrial</i>	<i>Linear (Road/Pipe/Power)</i>
	<i>Land Disturbance</i>	

## OPERATOR CONTACT INFORMATION

	NAMES	PHONE NUMBERS	E-MAIL
Operator:			
Onsite Facility Contact:			
Important Contacts:			
Important Contacts:			

SWPPP PRE-SITE REVIEW INFORMATION	YES	NO	SWPPP PRE-SITE REVIEW INFORMATION	YES	NO
1. Has a pre-construction review of the SWPPP been conducted by the applicable jurisdiction, if required?			6. Does the SWPPP contain the site description, sequence of construction activities, and areas of the site to be disturbed?		
2. Are the required post-construction elements included in the SWPPP? (i.e. grass swales, detention basins, etc.)			7. Does the SWPPP contain locations of storm drains, surface drainage patterns, and locations of storm water discharges?		
3. Are contact names and telephone numbers listed in the SWPPP?			8. Does the SWPPP and/or site map address waste control & disposal, off site tracking, sanitary concerns, exposure to construction materials, lay down or storage areas, administrative trailers, etc.?		
4. Are the NOI and State permit in the SWPPP?			9. Does the SWPPP include the site map, sediment, and erosion control design drawings, showing both structural and non structural BMPs?		
5. Did the "Operator" sign the SWPPP with authorization and certification statements?					

## NOTICE OF TERMINATION (NOT) INSPECTION

Site Name:	Date of Evaluation:
Site Address:	
Inspected By:	Title/Organization:
	Comments:
1. Has the site been properly stabilized according to permit requirements?	YES NO
2. Have all temporary BMPs been removed?	
3. Have post-construction (permanent storm water system) elements been constructed and inspected in accordance with approved project drawings?	
4. Is the site acceptably clean?	

Inspector: I certify that this document and all attachments were prepared under my direction. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

Inspector:			
	(Print Name)	(Title)	(Date)
Operator:			
	(Print Name)	(Title)	(Date)



**APPENDIX C**  
**City Ordinances**

HARRISVILLE CITY  
RESOLUTION 2010-15

A RESOLUTION OF HARRISVILLE CITY, UTAH, ADOPTING THE STORM WATER MANAGEMENT PLAN PREPARED BY HARRISVILLE CITY PUBLIC WORKS WITH THE ASSISTANCE OF J-U-B ENGINEERS IN COMPLIANCE WITH THE STATE PERMIT RELATING TO PHASE II OF THE FEDERAL CLEAN WATER ACT.

WHEREAS, Harrisville City (hereafter "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and

WHEREAS, the City Council finds that in conformance with Phase II of the Federal Clean Water Act is an unfunded mandate imposed upon the City and administered by a state permit issued by the Utah Department of Environmental Quality;

WHEREAS, the City adopted its original Harrisville City Storm Water Management Plan (hereafter "Plan") by Resolution 2002-02 on or about July 23, 2002;

WHEREAS, the City has updated the Plan to conform to new state permit requirements and other applicable regulations in order to bring the City into compliance with the same;

WHEREAS, the City Council desires to adopt the updated Plan as provided herein;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Harrisville City as follows:

**Section 1: Updated Plan Adopted.**

The updated Harrisville City Storm Water Management Plan dated November, 2010, prepared by the City Public Works Department with assistance from J-U-B Engineers, attached as Exhibit "A" and incorporated herein by this reference, is hereby adopted and approved. The Plan is to be a living document and the City's Public Works Department staff is hereby delegated authority to update and adapt said Plan as needed and subject to any agency requirements.

**Section 2: Effective Date.**

This Resolution is effective immediately upon passage and approval.

PASSED AND APPROVED by the Harrisville City Council on this 23<sup>rd</sup> day of November, 2010.

  
RICHARD HENDRIX, Mayor  
Harrisville City

ATTEST:

  
JENNIFER MORRELL, City Recorder



Roll call vote is as follows:

Mr. Allen	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Mr. Crowther	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Ms. Fowers	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Mr. Richins	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Mr. Wilhelmsen	<input checked="" type="radio"/> Yes	<input type="radio"/> No

### **Adoption by Administrative Rule**

The adoption of this updated Plan constitutes a duly adopted policy or administrative rule authorized and enforceable in accordance with Section 15.23.060 of the Harrisville Municipal Code.

### **Harrisville Procedure Relating to MS4 Regulations 4.2.5.5.1, 4.2.5.5.2, and 4.2.5.5.3**

#### **4.2.5.5.1. Private property access and control measures.**

The City's Storm Water Management Plan should be amended to require access for the City to inspect storm water control measures on private property for all development that is vested subsequent to the effective date of this Plan. This shall serve as an enforceable administrative rule promulgated by the City until such time that the storm water regulation ordinance is amended to reflect this procedure.

The access for the City to inspect storm water control measures on private property that is vested subsequent to the effective date of this Plan includes both construction-phase and post-construction access. Upon approval of the Public Works Director, and in lieu of City employees inspecting and maintaining storm water controls on private property, the City may allow the owner/operators or a qualified third party to conduct maintenance so long as: a) that at least annual certification, in the form of inspection documentation which has been performed, is provided to the City; and b) the structural controls are adequately operating and maintained as such were designed to protect water quality as provided in the original maintenance agreement and plans submitted upon vesting and approval of the site.

A maintenance agreement is required on private property that is vested subsequent to the effective date of this Plan includes both construction-phase and post-construction access and where owner/operators or a qualified third party to conduct maintenance as provided herein. Said maintenance agreement shall be promulgated in the form and manner as determined by the Public Works Director so long as the agreement includes at a minimum: a) allows the City oversight authority of the storm water measures, b) a provision that the agreement acts as a covenant that runs with the land, c) allows the City to perform necessary maintenance or corrective actions neglected by the owner/operators or the qualified third party, and d) allows the City to recoup the costs from the owner/operator as necessary to cover the expenses for necessary actions conducted by the City.

The City interprets this regulation as secondary and subservient to the United States Constitution and the Utah State Constitution as applied to property rights, land use, development, and similar rights. Specifically, the intent of this regulation is not to be applied to violate vested property rights nor to be a physical invasion of property rights as determined by the United States Supreme Court in Loretto v. Teleprompter Manhattan CATV Corp., 458 U.S. 419 (1982). The City recognizes that the United States Supreme Court interprets property right in conjunction with the laws and constitutions of each state. Therefore, Utah law also plays an important role in defining property rights. For the purpose of determining when a property right is vested the City shall continue to apply the Utah Supreme Court ruling in Western Land Equities, Inc. V. City of Logan, 617 P.2d 388 (1980) that states a property owner is vested to follow the City's

regulations in effect at the time a land use application is filed. Furthermore, where there is vagueness in any land use regulation, including the storm water regulations, it shall be interpreted in favor of the property owner.

**4.2.5.5.2. Inspection of permanent structural BMPs.**

The City's storm water inspector, the City Engineer, or his designee, shall inspect, at least once during construction and installation, any permanent structural BMPs.

**4.2.5.5.3 Inspection and maintenance on private property.**

Where a maintenance agreement exists between the City and the owner/operator of a private property, inspections and necessary maintenance is to be performed annually. On sites where the City has an agreement with the property owner/operator who is responsible to conduct maintenance, the City shall still inspect such sites at least every five (5) years to verify adequate maintenance is being performed. The City is to document its findings on an inspection report as follows:

1. Inspection date.
2. Name and signature of inspector.
3. Site location or address.
4. Current ownership information.
5. A description of:
  - a. The storm water control measures, including the quality and condition of:
    - i. Vegetation.
    - ii. Inlet and outlet channels and structures.
    - iii. Spillways.
    - iv. Weirs.
    - v. Other control structures.
    - vi. Sediment and debris accumulated in storage area and around inlet and outlet structures.
  - b. Specific maintenance issues or violations found that need to be corrected by the property owner/operator that includes:
    - i. Deadline for correction of violations.
    - ii. Reinspection date to follow-up on violations to be corrected.

RESOLUTION NO. 2002-06

A RESOLUTION REGARDING FEES, CREDITS,  
EXEMPTIONS AND OTHER ISSUES RELATED TO THE  
HARRISVILLE CITY STORM WATER UTILITY.

WHEREAS, the City Council enacted a storm water utility ordinance (the "ordinance") on October 22, 2002; and

WHEREAS, the ordinance created a storm water utility effective January 1, 2003; and

WHEREAS, Section 15.23.040 and 15.24.030 of the ordinance provided that fees associated with the storm water connections and activity permitting could be established by resolution of the City Council; and

WHEREAS, Section 15.22.050 of the ordinance provided that fees, credits and exemptions associated with the storm water utility could be established by resolution of the City Council; and

WHEREAS, the purpose of this resolution is to establish fees, credits and exemptions for the City's storm water utility.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARRISVILLE, UTAH, as follows:

1. The following provisions apply to the storm water utility established by the City;

Definitions. The following definitions shall apply to this resolution:

- A. **Developed parcel.** Any parcel that has been altered from its natural condition by grading, filling, or the construction of improvements or other impervious surfaces.
- B. **Equivalent Residential Unit ("ERU").** The average amount of impervious surface, expressed in square feet, on developed single family residential parcels in Harrisville.
- C. **Impervious surface.** Any hard surface, other than the natural surface, that prevents or retards the absorption of water into the soil, or that causes water to run off the surface in greater quantities or at a greater rate of flow than the natural surface.
- D. **Parcel.** The smallest separately segregated unit or plot of land having an identified owner, boundaries, and surface area which is documented for tax purposes and given a tax account (lot) number by the Weber County Assessor.
- E. **Single Family Residential.** A residential building having only one living unit, or a residential building having more than one living unit, if living units are separately owned and titled. Examples of single family residences included single family houses and condominiums.
- F. **Best Management Practices (BMPs):** Includes schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff spillage or leaks, sludge

or waste disposal, or drainage from raw material storage. These practices included Structural BMP or actual physical elements constructed or installed to meet the intent described above or Non-Structural BMPs which are practices or procedures for the above intent.

## Fees

### Storm Water Connections and Activity Permitting Fees

#### Background.

One of the purposes of this resolution is to establish the basis for the fees charged by the city. The fees may be amended at any time as part of the fees and charges section of the City's annual budget resolution or in a separate City Council resolution. The City Council may amend the fees established in this resolution without amending this resolution and without affecting the validity of the remaining provisions of this resolution.

#### Basis.

The fees established in this resolution are based on fees imposed by other communities involved with the Clean Water Act Phase II.

#### Amount.

The City Council finds that the following fees (service charges) are reasonable and necessary to fund the administration, and inspection for the Storm Water Connection and Activity Permits. The following fees (service charges) are hereby established for each parcel of real property in the City:

- |    |                                           |        |
|----|-------------------------------------------|--------|
| 1. | Storm Water Connection Permit:            | \$0.00 |
| 2. | Storm Water Construction Activity Permit: | \$0.00 |

### Storm Water Utility Fee

#### Background.

One of the purposes of this resolution is to establish the basis for the fees charged by the storm water utility. The fees may be amended at any time as part of the fees and charges section of the City's annual budget resolution or in a separate City Council resolution. The City Council may amend the storm water utility fees established in this resolution without amending this resolution and without affecting the validity of the remaining provisions of this resolution.

#### Basis.

The two main components of the fee are (1) the amount of impervious surface on the parcel (expressed as Equivalent Residential Units or "ERU's") and (2) the amount charged per ERU.

Non-single family residential parcels will be assessed a fee based on the actual amount of impervious surface on the parcel. Single family residential parcels will all be assessed a common fee, based on the average amount of impervious surface area found on single family residential parcels in the City. The City Council finds that the common fee for single family residential parcels is justified because (1) each single family residential parcel contributes approximately the same amount of storm water runoff, and (2) it would be impractical and difficult to administer the utility if each single family residential parcel were measured individually. The City Council

finds the ERU to be the most accurate measurement for determining the amount that each parcel contributes to, benefits from, and otherwise uses the storm water utility. For convenience, the City Council establishes the amount of impervious surface included in each ERU to be equal to the average amount of impervious surface found on single family residential parcels. Therefore, each single family residential parcel will pay the fee for one ERU. Based on the average hard surface area for many homes in the City and throughout the state as determined by other Storm Water Utilities, the City Council finds that one ERU equals 2,800 square feet of impervious surface area.

The amount to be charged per ERU was determined by calculating the amount of money needed to fund a basic level of storm water service, with emphasis on capital improvements, regulatory compliance with agencies such as the US EPA and the State, maintenance, public information, and water quality, and dividing that amount by the estimated number of ERU's in the City. This calculation results are included in a separate feasibility report incorporated hereby by reference..

#### Amount.

The City Council finds that the following fees (service charges) are reasonable and necessary to fund the administration, planning, design, construction, water quality programming, operation, maintenance and repair of existing and proposed storm and surface water facilities. The following storm water utility fees (service charges) are hereby established for each parcel of real property in the City:

1. Undeveloped Parcel - No charge.
2. Single Family Residential - \$3.00 per month (1 ERU).
3. Other Developed Parcels - All other developed parcels, including multiple family residential parcels, shall be charged a fee based on the number of ERU's on the parcel. If there is more than one City utility bill for the parcel, the fee shall be divided between the City utility bills covering the parcel. The number of ERU's shall be established by measuring the amount of impervious surface on the parcel, dividing that number by 2,800, and then rounding to the nearest whole number. The actual monthly fee (service charge) shall be computed by multiplying the total ERU's for the parcel by the monthly rate of \$3.00 per ERU. For example, a parcel with 20,000 square feet of impervious surface area shall pay a fee of \$21.00 per month ( $20,000 / 2,800 = 7.1$ ; 7.1 rounded to the nearest whole number = 7;  $7 \times \$3.00 = \$21.00$ ).

#### Credits

Non-single family residential parcels may apply for and receive a service charge credit if the property includes on-site storm water facilities that improve the quality of the storm water discharge from the property. The maximum amount of the credit shall be fifty percent ( 50% ) of the service charge.

Credits shall be calculated based on the following Structural and non-Structural BMPs:

#### Structural BMP's

- A. **Working Detention Basin** - A credit of up to **30%** of the monthly utility rate will be

given for a properly sized and functioning detention basin. Said basin must initially be reviewed and inspected by the City.

- B. **Increased Detention Volume** - A credit of up to **10%** of the monthly utility rate will be given for a detention basin whose volume is greater than that required for the 0.2 cfs/acre discharge. Credits will be given at a rate of 2% for every 0.02 cfs/acre down to a minimum of 0.1 cfs/acre. Calculations of the basin volume and discharge must be approved by the City Engineer for the credit. For example: for a discharge of 0.16 cfs/acre discharge would receive a credit of 4% per month in addition to other credits.
- C. **Increased Landscape** - A credit of up to **10%** of the monthly utility rate will be given for a increase landscape above the minimum landscape requirement of 15%. Credits will be given at a rate of 2% for every 5% of area landscaped up to a maximum of 40% landscaped area. Calculations of the landscape area must be approved by the City Engineer for the credit. Pervious Xeriscape is permissible. Xeriscape is defined as water efficient landscaping of xerigraphic quality ("Xeriscape Gardening" by Ellefson, Stephens & Welsh; McMillian Publishing Co., 1992.) Unmaintained weeds are not considered for Landscape requirements.
- D. **Working Oil Separator** - A credit of up to **10%** of the monthly utility rate will be given for a properly sized and functioning Oil separator. Said separator must initially be reviewed and inspected by the City.

Non-Structural BMP's

- E. **Annual Parking lot Sweeping**- A credit of up to **10%** of the monthly utility rate will be given for receipts presented to the Storm Water Manager indicating that the entire parking area has been swept on at least an annual basis.
- F. **Catch Basin & Pipe Cleaning**- A credit of up to **10%** of the monthly utility rate will be given for receipts presented to the Storm Water Manager indicating that the Catch Basins and pipes have been cleaned at least on an annual basis.

The sum of the above credits shall not exceed 50% of the monthly Strom Water Utility rate. For example, if BMP's A, B, E, & F are applicable, even though their sum is 60%, the monthly credit will be 50%. The lack of maintenance of any of the above BMP's is grounds for elimination of any credits given.

Credits will be given under the following conditions:

1. The non-single family residential user make application to the City for said credits.
2. The Non-single family residential user provide all information to the City, mentioned in the credit calculations. Said calculations must be submitted by a licenced Professional Engineer, Surveyor, Architect or Landscape Architect.
3. A non-single family residential user receiving a credit can only maintain the credit as long as the approved BMPs are adhered to. Credits will be considered ongoing and renewable from year-to-year as long as inspections support that the approved credit program is being followed in its entirety.
4. Credits may be revoked or amended if inspections reveal that the approved program is not being followed in its entirety or it the non-single family residential user adds to its existing water quality program.
5. Policies for the removal or amendments of credits will be established by the City. These policies will consider an appropriate appeal process to the loss of a credit previously enjoyed by a non-single family residential user as outlined in the City Code.

**Exemptions**

1. **Undeveloped Parcels.** Undeveloped parcels shall not pay any storm water utility fees.
  
2. **Streets.** The City Council finds that all streets (publicly and privately owned) are part of the storm water utility conveyance system and are therefore exempt from the storm water utility fee. For purposes of this section, "streets" shall include the following:
  1. Any publicly-owned rights-of-way.
  2. Any property that has been dedicated, deeded or condemned as a street and accepted by the City as a street.
  3. Any property that has been abandoned to the public as a street, if the City considers the property a street and maintains the property as a street.
  4. Any thoroughfares (publicly or privately owned) that are open to the public, provide access to real property, and are used primarily for vehicular traffic.
  5. Any railroad rights-of-way."Streets" shall not include private driveways, designated drive areas in malls or shopping centers, or designated drive areas through condominium or PRUD parking areas.
  
3. **Common Area.** Common areas in residential condominium and PRUD developments shall not be assessed a storm water utility fee if each of the residential units in the development is assessed the standard residential fee.

**Policies**

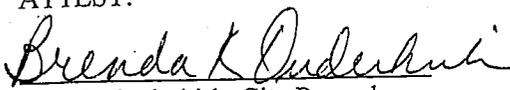
The Public Works Director may adopt policies, consistent with this resolution, the storm water utility ordinance, and any other resolutions passed by the City Council, to assist in the application, administration and interpretation of this resolution, the storm water utility ordinance, and any resolutions related to the storm water utility.

2. If any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not effect the validity or constitutionality of any other section, sentence, clause of phrase of this ordinance.
  
3. All resolutions or policies in conflict herewith are hereby repealed.
  
4. This resolution shall take effect on January 1, 2003.

PASSED AND APPROVED this 22<sup>nd</sup> day of October, 2002.

  
\_\_\_\_\_  
City of HARRISVILLE, by  
Fred Oates, Mayor

ATTEST:

  
\_\_\_\_\_  
Brenda Ouder Kirk, City Recorder

# RESOLUTION # 2002-02

## A RESOLUTION OF THE CITY OF HARRISVILLE, ADOPTING THE STORM WATER MANAGEMENT PLAN

**WHEREAS**, the City of Harrisville (herein "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and

**WHEREAS**, the City Council finds that in conformance with the Clean Water Act, Phase II, the City is mandated to adopt a Storm Water Management Plan; and

**WHEREAS**, the City Council finds that in conformance with the provisions of the Clean Water Act, Phase II, the City's Storm Water Management Plan identifies the six Minimum Control Measures (MCM's), with their associated Best Management Practices (BMP'S), Measurable Goals, Implementation Schedules and Fiscal Sources.

**WHEREAS**, the City seeks to be in compliance with current statutory requirements.

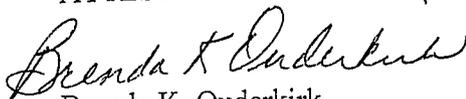
**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HARRISVILLE** as follows:

The Harrisville City Storm Water Management Plan dated July 2002, and future Mayor-approved updates, attached is hereby adopted and promulgated this 23rd day of July, 2002.



Fred W. Oates, Mayor

ATTEST:



Brenda K. Ouderkirk  
City Recorder



ORDINANCE #349

STORM WATER AND DRAINAGE

AN ORDINANCE OF HARRISVILLE CITY ADOPTING CHAPTER 15.22. STORM WATER UTILITY; CHAPTER 15.23. STORM DRAINAGE; CHAPTER 15.24. STORM WATER CONSTRUCTION ACTIVITY PERMIT; TO ENACT REGULATIONS TO COMPLY WITH PHASE II OF THE FEDERAL CLEAN WATER ACT; AND TO OTHERWISE REGULATE STORM WATER AND DRAINAGE.

WHEREAS, HARRISVILLE City (hereafter "City") is a municipal corporation, duly organized and existing under the laws of the state of Utah; and

WHEREAS, Utah Code Annotated §10-8-13 allows municipalities to regulate conduits, drains, and the like; and

WHEREAS, Utah Code Annotated §10-8-38 empowers municipalities to construct, reconstruct, maintain, operate, control, and charge for the use of culverts, drains, catch basins, and all systems and facilities necessary for proper drainage; and

WHEREAS, the City desires to comply with Phase II of the Federal Clean Water Act;

NOW, THEREFORE, be it ordained by the Municipal Council of HARRISVILLE as follows:

Section 1: Enactment. The following Chapters are enacted and such shall read as follows:

Chapter 15.22. Storm Water Utility.

Chapter 15.23. Storm Drainage.

Chapter 15.24. Storm Water Construction Activity Permit.

Chapter 15.22.  
STORM WATER UTILITY

- 15.22.010. Findings.
- 15.22.020. Purpose.
- 15.22.030. Definitions.
- 15.22.040. Storm Water Utility.
- 15.22.050. Storm Water Utility Fee.
- 15.22.060. Billing.

15.22.010. Findings.

The City Council makes the following findings regarding storm water runoff and the City's storm water system:

1. The City's existing storm water system consists of a network of man-made and natural facilities, structures and conduits, including groundwater and aquifers, that collect and route storm water runoff.
2. Uncontrolled or inadequately controlled storm water runoff endangers the City's groundwater supply.
3. Uncontrolled or inadequately controlled storm water runoff causes erosion and property damage.
4. Uncontrolled or inadequately controlled storm water runoff hinders the City's ability to provide emergency services to its residents.
5. Uncontrolled or inadequately controlled storm water runoff impedes the regular flow of traffic in the City.
6. Uncontrolled or inadequately controlled storm water runoff poses health hazards to the citizens of the community.
7. Storm water runoff carries concentrations of oil, grease, nutrients, chemicals, heavy metals, toxic materials and other undesirable materials that may jeopardize the integrity of ground waters and receiving waters, including the City's culinary water supply.
8. All developed properties in the City contribute to the need for the storm water system by converting natural ground cover into impervious surfaces.

9. All developed properties in the City make use of or benefit from the City's operation and maintenance of the storm water system.
10. The EPA and the DEQ are developing additional storm water permitting requirements that will apply to cities.
11. Absent effective maintenance, operation, regulation and control, existing storm water drainage conditions in the City constitute a potential hazard to the health, safety and general welfare of the City, its residents, and its businesses.
12. A storm water utility is the most equitable and efficient method of managing storm water in the City and ensuring that each property in the City pays its fair share of the amount that the property contributes to, benefits from, and otherwise uses the storm water system.

**15.22.020. Purpose.**

The purpose of this ordinance is to protect the health, safety and welfare of the City and its inhabitants by improving the City's storm water system, managing and controlling storm water runoff, protecting property, preventing polluted waters from entering the City's water supply and other receiving waters, and establishing a viable and fair method of financing the construction, operation and maintenance of the storm water system.

**15.22.030. Definitions.**

The following bolded words and phrases shall be defined as follows:

1. **Detention Basin.** An area designed to detain peak flows from storm water runoff and to regulate release rates of that water into the City's storm drainage system. Detention basin outlets are connected directly to downstream storm drains. All flow entering detention basins are released via outlet piping.
2. **Developed parcel.** Any parcel that has been altered from its natural condition by grading, filling, or the construction of improvements or other impervious surfaces.
3. **Equivalent Residential Unit ("ERU").** The average amount of impervious surface, expressed in square feet, on developed single family residential parcels in HARRISVILLE. One ERU equals 2,800 square feet of impervious surface area.
4. **Impervious surface.** Any hard surface, other than the natural surface, that prevents or retards the absorption of water into the soil, or that causes water to run off the surface in greater quantities or at a greater rates of flow than the natural surface.
5. **Retention Basin.** means an area designed to retain flows from storm water runoff and to encourage infiltration into surrounding sub-surface soils. Retention basins do not have outlet piping connected into a storm water system.

**15.22.040. Storm Water Utility.**

1. **Creation.** The City Council hereby creates and establishes a storm water utility as part of the City's overall Storm Water system. The storm water utility shall plan, design, construct, maintain, administer and operate the City's storm water system.
2. **Enterprise Fund.** The City Council hereby establishes a storm water utility enterprise fund to handle all income, expenses and other financial transactions related to the storm water utility. All storm water utility service charges shall be deposited in the enterprise fund. Money in the storm water utility enterprise fund shall not be commingled with or transferred to other City funds. However, the storm water utility may pay other City funds for services and expenses directly attributable to the storm water utility. The enterprise fund shall be operated according to State law and City policy.
3. **Facilities and Assets.** The storm water utility shall operate independently of City operations funded by the general fund. The storm water utility shall have the same relationship to the City as other City utilities, such as the water utility and the sanitary sewer (waste water) utility. Upon creation of the utility, all of the City's storm water facilities and assets (other than streets and other facilities and assets designated by the City Council) shall be transferred to the storm water utility in consideration for the storm water utility's agreement to take primary responsibility for planning, designing, constructing, maintaining, administering and operating the City's storm water system.
4. **Administration.** The storm water utility shall be administered by the Mayor and City Council.

**15.22.050. Storm Water Utility Fee.**

1. **Imposed.** Each developed parcel of real property in the City shall be charged a storm water utility fee.
2. **ERU.** The fee shall be based on the number of equivalent service units (ERU's) contained in the parcel. The City Council finds that the ERU is the most accurate measurement for determining the amount that each parcel contributes to, benefits from, and otherwise uses the storm water utility. Based on the City Engineer's research, the City Council finds and establishes that one ERU equals 2,800 square feet of impervious surface area.
3. **Calculation.** The City Council finds that each single family residential parcel contributes approximately the same amount of storm water runoff; therefore, each developed single family residential parcel shall pay a base rate of one (1) ERU. All non-single family residential parcels shall pay a multiple of this base rate, expressed in ERU's, according to the measured impervious area on the parcel. The City Council may adopt separate rates for PRUD's, condominiums and other uses that are not easily handled under the standard rate schedule.
4. **Charge per ERU.** The amount charged for each ERU shall be established by resolution of the City Council.
5. **Exemptions and Credits.** The City Council may establish exemptions and credits to the storm water utility fee by resolution.
6. **Policies.** The City may adopt policies, consistent with this ordinance and any resolutions passed by the City Council, to assist in the application, administration and interpretation of this ordinance and any resolutions related to the storm water utility.
7. **Appeals.** Any person or entity that believes that this ordinance, or any storm water utility rate resolution, was interpreted or applied erroneously may appeal to the City Council. The appeal shall be in writing, shall state any facts supporting the appeal, and shall be made within ten (10) days of the decision, action, or bill being appealed. The City Council's decision shall be final and binding on all parties.

**15.22.060. Billing.**

The City Council finds that the City's storm water system, sanitary sewer system, culinary water system, and solid waste collection system are interrelated services that are part of a unified City plan to provide for the health, safety and welfare of the City and its residents in an environmentally responsible manner. Currently, billings are executed by Bona Vista Water District for sanitary sewer and solid waste collection and an administrative cost per each bill from Bona Vista is passed on to the City. Therefore, the storm water utility fee shall be included on the regular monthly utility bill for any given property. If there is no regular utility bill for the property, the storm water utility fee shall be charged to the owner of the property. The fee shall be deemed a civil debt owed to the City by the person or entity paying for the City utility services provided to the property. All properties shall be charged the fee, regardless of whether or not the owner or occupant of the property requests the storm water utility service. Failure to pay any portion of the utility bill may result in termination of water service as well as other civil damages.

**Chapter 15.23.  
Storm Drainage**

- 15.23.010. **Definitions.**
- 15.23.020. **Prohibited Obstructions.**
- 15.23.030. **Prohibited Discharges.**
- 15.23.040. **Prohibited Storage and Littering**
- 15.23.050. **Storm Water Connection Permit.**
- 15.23.060. **Best Management Practices.**
- 15.23.070. **Easements.**
- 15.23.080. **Authority to Inspect.**
- 15.23.090. **Requirement to Monitor and Analyze.**
- 15.23.100. **Notice of Violation.**
- 15.23.110. **Damage to Storm Water System or Irrigation Lines.**
- 15.23.120. **Manhole Covers.**
- 15.23.130. **Drinking Water Protection.**
- 15.23.140. **Violation and Penalty.**
- 15.23.150. **Compliance with Federal and State Law.**

**15.23.010. Definitions.**

The following bolded words and phrases shall be defined as follows for the purpose of this Chapter and Chapter 24:

1. **Best Management Practices (BMPs).** A wide range of management procedures, schedules of activities, prohibitions of practices, maintenance procedures, and other management practices which have been demonstrated to effectively control the quality and/or quantity of storm water runoff and which are compatible with the planned land use. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw material storage. A list of sample BMP's and their effectiveness ratings can be found in the Harrisville City Storm Water Management Plan dated July 2002 (available at the Harrisville City Hall.)
2. **Catch Basin.** A drain inlet designed to keep out large or obstructive matter.
3. **Debris.** Any dirt, rock, sand, vegetation, rubbish or litter.
4. **Detention Basin.** An area designed to detain peak flows from storm water runoff and to regulate release rates of that water into the City's storm drainage system. Detention basin outlets are connected directly to downstream storm drains. All flow entering detention basins are released via outlet piping.
5. **Development.** Any man-made change to improved or unimproved real estate, including but not limited to site preparation, filling, grading, paving, excavation, and construction of buildings or other structures.
6. **Director.** The Public Works Director of the Harrisville City or his duly appointed deputy, agent, or representative.
7. **Disturb.** To alter the physical condition, natural terrain or vegetation of land by clearing, grubbing, grading, excavating, filling, building or other construction activity.
8. **Drain Inlet.** A point of entry into a sump, detention basin, or storm drain system.
9. **Hazardous Material.** Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial presence or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed. Hazardous material includes, but is not limited to, any hazardous substance designated under 40 CFR part 116 pursuant to section 311 of the Clean Water Act.
10. **Illicit Connection.** Illicit connection means either of the following:
  - a. Any drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system. Examples include, but are not limited to, any conveyances which allow non-storm water discharge such as sewage, process wastewater, or wash water to enter the storm drain system, and any connections to the storm drain system from indoor drains or sinks; or
  - b. Any drain or conveyance connected to or discharging to the storm drain system, which has not been (1) documented in plans, maps, or equivalent records submitted to the City, and (2) approved in writing by the City.
11. **Illicit Discharge.** Any non-storm water discharge to the storm water system. Illicit discharges include both direct connections (e.g. wastewater piping either mistakenly or deliberately connected to the storm water system) and indirect connections (e.g. infiltration into the storm water system or spills collected by drain inlets).
12. **Land Development.** Any development of a parcel, lot, subdivision plat or site plan. If there is more than one lot in the subdivision plat or site plan, all lots in the subdivision plat or site plan shall jointly be considered to be part of the land development.
13. **Person.** Any individual, corporation, partnership, association, company or body politic, including any agency of the State of Utah and the United States government.
14. **Pollutant.** Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal and agricultural waste, paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, that may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete resins); and noxious or offensive matter of any kind.
15. **Redevelopment.** Alterations of a property that change the footprint of a site or building in such a way that disturbs one acre of land or more.

16. **Storm Drain.** A closed conduit for conducting collected storm water.
17. **Storm Water System.** The system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, detention basins, curbs, gutters, ditches, man-made channels, sumps, storm drains, and ground water) owned and operated by the City, which is designed and used for collecting or conveying storm water. The storm water system is also referred to as a "municipal separate storm sewer system" or "MS4".
18. **Storm Water.** Any flow that occurs during or following any form of natural precipitation. Storm water includes only the portion of such flow that is composed of precipitation.
19. **Storm Water Runoff.** Water that is generated by storm water flows over land.

**15.23.020. Prohibited Obstructions.**

1. It is unlawful for any person to:
- Obstruct the flow of water in the storm water system.
  - Contribute to the obstruction of the flow of water in the storm water system.
  - Cover or obstruct any drain inlet.
2. The following obstructions are exempt from the prohibitions of this section:
- Street and/or storm water improvement projects authorized by the City.
  - Flood control and prevention activities performed by the City.
  - Obstructions approved by the City as part of a site's storm water drainage plan.
  - Obstructions occurring during clean-up periods established by the City, provided that the materials are placed according to City directions and do not obstruct drain inlets.

**15.23.030. Prohibited Discharges.**

1. It is unlawful for any person to cause or allow an illicit discharge to the storm water system.
2. The following discharges to the storm water system are exempt from the prohibitions of this section:
- Discharges regulated under a valid National Pollutant Discharge Elimination System (NPDES) storm discharge permit, provided that the discharge complies with the terms of the permit.
  - Discharges from water line flushing performed by the City.
  - Discharges from sprinkled landscape irrigation or sprinkled lawn watering.
  - Discharges from individual residential car washing, provided that a biodegradable detergent is used.
  - Discharges from natural riparian habitat or wetland flows.
  - Discharges from natural groundwater flows.
  - Discharges from air conditioning condensation.
  - Discharges from fire fighting or emergency management activities.
  - Discharges from swimming pools.
  - Discharges from foundation drains, footing drains, or crawl space or basement pumps if the discharges have been approved in writing by the City.
  - Discharges allowed by a HARRISVILLE City Storm Water Connection Permit.

**15.23.040. Prohibited Storage and Littering.**

It is unlawful for any person to maintain, store, keep, deposit or leave any pollutant or hazardous material, or any item containing a pollutant or hazardous material, in a manner that is likely to result in the discharge of the pollutant or hazardous material to the storm water system.

**15.23.050. Storm Water Connection Permit.**

1. **Permit Required.** No person shall connect to the City's storm water system, either directly or indirectly, without first obtaining a storm water connection permit from the City.
2. **When Permit Required.** Any person beginning new construction (development of an undeveloped parcel) or redevelopment (as defined in this Chapter) in the City shall obtain a Storm Water Connection Permit before commencing construction.
3. **Application.** The applicant for a Storm Water Connection Permit shall submit the following to the City:
- Application Form.** A completed application form. Application forms will be available at the City.
  - BMP Plan.** A plan incorporating storm water BMPs that meet the requirements of section 15.23.06.

c. **Maintenance Plan.** A plan outlining how the applicant will maintain the storm water improvements listed in the application.

d. **Fee.** A fee in an amount set by resolution of the City Council.

4. **Application.** The application shall be submitted to the City as part of the Building Permit or Subdivision Approval.

5. **Review.** The Storm Water Connection Permit application shall be reviewed by the City Engineer or Building Inspector for respectively subdivision and commercial site plans or private residences and either approved, approved with conditions, or denied. Either the permit applicant or the City may appeal the City Staffs decision to the City Council.

6. **Failure.** Failure to construct or maintain storm water improvements in accordance with an approved Storm Water Connection Permit shall be a violation of this ordinance.

7. **As-Builts.** Any person connecting to the storm water system shall provide the City's Storm Water Utility with "as-built" plans showing the details and the location of the connection. The plans shall be in a format that is acceptable to the City.

8. **Rate.** Connections to the storm water system shall be designed so that the discharge to the storm water system does not exceed one tenth cubic foot per second (0.1 cfs) per acre.

#### **15.23.060. Best Management Practices.**

Any person connecting to the storm water system or developing a commercial or industrial site shall employ Best Management Practices (BMPs) approved by the City. The City shall adopt a policy establishing a menu of BMPs that may be used to satisfy this requirement. The BMPs may be structural and/or non-structural, depending on the needs of the site. The BMPs shall be designed to ensure that the quality and quantity of storm water released to the City's storm water system meets the requirements of federal, state and local laws and regulations and the City's NPDES permit, and will not exceed the designed capacity of the storm water system or jeopardize the integrity of the storm water system.

#### **15.23.070. Easements.**

The director may enter all private properties through which the City holds an easement for the purposes of inspecting, observing, measuring, sampling, repairing or maintaining any portion of the storm water facilities lying within the easement, or the performance of any other duties pertinent to the operation of the storm water system. All entry and subsequent work, if any, on an easement, shall be completed according to any special terms of the easement.

#### **15.23.080. Authority to Inspect.**

Whenever necessary to make an inspection to enforce any provision of this Chapter, or whenever the City has cause to believe that there exists, or potentially exists, a condition which constitutes a violation of this Chapter, the City may enter the premises at all reasonable times to inspect the same and to inspect and copy records related to storm water compliance. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

#### **15.23.090. Requirement to Monitor and Analyze.**

If City tests or inspections indicate that a site is causing or contributing to storm water pollution, illegal discharges, and/or non-storm water discharges to the storm water system or waters of the United States, and if the violations continue after notice from the City, the City may require any person engaged in the illicit activity and/or the owner or operator of the site to provide, at their own expense, monitoring and analyses required by the City to determine compliance with this Chapter.

#### **15.23.100. Notice of Violation.**

Whenever the City finds that a person has violated a prohibition or failed to comply with a requirement of this Chapter, the City will order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

1. The performance of monitoring, analyses, and reporting;
2. The elimination of illicit connections or discharges;
3. That violating discharges, practices, or operations shall cease and desist;

4. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
5. Payment to cover administrative, remediation, monitoring, analyses, and reporting costs; and
6. The implementation of source control or treatment BMPs.

The City may skip the notice requirements set forth in this Section and immediately proceed with criminal and/or civil action against the violator if (1) the violator has committed the same violation in the past, or (2) the violation, in the opinion of the City, creates a serious risk to persons, the environment or property, or (3) the City deems the violation to constitute an emergency.

**15.23.110. Damage to Storm Water System.**

Any person who damages any portion of the storm water system shall be responsible for repairing the damages. The damages shall be repaired by a licensed contractor bonded to do work in the City and shall be repaired in accordance with the City's Construction Standards and Specifications. It is unlawful to remove or alter any portion of the storm water system without permission from the Director.

**15.23.120. Manhole Covers.**

It shall be unlawful to open any storm water manhole or other storm water fixture (such as grates, lids or inlets) without permission from the Director.

**15.23.140. Violation and Penalty. (See Ordinance 414)**

1. ~~The violation of any provision of this Chapter is a Class B misdemeanor. Each day that a violation occurs shall constitute a separate offense.~~
2. ~~If, as the result of the violation of any provision of this Chapter, the City or any other party suffers damages and is required to make repairs and/or replace any materials, the cost of repair and/or replacement shall be borne by the violating party and shall be in addition to any criminal or civil fines and/or penalties.~~
3. ~~Violators of this Chapter may also be subject to prosecution, civil fines and penalties from City of Harrisville, the State of Utah and the United States EPA.~~

**15.23.150. Compliance with Federal and State Law.**

Nothing in this Chapter shall be interpreted to relieve any person from an obligation to comply with an applicable Federal, State or local law relating to storm water discharges or drinking water protection.

**Chapter 15.24.  
Storm Water Construction Activity Permit**

- 15.24.010. Purpose and Intent.
- 15.24.020. Storm Water Construction Activity Permit - When Required.
- 15.24.030. Storm Water Construction Activity Permit - Application.
- 15.24.040. Storm Water Pollution Prevention Plan.
- 15.24.050. Proper Operation and Maintenance.
- 15.24.060. Inspection and Entry.
- 15.24.070. Revocation or Suspension of Storm Water Construction Activity Permit.
- 15.24.080. Violations and Enforcement
- 15.24.090. Exemptions.
- 15.24.100. Appeal.
- 15.24.110. Compliance with Federal and State Law.

**15.24.010. Purpose and Intent.**

The purpose of this Chapter is to prevent the discharge of sediment and other construction-related pollutants from construction sites. Sediment and debris from construction sites are a major source of pollution to waterways and water systems located within the City and surrounding areas. Each year storm water runoff carries tons of sediment from construction sites into local drainage systems, irrigation systems, canals, rivers, and lakes. Sediment from storm water

runoff also clogs and obstructs storm drains, culverts, and canals and causes damage to private property, wildlife habitat and water quality.

**15.24.020. Storm Water Construction Activity Permit - When Required.**

1. A Harrisville City Storm Water Construction Activity Permit is required before any person or entity may excavate, grub and clear, grade, or perform any type of construction activity that will disrupt or cause a change in the natural landscape upon any of the following types of property located within the City:

2. **One Acre or More.** Any parcel, lot or land development which is equal to or greater than one acre (43,560 square feet) in size. A subdivision development greater than or equal to one acre in size qualifies under this subsection even if each of the individual lots in the subdivision is smaller than one acre.

3. **Special Concern Areas.** Any parcel, lot or land development for which the City determines that because of the nature or type of the parcel, lot or development, disturbance of the land is likely to result in erosion or the transport of sediment off of the site by storm water to a degree substantially greater than that which would occur under natural landscape conditions.

**15.24.030. Storm Water Construction Activity Permit - Application.**

Any person or entity desiring a Storm Water Construction Activity Permit must first file an application with the Planning Commission Secretary. The application shall be submitted with, or as part of an application for a site plan or subdivision approval or building permit.

1. **Content.** The application shall include a Storm Water Pollution Prevention Plan which meets the criteria set forth in section 15.24.040.

2. **Timing.** The applicant shall file the application on or before the following dates:

a. **Subdivision.** The date that the applicant submits the preliminary subdivision plat application if the applicant proposes to develop a subdivision.

b. **Site Plan.** The date that the applicant submits a site plan application if the applicant proposes to develop a site plan or amended site plan.

c. **Building Permit.** The date that the applicant submits a building permit application if the applicant proposes to construct a building on an existing lot or parcel.

d. **Other.** At least two (2) weeks before the developer intends to perform any type of work not listed above that would require a Storm Water Construction Activity Permit pursuant to this Chapter.

3. **Compliance.** If an applicant's development comes under more than one of the categories listed above, then the applicant shall submit the Storm Water Construction Activity Permit Application on the earliest of the listed dates. Failure to comply with the application dates set forth above is not a criminal offense, but may delay the applicant's project. Failure to acquire a required Storm Water Construction Activity Permit is grounds for denying a related subdivision application, site plan application, conditional use permit application, or building permit application. It is unlawful to commence work (move dirt) on a development site before obtaining a required Storm Water Construction Activity Permit.

4. **Fee.** The applicant for a Storm Water Construction Activity Permit shall pay a fee in an amount set by resolution of the City Council.

5. **Application Approval.** The City Staff "City" shall approve the application and grant the permit if the application is complete and meets the criteria set forth in section 15.24.040. The City shall deny the application or approve the application with conditions if the City determines that the measures proposed in the Plan fail to meet the criteria set forth in section 15.24.040. Conditions the City may impose in connection with the approval of a Permit include, but are not limited to, the establishment of specific measures and controls to prevent erosion and the discharge of sediment, debris and other construction-related pollutants from the site by storm water.

6. **Term.** Unless otherwise revoked or suspended, a Storm Water Construction Activity Permit shall be in effect for the full period of the construction activity. The construction activity will not be considered to be completed until the following events occur:

a. **Subdivisions.** For Permits associated with a subdivision plat approval:

i. The Permittee must complete all required subdivision improvements; and

ii. One of the following three events must occur:

(1) The City issues a final certificate of occupancy for each lot in the subdivision, or

(2) Individual Storm Water Construction Activity Permits have been issued for each lot in the subdivision not having a final occupancy permit, or

(3) The property has been re-vegetated or landscaped in a manner that eliminates erosion and sediment discharge or that brings the property back to its natural state.

b. **Site Plans.** For Permits associated with a site plan approval, the date that the Permittee has completed all required landscaping and all outside construction work associated with the site plan.

c. **Building Permits.** For Permits associated with a building permit application, the date that the City issues a final occupancy permit for the structure covered by the building permit.

d. **Other.** For Permits issued that are not tied to other approvals from the City, the date that the Permittee has completed all work associated with the Permit and takes steps required by the Permit to prevent further erosion and runoff from the site.

7. **Amendments.** In the event that the proposed construction activity for a site to which a Permit pertains is materially altered from that described in an original Plan in a way that may have a significant impact upon the effectiveness of the measures and controls described in the original Plan, the Permittee shall file an amended Storm Water Pollution Prevention Plan which meets the criteria set forth in section 15.24.040.

#### 15.24.040. Storm Water Pollution Prevention Plan.

1. **Required Information.** The Storm Water Pollution Prevention Plan (the "Plan") shall contain the following information:

a. **Site Description.** A site description (including a map with spot elevations and contour lines) which includes a description of the nature and location of the construction activity, a description of the intended sequence of major activities which will disturb soils for major portions of the site (e.g. grubbing, excavation, grading, utilities, and infrastructure installation, etc.), and estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;

b. **Control Description.** A description of the proposed measures and controls that will be implemented during construction activity and/or while the site is not stable. The Plan must clearly describe the times during the construction process that the measures will be implemented for each major activity identified pursuant to subsection (1). The Plan shall also state the name and phone number of the person or entity responsible for implementation of each control measure.

2. **Goals and Criteria.** The proposed measures and controls described in the Plan shall be designed to meet the following goals and criteria:

a. **Prevent or Minimize Discharge.** The proposed measures and controls shall be designed to prevent or minimize, to the maximum extent practicable, the discharge of sediment, debris and other construction-related pollutants from the construction site by storm water runoff into the storm drainage system.

b. **Prevent or Minimize Construction Debris.** The proposed measures and controls shall be designed to prevent or minimize, to the maximum extent practicable, the deposit, discharge, tracking by construction vehicles, or dropping of mud, sediment, debris or other potential pollutants onto public streets and rights-of-way. Any such discharge shall be cleaned up and removed immediately upon notification to the Permittee or when it otherwise comes to the attention of the Permittee. At a minimum, the deposit or discharge shall be cleaned and removed at the end of the work shift in which the deposit occurred, or at the end of the work day, whichever comes first.

c. **BMPs.** The proposed measures and controls shall consist of Best Management Practices (BMPs) available at the time that the Plan is submitted. BMPs may include, but shall not be limited to, temporary silt or sediment fences, sediment traps and detention ponds, gravel construction entrances and wash down pads to reduce or eliminate off-site tracking, straw bale sediment barriers, establishment of temporary grasses and permanent vegetative cover, use of straw mulch as a temporary ground cover, erosion control blankets, temporary interceptor dikes and swales, storm drain inlet protection, check dams, pipe slope drains, rock outlet protection, reinforced soil retaining systems, and gabions.

d. **Minimize Risk of Discharge of Other Materials.** The proposed measures and controls shall be employed to minimize the risk of discharge of construction-related pollutants (such as paint, thinners, solvents and other chemicals) from the construction site. Such measures may include implementation of storage practices to minimize exposure of the material to storm water as well as spill prevention and response.

**15.24.050. Proper Operation and Maintenance.**

The recipient of a Storm Water Construction Activity Permit (the Permittee) shall install the erosion and sediment control measures required by the approved Storm Water Pollution Prevention Plan before commencing any construction activity on the site to which the Plan applies or at such times indicated in the Plan. The erosion and sediment control measures shall be properly installed and maintained in accordance with the Permit, the manufacturers' specifications, and good engineering practices. The Permittee shall maintain such measures on the site until the City accepts the termination of the Permit pursuant to Section 15.24.030.7.

**15.24.060. Inspection and Entry.**

The Permittee shall allow any authorized employees and representatives of the City, representatives of the State of Utah Division of Water Quality, and representatives of the EPA, to enter the site to which a Permit applies at any time and to inspect the erosion and sediment control measures maintained by the Permittee. The Permittee shall also allow inspection of any records pertaining to the conditions of the Permit.

**15.24.070. Revocation or Suspension of Storm Water Construction Activity Permit.**

**1. Revocation or Suspension.** A Storm Water Construction Activity Permit may be revoked or suspended by the City upon the occurrence of any one of the following events:

- a. Failure of a Permittee to comply with the Plan or any condition of the Permit; or
- b. Failure of a Permittee to comply with any provision of this Chapter or any other applicable law, ordinance, rule or regulation related to storm water; or
- c. A determination by the City that the erosion and sediment control measures implemented by a Permittee pursuant to the Plan are inadequate to prevent or minimize, to the maximum extent practicable, the discharge of sediment, debris or other pollutants from the construction site by storm water.

**2. Notice.** The City shall mail a Permittee written notice of noncompliance and shall also specify what action is required for the Permittee to avoid revocation or suspension of the Permit. The notice shall allow the Permittee a reasonable time to take the necessary corrective action to avoid revocation or suspension of the Permit which time, in the absence of exceptional circumstances, shall not be less than ten (10) nor more than thirty (30) days. The notice shall be mailed to the address listed for the Permittee in the Application. If the Permittee fails to correct the problems identified in the notice during the time specified in the notice, the City may suspend or revoke the Permit by mailing or delivering written notice of the suspension or revocation to the Permittee. The Permittee may appeal a suspension or revocation of the Permit pursuant to the appeal procedure set forth in Section 15.24.100.

**3. Exceptional Circumstances.** For purposes of this Section, exceptional circumstances include, but are not limited to, situations which involve a risk of injury to persons, damage to storm drain facilities, or damage to other property or the environment. The City may take any steps the City deems necessary to alleviate any such exceptional circumstances as defined above, and may bill the owner, developer, or contractor responsible for creating the exceptional circumstances for the cost of alleviating said circumstances.

**4. Stop Work Order.** A stop work order may be issued upon the revocation or suspension of a Permit, or upon the discovery of work being conducted without a required Permit. The stop work order may be issued by inspectors in the Public Works Department or the Building Inspection Department. No construction activity may be commenced or continued on any site for which a Permit has been revoked or suspended until the Permit has been reinstated or reissued.

**5. Reinstatement.** A Storm Water Construction Activity Permit may be reinstated or reissued upon compliance with all provisions of this Chapter and all Permit conditions, or in the case of a suspension for reasons provided in subsection (A)(3), upon the filing of an amended Storm Water Pollution Prevention Plan which is designed to correct the deficiencies of the original Plan.

**15.24.080. Violations and Enforcement.**

1. The violation of any of the provisions of this Chapter shall be a Class B misdemeanor. Each day that a violation occurs shall constitute a separate offense.
2. Violators of this Chapter are also subject to any penalties that may be imposed by the State of Utah, under the authority of the Utah Water Quality Act, Title 19, Chapter 5 of the Utah Code.

3. In addition to any criminal fines and/or penalties which may be assessed for a violation of this Chapter, the City shall have the right to issue a stop work order or to install and/or maintain appropriate erosion and sediment control measures on any site which is required to have such measures in the event that construction activity is commenced or continued without such measures having been installed as required by this Chapter. The City shall have the right to have such measures installed or maintained by City personnel or to hire a private contractor to perform such work and the contractor and/or the property owner shall be liable for any and all expenses related to performing such work plus a 25% penalty charge. The City may assess said charges against the bond posted or the escrow established by the contractor and/or property owner.
4. Violators of this Chapter may also be subject to prosecution, civil fines and penalties from the City of Harrisville, the State of Utah and the United States EPA.

**15.24.090. Exemptions.**

The following activities are exempt from the requirements of this Chapter:

1. Actions by a public utility, the City, or any other governmental entity to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic;
2. Actions by any other person when the City determines, and documents in writing, that the actions are necessary to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic;
3. Construction activities which disturb less than 500 square feet of land surface area, or which consist of the excavation and/or fill of less than 20 cubic yards of material;
4. Landscape maintenance activities on fully developed properties, necessary to maintain the existing developed landscape; and
5. Bona fide agricultural and farming operations which constitute the principal use of any lot or tract of ground located within the City and which meet the requirements of the zoning code of the City.

**15.24.100. Appeal.**

1. An Applicant for a Storm Water Construction Activity Permit or a Permittee of a Storm Water Construction Activity Permit may appeal any decision or directive made by the City or its representatives pursuant to this Chapter. The party desiring to appeal shall file a notice of appeal with the City Recorder's within 10 days of the decision or directive being appealed. The notice of appeal shall contain the following information:
  - a. The appellant's name, address and daytime telephone number;
  - b. A short statement describing the basis for the appeal; and
  - c. The relief sought by the appellant.
2. Upon receipt of the notice of appeal, the City Recorder shall schedule an appeal with the City Council for their consideration and final determination.

**15.24.110. Compliance with Federal and State Law.**

Nothing contained in this Chapter is intended to relieve any person or entity from any obligation to comply with applicable federal and state laws and regulations pertaining to clean water and/or storm water runoff.

**Section 2:** Effective Date. This Ordinance shall become effective March 10, 2003.

PASSED AND APPROVED on this 22<sup>nd</sup> day of October, 2002.

  
Fred Oates, Mayor

ATTEST:

  
Brenda Ouderkerk, City Recorder

HARRISVILLE CITY  
ORDINANCE NO. 414

LAND USE AMENDMENTS AND ENFORCEMENT

AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING THE SCOPE OF THE APPEAL AUTHORITY; AMENDING SECTION 1.85.010 REGARDING REIMBURSEMENT FOR DEVELOPMENT FEE OVERAGES; AMENDING CHAPTER 11.26 RELATING TO ENFORCEMENT AND PENALTIES IN THE LAND USE ORDINANCES, BUILDING CODE, AND NUISANCE ORDINANCES; MAKING TECHNICAL CHANGES; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Harrisville City (hereafter referred to as the "City") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare; and,

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare; and,

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on October 14, 2009, to take public comment on the proposed Ordinance, and subsequently gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on October 27, 2009, and desires to act upon this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Harrisville City as follows:

**Section 1: Repealer.** Ordinance No. 378 is hereby repealed in its entirety. Any chapter, section, word, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

**Section 2: Amendment.** The *Harrisville Municipal Code* is hereby amended to read as follows:

**Section 3: Appeal Authority.** All references to appeals in the municipal code for land use decisions is hereby amended to read that such appeal is to be made to the City's Appeal Authority in accordance with the procedure established by ordinance, or state law as the case may be.

**01.85.010. Community development and land use fees.**

5. In the event that an applicant fails to fully pay any development fees prescribed in this part, fails to complete a development where the city has incurred costs in excess of the fees actually paid by applicant, or the costs incurred by the city relating to applicant exceed the fees collected in this part, developer shall reimburse the city the actual costs incurred by the city within 30 day from the date of invoice by the city. In addition to other remedies, failure to pay development fees may result in a certificate of non-compliance being issued and recorded by the city on the applicable development.

**Chapter 11.26**  
**ENFORCEMENT AND PENALTIES**

**Sections:**

- 11.26.010. Applicability.**
- 11.26.020. Enforcement generally.**
- 11.26.030. Building permits.**
- 11.26.040. General procedures for violations and corrective measures.**
- 11.26.050. Penalties.**
- 11.26.060. Recovery of abatement expenses.**
- 11.26.070. Exhaustion of administrative remedies and appeals.**

**11.26.010. Applicability.**  
This chapter applies to all land use regulations, building codes, nuisance ordinances and laws, and other regulations as may be specified in the municipal code.

**11.26.020. Enforcement generally.**  
The City or any adversely affected owner of real estate within the City where an alleged violation of a land use ordinance occur, or are about to occur, may, in addition to other remedies provided by law, institute one or more of the remedies set forth in *Utah Code Annotated* §10-9a-802, 1953, as amended, and the remedies as provided in this chapter.

**11.26.030. Building permits.**  
In accordance with *Utah Code Annotated* §10-9a-802(2), 1953, as amended, the City may withhold building permits where a violation of the municipal code exists. It is unlawful to erect, construct, reconstruct, alter, or change the use of any building or other structure within a

municipality without approval of a building permit. The City's building official may not issue a building permit unless the plans of and for the proposed erection, construction, reconstruction, alteration, or use fully conforms to all regulations then in effect.

**11.26.040. General procedures for violations and corrective measures.**

When a compliance office, inspector, or any law enforcement officer determines that a violation exists, the City may:

1. Identification of violator. Ascertain the owner or occupant of the property where the violation exists.
2. Notice of violation. Serve by mail or otherwise a written notice upon the owner or occupant of the property upon which a violation exists describing the violations and allowing a reasonable warning period (such as 10 days) to bring the property in compliance. Includes any statement relating to a nuisance that is required by law or the nuisance ordinances in the municipal code. No warning period applies to matters that affect public health or safety and the city may seek immediate remedial action.
3. Certificate of Non-compliance. A Certificate of Non-compliance may be recorded, as appropriate, in the event that a violation continues after the notice of violation is issued.
4. Sufficiency. Such written notice issued by the City is deemed sufficient and complete when mailed or served upon the owner or occupant to the last known post office address appearing on the records of the County Assessor.
5. Corrective action plan. The enforcement officer may require the violator to prepare and submit to the same for approval a written corrective action plan that outlines the proposed corrections violator will make to bring the violation into compliance along with an acceptable time-line for completion. Any penalty is tolled pending the violator successfully completing their corrective action plan.

**11.26.050. Penalties.**

In accordance with Utah Code Annotated §10-3-703, 1953, as amended, the municipality may impose the following penalties for each violation of this chapter:

1. Criminal penalty. Any owner(s), agent(s), occupant(s), corporation, entity, or lessee found in violation under this chapter shall be guilty of class B misdemeanor and a fine not to exceed \$1,000.00. Each and every day that a violation continues shall constitute a separate offense.
2. Civil Penalty. In addition to criminal penalties and other remedies provided by law, any owner(s), agent(s), occupant(s), corporation, entity, or lessee found in violation under this chapter is subject to a civil penalty not to exceed \$1,000.00, per violation, per day, in addition to administrative enforcement costs, reasonable attorney's fees, and court costs as authorized by this part or other governing law. After a notice of violation, penalties shall be applied as follows:
  - a. Upon Recording of a Certificate of Non-compliance, \$125, plus an additional \$125.00, per day, thereafter that the violation continues.
  - b. After 30 days of filing the Certificate of Non-compliance where the violations(s) continue, \$250.00, per day thereafter.

- c. After 60 days of filing the Certificate of Non-compliance where the violations(s) continue, \$500.00, per day thereafter.
  - d. After 90 days of filing the Certificate of Non-compliance where the violations(s) continue, \$1,000.00, per day thereafter.
3. Other penalties or actions. In addition to other penalties provided by law:
- a. If the violation is located at a commercial operation within the City, it is deemed that such violation is cause for warning, suspension, or revocation of a business license issued by the City in accordance with the procedure for the same as provided in the municipal code.
  - b. The City may record with the County Recorder a Certificate of Non-compliance identifying the property where the violations exists, state the violation(s), indicate that civil fines are accruing each day the violation continues, and state that the City may take abatement action at any time without further notice. A copy of a Certificate of Non-compliance is to be mailed to the address for the property in violation as such address is indicated on the records of the County Recorder Office.
  - c. When a violation is removed, the City shall record a Certificate of Compliance, as appropriate and the case may be, on the property where the violation had been located.
  - d. For continuing violations:
    - i. The City may institute foreclosure proceedings where penalties have significantly accrued.
    - ii. The City Attorney may reach a settlement agreement with the violators independently or in conjunction with the Appeal Authority.
    - iii. The City Attorney may abate a portion of the accrued penalties for good cause, but cannot abate the penalties below the actual costs incurred by the City for enforcement on a given violation, including staff time, administrative costs, attorney's fees and costs, notices, clean-up costs incurred, and other costs related to the violations and its remediation.

**11.26.060. Recovery of abatement expenses.**

In the event that the City abates a violation under this chapter or a nuisance as otherwise provided by law or court order, the City is to prepare an itemized statement of all expenses incurred by the City in bringing the violation on the property into compliance. This itemized statement is to be mailed to the owner(s) of record demanding full payment in the itemized statement to be made to the City within twenty-five (25) days from the date of mailing. In the event the owner(s) fail(s) to make payment of the full amount set forth in the itemized statement within the twenty-five day period, the City may record a lien on the property for the amount owed including any administrative costs, and/or provide a copy of the itemized statement to the appropriate county office and seek reimbursement as part of the collection of annual property taxes as provided by law. Nothing in this section shall be construed to limit the City from seeking other collection or enforcement remedies, including utilizing a collection agency hired by the City or pursuing foreclosure.

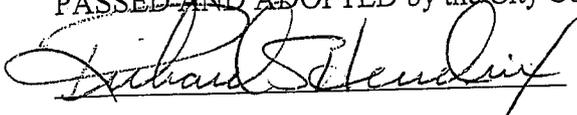
**11.26.070. Exhaustion of administrative remedies and appeals.**

No person may challenge in district court a municipal land use decision relating to a violation of the municipal code until that person has exhausted his/her administrative remedies. The City or any adversely affected owner of real estate within the City where an alleged violation of a land use ordinance occur, or are about to occur may appeal a decision of the City regarding the enforcement of a violation and any penalty to the City's Appeal Authority as provided in the municipal code. The City's Appeal Authority may approve or ratify any settlement agreement reached between the violator(s) and the City Attorney.

**Section 4: Severability.** If any section, paragraph, sentence, clause or phrase of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

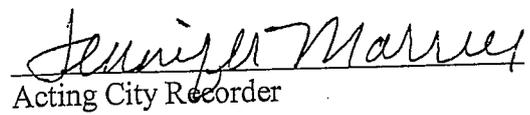
**Section 5: Effective Date.** This Ordinance shall be effective immediately after posting or publication.

PASSED AND ADOPTED by the City Council on this 27th day of October, 2009.



RICHARD HENDRIX, Mayor

ATTEST:

  
Acting City Recorder

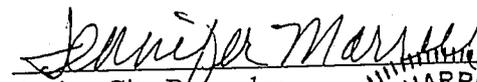
Roll call vote is as follows:		
Mr. Crowther	<input checked="" type="radio"/> Yes	No
Ms. Tait	<input checked="" type="radio"/> Yes	No
Mr. Wilhelmsen	<input checked="" type="radio"/> Yes	No
Mr. Richins	<input checked="" type="radio"/> Yes	No
Ms. Fowers	<input checked="" type="radio"/> Yes	No

RECORDED this 27 day of October, 2009.

PUBLISHED OR POSTED this 2 day of November, 2009

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Harrisville City, hereby certify that foregoing ordinance was duly passed and published, or posted at 1) City Hall 2) 2150 North and 3) The Cabin on the above referenced dates.

 DATE: 11/2/09  
Acting City Recorder,  
Harrisville City



HARRISVILLE CITY  
RESOLUTION NO. 02-07

**A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN  
HARRISVILLE CITY AND WEBER COUNTY RELATING TO OBLIGATIONS  
REQUIRED FOR A GENERAL PERMIT FOR STORM WATER  
MANAGEMENT**

**WHEREAS**, the Utah Interlocal Cooperation Act, Title 11, Chapter 3, Utah Code Annotated, 1953 as amended, permits governmental units to enter into agreements with one another for the purpose of exercising on a joint and cooperative basis powers and privileges that will benefit their citizens and make the most efficient use of their resources; and

**WHEREAS**, Title 11, Chapter 13, Section 5 of the Utah Code Annotated, 1953 as amended, requires that governing bodies of governmental units adopt resolutions approving an interlocal agreement before such agreements may become effective; and

**WHEREAS**, Weber County and Harrisville City have negotiated an Agreement for the purposes of providing storm water services in accordance with the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1987, and the Utah Water Quality Act, together with federal and state regulation adopted pursuant to such Acts for Harrisville City;

**WHEREAS**, Weber County and Harrisville City find that mutual benefit and cost effective government can be achieved through this interlocal agreement for the services entailed herein;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of Harrisville City that the attached Interlocal Agreement is entered with Weber County for the purposes of storm water as authorized in the Interlocal Agreement, and the Interlocal Agreement is hereby approved and incorporated by this reference. The Council hereby authorizes and directs the Mayor to execute the Interlocal Agreement for and on behalf of Harrisville City.

PASSED AND APPROVED by the Harrisville City Council this 10 day of December, 2002.



Mayor, Fred W. Oates  
Harrisville City

ATTEST:

  
City Recorder

WEBER COUNTY  
RESOLUTION NO. 5-2003

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN  
WEBER COUNTY AND HARRISVILLE CITY RELATING TO OBLIGATIONS  
REQUIRED FOR A GENERAL PERMIT FOR STORM WATER MANAGEMENT

WHEREAS, the Utah Interlocal Cooperation Act, Title 11, Chapter 3, Utah Code Annotated, 1953 as amended, permits governmental units to enter into agreements with one another for the purpose of exercising on a joint and cooperative basis powers and privileges that will benefit their citizens and make the most efficient use of their resources; and

WHEREAS, Title 11, Chapter 13, Section 5 of the Utah Code Annotated, 1953 as amended, requires that governing bodies of governmental units adopt resolutions approving an interlocal agreement before such agreements may become effective; and

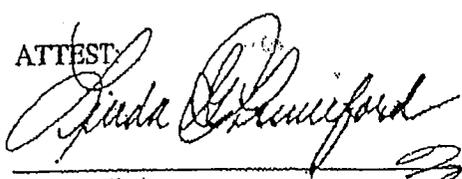
WHEREAS, Weber County and Harrisville City have negotiated an Agreement for the purposes of providing storm water services in accordance with the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1987, and the Utah Water Quality Act, together with federal and state regulation adopted pursuant to such Acts for Weber County.

WHEREAS, Weber County and Harrisville City find that mutual benefit and cost effective government can be achieved through this interlocal agreement for the services entailed herein;

NOW, THEREFOR, BE IT RESOLVED by the Weber County Commission that the attached Interlocal Agreement is entered with Harrisville City for the purposes of storm water as authorized in the Interlocal Agreement, and the Interlocal Agreement is hereby approved and incorporated by this reference. The Commission hereby authorizes and directs the Commission Chair to execute the Interlocal Agreement for and on behalf of Weber County.

PASSED AND APPROVED by the Weber County Commission this 4th day of March, 2003.

  
\_\_\_\_\_  
Kenneth A. Bischoff  
Chair, Weber County Commission

ATTEST  
  
\_\_\_\_\_  
County Clerk

**INTERLOCAL AGREEMENT RELATING TO OBLIGATIONS  
REQUIRED FOR A GENERAL PERMIT FOR STORM WATER MANAGEMENT**

THIS AGREEMENT made effective this 10<sup>th</sup> day of December, 2002, is entered into by and among HARRISVILLE City (hereafter "City"), and Weber County (hereafter "County").

**RECITALS**

WHEREAS, the Utah Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended, permits public agencies to enter into agreements with one another for the purpose of exercising, on a joint and cooperative basis, powers and privileges that will benefit their citizens and make the most efficient use of their resources; and,

WHEREAS, all of the parties hereto are public agencies as defined by the Interlocal Cooperation Act;

WHEREAS, the County is a body politic duly organized under the laws of Utah;

WHEREAS, the City is a municipal corporation duly organized under Title 10 of the Utah Code Annotated, as amended;

WHEREAS, in accordance with the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1987, and the Utah Water Quality Act, together with federal and state regulations adopted pursuant to such Acts, the County and the City, as operators of storm water systems, must reduce pollutants in storm water to the Maximum Extent Practicable (hereafter "MEP") to protect water quality;

WHEREAS, Phase II Storm Water Regulations (hereafter "Regulations") specify that compliance with the MEP requirement can be attained by developing, implementing and enforcing a storm water management plan which incorporates Best Management Practices addressing the six minimum control measures;

WHEREAS, also pursuant the Regulations, the County and the City must obtain a Utah Pollution Discharge Elimination System Permit (hereafter "Permit"), and the City can obtain such Permit by co-permitting with the County for the implementation of certain control measures;

WHEREAS, the County and the City desire to work cooperatively to obtain a Permit, to comply with the relevant federal and state storm water regulations, and to provide a cost efficient and effective storm water program;

NOW, THEREFORE, for the reasons cited above, and in consideration of the mutual covenants and agreements contained herein, HARRISVILLE City and Weber County do mutually agree and undertake as follows:

November 9, 2010

Weber County Minimum Control Measures 1 and 2 assistance agreement

- 1- Weber County Fair.
- 2- Booth at Weber County Fair.
- 3- Provide a contractor training opportunity (cities will need to provide invitation to contractors.)
- 4- Provide a Registered Inspector Training class (cities will need to provide invitation to contractors or employees.)
- 5- Provide curb marking decals.
- 6- Provide videos (check out) for municipal employees and contractors training.
- 7- Provide and pay for TV spots water advertisement in cooperation with Salt Lake County.
- 8- Provide brochures for printing by cities.
- 9- Provide representation on USWAC.
- 10-Maintain record of coalition agenda's, minutes, and attendance roll when submitted.

SECTION ONE  
SCOPE OF AGREEMENT

1. Intent. The parties intend by this Agreement to co-permit with one another to obtain a Utah Pollution Discharge Elimination System Permit meeting compliance requirements of the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1987, and the Utah Water Quality Act, together with federal and state regulations adopted pursuant to such Acts which require the County and the City to reduce pollutants in storm water to the MEP to protect water quality. Specifically, this Agreement addresses the obligations of the County and the City in relation to compliance with the Regulations which require developing, implementing and enforcing a storm water management plan incorporating Best Management Practices addressing the six minimum control measures as follows:
  - a. Public Education and Outreach.
  - b. Public Involvement and Participation.
  - c. Illicit Discharge Detection and Elimination.
  - d. Construction Site Runoff Control.
  - e. Post Construction Storm Water Management.
  - f. Pollution Prevention and Good House Keeping.
  
2. County Storm Water Management. The County shall provide for Storm Water Management administration in accordance with the relevant rules and regulations and laws imposed upon the County. The County shall appoint a capable individual as the Director of County Storm Water Management (hereafter "Director") to implement and administer the relevant rules and regulations imposed upon the County. The Director shall also administer this Interlocal Agreement according to its provisions and any amendments.
  
3. Co-permitting. The County and the City mutually agree to jointly apply to obtain a Utah Pollution Discharge Elimination System Permit, and shall provide one another with the relevant management plan, storm water information, and other necessary documentation for such Permit.
  
4. County Service Provided. The County shall be responsible for each control measure as follows, and the City shall cooperate with the County in relation to such measures:
  - a. Public Education and Outreach. The County shall provide materials and coordinate educational activities on a county-wide and regional level, including but not limited to media and public relations, publications and advertisements, and school outreach programs. The County may respond to concerns from city officials and relevant public committee recommendations.
  - b. Public Involvement and Participation. The County may establish a county-wide storm water advisory committee for public participation and for addressing storm water issues.
  - c. Illicit Discharge Detection and Elimination. The County shall provide for this control measure only as it relates to mapping and coordinating of discharges that occur in multiple jurisdictions, or as otherwise crosses jurisdictional boundaries between different cities.

- d. **Construction Site Runoff Control.** The County has no responsibility for this control measure, outside unincorporated areas, except for mutual cooperation and coordination with the City at the City's request concerning this control measure.
  - e. **Post Construction Storm Water Management.** The County has no responsibility for this control measure, outside unincorporated areas, except for mutual cooperation and coordination with the City at the City's request concerning this control measure.
  - f. **Pollution Prevention and Good House Keeping.** The County has no responsibility for this control measure, outside unincorporated areas, except for mutual cooperation and coordination with the City at the City's request concerning this control measure.
5. **City Service Provided.** The City shall be responsible for each control measure as follows, and the County shall cooperate with the City in relation to such measures:
- a. **Public Education and Outreach.** The City shall be responsible for distribution of material provided by the County within the City's jurisdiction as coordinated with the County Storm Water Director. The City may coordinate additional public education and outreach program with the County for special events or other activities at the discretion of the City.
  - b. **Public Involvement and Participation.** The City may establish a City Storm Water Advisory Committee for public participation, and to address storm water issues. One representative from the City, appointed by the Mayor, may serve on the county-wide committee, if such committee exists.
  - c. **Illicit Discharge Detection and Elimination.** The City shall provide for the enforcement of illicit discharge detection and elimination within the boundaries of the City.
  - d. **Construction Site Runoff Control.** The City is responsible to implement and administer this control measure within its jurisdiction and may seek mutual cooperation and coordination with the County at the City's request concerning this control measure.
  - e. **Post Construction Storm Water Management.** The City is responsible to implement and administer this control measure within its jurisdiction and may seek mutual cooperation and coordination with the County at the City's request concerning this control measure.
  - f. **Pollution Prevention and Good House Keeping.** The City is responsible to implement and administer this control measure within its jurisdiction and may seek mutual cooperation and coordination with the County at the City's request concerning this control measure.
6. **Nominal Annual Fee.** The County may assess a nominal annual fee, not to exceed \$1,000, upon the City to reimburse the County for copy costs, brochure and publication costs, and community outreach program costs. The City agrees to pay any nominal cost, not to exceed \$1,000, upon receiving a written billing notice for the same from the County.
7. **Limitations.** The County, except as outlined by this Agreement, does not assume any responsibility to inspect, install, operate or otherwise maintain the City's storm water

system, storm water program, or storm water utility. Further, the County shall have no duty regarding storm water management, fees, inspections, or any other types of activity outside the scope of this Agreement, unless such relates to an unincorporated area.

8. Designated Contacts. The City shall designate its contact with the County for any and all issues which may arise under this Agreement. The County designates the Director as its contact with the City for any and all issues which may arise under this Agreement. The County and the City contacts may also consult with each other from time to time on the status of mutual relations and the terms of this Agreement.

## SECTION TWO GENERAL PROVISIONS

1. Termination. This Agreement may be terminated by either party upon ninety (90) days written notice from the Mayor or County Commission provided either to the County Clerk or the City Recorder, as the case may dictate.
2. Effective Date. This Agreement shall become effective upon compliance with state law governing interlocal cooperation agreements and upon ratification by the parties as provided U.C.A. § Section 11-13-10, as amended.
3. Amendment. This Interlocal Agreement may be changed, modified, or amended by written agreement of the participants, upon adoption of appropriate resolutions from County and the City, along with an approved as to form by the County Attorney and City Attorney, and upon meeting all other applicable requirements of the Interlocal Cooperation Act.
4. Entire Agreement. This Agreement, together with any written amendments, shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except for the resolutions of each party herein attached and incorporated by reference.
5. Indemnification. The County agrees to save and hold harmless the City from its obligation under this Agreement. In all other instances, each of the parties agrees to defend, hold harmless, and indemnify the other party, its elected officials, officers, employees, agents, and volunteers, for the wrongful or negligent acts or omissions of employees against any and all liabilities, claims, damages, actions, suits, proceedings, costs and expenses which arise by reason of this Agreement, however, in no event shall indemnification exceed the amount set forth in *Utah Code Ann.* § 63-30-1 et. seq, at the time of judgment.
6. Employee Status. It is understood and agreed by the parties that any and all personnel furnished by the parties shall remain employees of the respective parties and shall abide by the personnel policies of the respective parties.

- 7. Warranties. Each party represents and warrants that it is a public agency within the meaning of the Interlocal Cooperation Act, is authorized to execute and deliver this Agreement and there is no litigation, legal action or investigation between the parties that would adversely effect this Agreement.
- 8. Documents on File. Executed copies of this Agreement shall be placed on file in the office of the County Clerk and the City Recorder and shall remain on file for public inspection for the duration of this Agreement.
- 9. Governing Law. It is understood and agreed by the parties that this Agreement shall be governed by the laws of the State of Utah as to interpretation and performance.
- 10. Non-transferable. This rights, duties, powers and obligations of this Agreement may not be transferred, assigned or delegated without the consent of the parties.
- 11. Rules of Construction and Severability. Standard rules of construction, as well as the context of this agreement, shall be used to determine the meaning of the provisions herein, except as follows: If any of the provisions herein are different from what is normally allowed or required by law, every effort shall be made to construe the clauses to be legally binding and to infer voluntary arrangements which are in addition to what is normally allowed or required by law. If any provision, article, sentence, clause, phrase, or portion of this agreement, including but not limited to any written amendments, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this agreement. It is thus the intention of the parties that each provision of this agreement shall be deemed independent of all other provisions herein.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

FOR WEBER COUNTY:

\_\_\_\_\_  
Chair, Weber County Commission

ATTEST:

\_\_\_\_\_  
County Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
County Attorney

DATED this 10<sup>th</sup> day of DECEMBER, 2002.

FOR HARRISVILLE CITY:



Mayor

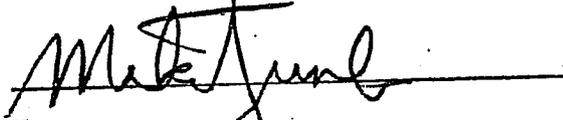
ATTEST:



City Recorder



APPROVED AS TO FORM:



City Attorney

HARRISVILLE CITY  
RESOLUTION NO. 02-07

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN  
HARRISVILLE CITY AND WEBER COUNTY RELATING TO OBLIGATIONS  
REQUIRED FOR A GENERAL PERMIT FOR STORM WATER  
MANAGEMENT

WHEREAS, the Utah Interlocal Cooperation Act, Title 11, Chapter 3, Utah Code Annotated, 1953 as amended, permits governmental units to enter into agreements with one another for the purpose of exercising on a joint and cooperative basis powers and privileges that will benefit their citizens and make the most efficient use of their resources; and

WHEREAS, Title 11, Chapter 13, Section 5 of the Utah Code Annotated, 1953 as amended, requires that governing bodies of governmental units adopt resolutions approving an interlocal agreement before such agreements may become effective; and

WHEREAS, Weber County and Harrisville City have negotiated an Agreement for the purposes of providing storm water services in accordance with the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1987, and the Utah Water Quality Act, together with federal and state regulation adopted pursuant to such Acts for Harrisville City;

WHEREAS, Weber County and Harrisville City find that mutual benefit and cost effective government can be achieved through this interlocal agreement for the services entailed herein;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Harrisville City that the attached Interlocal Agreement is entered with Weber County for the purposes of storm water as authorized in the Interlocal Agreement, and the Interlocal Agreement is hereby approved and incorporated by this reference. The Council hereby authorizes and directs the Mayor to execute the Interlocal Agreement for and on behalf of Harrisville City.

PASSED AND APPROVED by the Harrisville City Council this 10 day of December, 2002.



Mayor, Fred W. Oates  
Harrisville City

ATTEST:

  
City Recorder

WEBER COUNTY  
RESOLUTION NO. 5-2003A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN  
WEBER COUNTY AND HARRISVILLE CITY RELATING TO OBLIGATIONS  
REQUIRED FOR A GENERAL PERMIT FOR STORM WATER MANAGEMENT

**WHEREAS**, the Utah Interlocal Cooperation Act, Title 11, Chapter 3, Utah Code Annotated, 1953 as amended, permits governmental units to enter into agreements with one another for the purpose of exercising on a joint and cooperative basis powers and privileges that will benefit their citizens and make the most efficient use of their resources; and

**WHEREAS**, Title 11, Chapter 13, Section 5 of the Utah Code Annotated, 1953 as amended, requires that governing bodies of governmental units adopt resolutions approving an interlocal agreement before such agreements may become effective; and

**WHEREAS**, Weber County and Harrisville City have negotiated an Agreement for the purposes of providing storm water services in accordance with the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1987, and the Utah Water Quality Act, together with federal and state regulation adopted pursuant to such Acts for Weber County.

**WHEREAS**, Weber County and Harrisville City find that mutual benefit and cost effective government can be achieved through this interlocal agreement for the services entailed herein;

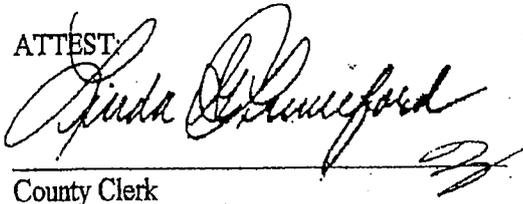
**NOW, THEREFOR, BE IT RESOLVED** by the Weber County Commission that the attached Interlocal Agreement is entered with Harrisville City for the purposes of storm water as authorized in the Interlocal Agreement, and the Interlocal Agreement is hereby approved and incorporated by this reference. The Commission hereby authorizes and directs the Commission Chair to execute the Interlocal Agreement for and on behalf of Weber County.

PASSED AND APPROVED by the Weber County Commission this 4th day of March, 2003.

  
\_\_\_\_\_

Kenneth A. Bischoff  
Chair, Weber County Commission

ATTEST:

  
\_\_\_\_\_

County Clerk



ORDINANCE NO. 386

STORM DRAIN DESIGN, CONSTRUCTION STANDARDS AND POLICIES

AN ORDINANCE OF HARRISVILLE CITY, UTAH, ADOPTING CHAPTER 15.25 ENACTING REGULATIONS FOR STORM DRAIN DESIGN; IMPLEMENT STORM DRAIN CONSTRUCTION STANDARDS; IMPLEMENT STORM DRAIN POLICIES; AND TO FURTHER ASSIST THE CITY IN IMPLEMENTATION OF PHASE II OF THE FEDERAL CLEAN WATER ACT; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Harrisville City (hereafter "City") is a municipal corporation, duly organized and existing under the laws of the state of Utah; and

WHEREAS, *Utah Code Annotated* §10-8-13 authorizes the City to regulate conduits, drains, and the like; and

WHEREAS, *Utah Code Annotated* §10-8-38 empowers the City to construct, reconstruct, maintain, operate, control, and charge for the use of culverts, drains, catch basins, and all systems and facilities necessary for proper drainage; and

WHEREAS, the City Council find this Ordinance will further assist the City in its compliance with Phase II of the Federal Clean Water Act;

WHEREAS, the City retained the services of Jones & Associates Consulting Engineers to assist with the engineering specification relating to storm water design, construction standards, and policies implemented by this Ordinance;

WHEREAS, after publication and posting of the required notice, the Planning Commission held its public hearing on October 11, 2006, to take public comment on the proposed Ordinance, after which the commission gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on October 11, 2006;

NOW, THEREFORE, be it ordained by the City Council of Harrisville City as follows:

**Section 1:** Enactment. The following Chapters are enacted and such shall read as follows:

**Chapter 15.25**  
**STORM DRAIN DESIGN, CONSTRUCTION STANDARDS AND POLICIES**

**Sections:**

- 15.25.010. General Provisions.**
- 15.25.020. Definitions.**
- 15.25.030. Rainfall hydrology.**
- 15.25.040. Storm drain system.**
- 15.25.050. Basins.**
- 15.25.060. Discharge.**
- 15.25.070. Permits and Practices.**
- 15.25.080. Violation and penalties.**

**15.25.010. General Provisions.**

1. This Chapter represents the construction standards for private and public construction as it relates to storm drainage within the City. All efforts have been made for this policy to conform with the requirements of the Clean Water Act, Phase II; and the Storm Water Management Plan of the City.
2. The following information is organized in such a way to follow the natural flow of storm water, from the initial rainfall hydrology (15.25.030), to conveying the rain water (15.25.040) to a basin (15.25.050), then discharging to a natural outlet location (15.25.060). Definitions (15.25.020), Permits and Practices (15.25.070), and penalties for violations (15.25.080) are also discussed.

**15.25.020. Definitions.**

1. "Basin" means a structure used either as a detention basin or retention basin as determined by the City Engineer.
2. "Detention basin" means a structure designed to detain or slow down storm water runoff until downstream storm sewer resources are less heavily taxed. A detention basin contains an inlet and an outlet, allows debris to settle out, and regulates water flow.
3. "Development" means any man-made change to improved or unimproved real estate, including but not limited to site preparation, filling, grading, paving, excavation, and construction of buildings or other structures.
4. "Disturb" means to alter the physical condition, natural terrain or vegetation of land by clearing, grubbing, grading, excavating, filling, building or other construction activity.
5. "Drain inlet" means a point of entry into a sump, detention basin, or storm drain system.
6. "Drinking water source protection zone" means zones determined by Geo-Hydrology designed to protect groundwater aquifers of a well in a Culinary Water System.
7. "Percolation" means the ability of a soil to absorb water. Typically measured by a Standard Percolation Test in units of minute per inch.
8. "Retention basin" means a structure or cavity designed to retain or hold back all storm water runoff from flowing downstream. A retention basin contains an inlet with no outlet other than percolation or evaporation. A retention basin allows debris to settle out.

9. "Storm drain system" means a system for the collection and conveyance of storm water that is owned and operated either publically or privately, and including run-off from sidewalks, roads with drainage systems, streets, catch basins, detention basins, curbs, gutters, non-irrigation ditches, man-made non-irrigation channels, sumps, and storm drains.

**15.25.030. Rainfall hydrology.**

1. Policy. All storm drain systems shall be designed to carry the 100-year storm, unless otherwise stated.
2. Storm specifications. Local storm drain piping shall be designed for the 10-year storm where the road or other above ground conveyance will carry the difference to the 100-year storm. Local Storm Detention Basins shall be designed for the 10-year storm. Regional Storm Detention Basins should be designed for the 100-year storm. The intensity used for the sizing of basins shall be based upon the worst case scenario and not the time of concentration.
3. Intensity-duration-frequency (IDF). For the use of the Rational Method, an IDF curve shall be obtained from the City Engineer for the project location.
4. Calculation basis. For single site plans and minor lot subdivisions the rational equation may be used. For larger sites a City Engineer-approved computer model shall be used.
5. Rainfall pattern. For the use of computer models the following rainfall pattern shall be used. This pattern is based upon the Farmer-Flecher Distribution. This pattern is for a 1" storm and must be modified for storms of other magnitudes.

1	0	11	0.004	21	0.033	31	0.052	41	0.012	51	0.005
2	0	12	0.005	22	0.034	32	0.045	42	0.011	52	0.005
3	0.002	13	0.008	23	0.035	33	0.04	43	0.01	53	0.004
4	0.002	14	0.009	24	0.038	34	0.035	44	0.009	54	0.004
5	0.002	15	0.009	25	0.039	35	0.03	45	0.009	55	0.004
6	0.002	16	0.013	26	0.045	36	0.022	46	0.008	56	0.003
7	0.002	17	0.017	27	0.052	37	0.02	47	0.006	57	0.003
8	0.002	18	0.02	28	0.054	38	0.018	48	0.006	58	0.002
9	0.003	19	0.024	29	0.054	39	0.016	49	0.005	59	0.002
10	0.003	20	0.029	30	0.054	40	0.014	50	0.005	60	0.001

6. Rainfall total. For the use of the above rainfall pattern, a rainfall total from the NOAA Atlas for the site must be obtained. This total shall be based upon the 1-hour storm.

**15.25.040. Storm drain system.**

1. Policy: It is the policy of the city that:
  - a. Storm waters not be carried in irrigation ditches, nor that irrigation water be conveyed in storm drain systems.
  - b. Local pipes shall be sized for the 10-year storm where above ground facilities can manage the difference for the 100-year storm.
2. Piping. Storm drain lines shall be concrete pipe (NRCP or RCP), of appropriate class. Minimum size for storm drain mains shall be 15-inch diameter. Pipe specifications are included in the Public Works Standards. Where determined by the City Engineer, larger

- storm drain lines shall be installed to accommodate future development. The cost to provide adequate storm drainage to a development shall be paid for by the Developer.
3. Access. Storm drain lines shall have clean-out boxes, inlets or manholes installed at all changes in grade or alignment, with a maximum distance of 400-feet between accesses. Structures shall be installed in accordance with the standard drawings.

**15.25.050. Basins.**

1. Policy. It is the policy of the City to require storm drainage basins for all development.
2. Basin size and location. Sites less than 1 acre are not required to have detention unless otherwise determined by the City Engineer for reasons stated herein. Storm water detention design is critical for developments that are in close proximity to a Stream or River or within Drinking Water Source Protection Zones one or two as defined by the State Division of Drinking Water Rules. All detention basin designs and calculations shall be reviewed by the City Engineer for approval.
3. Certain development requirement. On-site detention is required for all commercial, manufacturing, industrial, or similar development in the city.
4. Ownership.
  - a. Private Basins. Where the development will have a Home Owners Association or in commercial applications, local detention basins shall be owned and maintained by the owner, or an owning association.
  - b. Local Public or Private Basins. In subdivisions, local detention basin shall be constructed by the developer. Following acceptance of the construction, the ownership, operation and maintenance may either be conveyed and maintained by the City or owned and maintained by an adjacent property owner as determined by the City Engineer.
  - c. Regional Detention Basins: Regional basins shall be owned and maintained by the City and constructed according to the criteria set forth herein and approved by the City Engineer. Actual ownership and responsibility shall be specifically defined in the Owners Dedication Certificates or Development Agreements or by Deed.
5. Basin access and setback. Basin access shall be as follows:
  - a. Public basins. The developer shall provide the city a construction, service and maintenance, ingress, egress, and repair easement for any public basin.
  - b. Private basin. The owner or owning association shall be provided a construction, service and maintenance, ingress, egress, and repair easement for any private basin. The city shall be provided an emergency easement for emergency access, service, and repair for a private basin.
  - c. Setback. Each basin shall be constructed with a flat rim circling the basin which shall be setback from a property line, adjoining property, and from any structure an appropriate distance determined by the city engineer to prevent erosion and to allow for a backhoe and dump truck to circle the rim for maintenance and repair.

6. Percolation. No reduction due to percolation for detention basin volume shall be permitted in design, due to the nature of basins silting in over time and also possible frost conditions during a storm.
7. Basin construction. Basins shall be constructed as follows:
  - a. Policy. Basins must be constructed to enhance safety, health and aesthetics of the area.
  - b. Engineering. Basins, whether detention or retention, must be designed and stamped by a Licensed Civil Engineer.
  - c. Location. Detention basins shall be located with convenient access for maintenance and repair by maintenance personnel. This generally means that the basin property has frontage along a public roadway. Volume in ditches or roadside swales shall not be considered in the volume calculation.
  - d. Fencing. If unfenced and open to general public, the maximum depth of water should generally not exceed three (3) feet. If a fence is required, six foot chain link fencing is desired and in accordance with these Public Works Standards and conform to City Zoning Requirements.
  - e. Side slopes. Side slopes should not exceed 3:1 (horizontal to vertical) (4.5:1 is desirable) for ease of mowing and access.
  - f. Bottom slope. The basin floor shall be designed so as to prevent the permanent ponding of water. The slope of the floor of the basin shall not be less than 1% to provide drainage of water to the outlet grate and prevent prolonged wet, soggy or unstable soil conditions. The preferred minimum slope is 2%.
  - g. Freeboard. There should be at least one foot of freeboard (berm above the high water mark).
  - h. Spillways. Spillways must be considered and a path with a maintained swale and drainage easement to a safe location. Attention should be given to the design of the spillway to avoid erosion. Overflow spillways are intended to introduce flows back into the main pipe and are typically downstream of the outlet control. Emergency Spillways are intended to carry flows beyond the capacity of the overflow spillway to a safe downstream location. All spillways shall be designed to protect adjacent embankments, nearby structures and surrounding properties.
  - i. Outlet Control. Small, local, private detention basins may be allowed to have calculated fixed orifice plates mounted on the outlet of the basin. Large, regional, public detention basins shall have movable screw-type head gates (Waterman C-10 O.A.E.) set at a calculated opening height for the discharge and with a chain to fix the position.
  - j. Grates. All grates on inlets and outlets must be hot dipped galvanized (not painted) with bars at spacing to prohibit feet from falling in and yet avoid clogging with debris. Generally bar spacing should never exceed 3" spacing.
  - k. Low flow piping. The inlet and outlet structures may be located in different areas of the basin, requiring a buried pipe to convey any base flows that enter and exit the basin. (Rather than a cross gutter.) The minimum pipe size for the low flow shall be 8" diameter or as approved by the City Engineer.

- l. Ground covers. The surface area of the basin may either be seeded, sodded, or covered with fabric and cobbles, as specified by the City. If seeded, measures shall be taken to eliminate erosion until grasses are established. A minimum of 4" of top soil must be installed prior to sod or seed placement. Cobble sizes shall be 4" or greater in size overlying a city-approved weed barrier. Cobble rock may be permitted if the basin is fenced and no other alternative purpose is proposed for the land. Grass or hydro-seeding on all basins shall be installed in accordance with the Public Works Standards. The basin shall be provided with an automated sprinkler irrigation system previously approved by the City Engineer.
  - m. Embankment (fill) construction. If a raised embankment is constructed for a basin (constructed with granular materials), it shall be provided with a minimum of 6" of City approved clay cover on the inside of the berm to prevent water passage through the soil.
  - n. Excavation (cut) construction. If the basin is constructed primarily by excavation, then it may be necessary to provide an impermeable liner and land drain system when constructed in the proximity of basements or other below grade structures as determined by a Geotechnical evaluation.
  - o. Multi-use basins. Basins may be designed as multi-use facilities when appropriate precautions are incorporated into the design. If amenities such as pavilions, playground equipment, volleyball courts, etc. are to be constructed within the water detention area of a basin they shall be designed appropriately. Structures shall be designed for saturated soil conditions and bearing capacities are to be reduced accordingly. Restrooms shall not be located in areas of inundation. Inlet and outlet structures should be located as far as possible from all facilities. No wood chips or floatable objects may be used in the area that will be inundated.
8. Detention volume. Detention basins shall be sized based upon the criteria set forth in Section 15.25.030. Detention Basins are designed to allow a pre-determined amount of flow to discharge during and after a storm event as discussed above. Detention Basins are preferred over Retention Basins. Above-grade detention basins are preferred over below-grade basins, yet both are allowable.
9. Retention basins. The following applies to retention basins.
- a. Policy. Regional Retention basins shall not be permitted by the City. It is the policy of the City to prohibit local or private retention basins for developments, unless certain criteria are met.
  - b. Retention Basins are strongly discouraged. Any retention basin must be specifically approved by the City Engineer. Retention basins shall not be permitted within a zone 3 of any Drinking Water Source Protection Zone of any drinking water source. Due to silting potential, no percolation rate may be used in the calculation of volume unless an approved oil/sand separator is installed upstream. The volume must be based upon the 100-year, 3-hour storm.
  - c. Retention Basin Criteria. Retention Basins (basins which hold all water coming to them) shall not be permitted for developments unless all of the following conditions are met:

- i. The Basin is greater than 500 feet or 50 feet times the number of lots in the entire development (whichever is greater) from the City Storm Drain System or water way, and is topographically capable of draining to the City System, and
    - ii. The Basin is not located within a Hazardous Area (such as a steep slope ) or some other fragile area (such as a Drinking Water Source Protection Zone), and
    - iii. The Basin is temporary in nature, meaning that a master planned storm drain pipe is eminent (within the next few years) and a funding vehicle, Special Improvement District (SID), Impact Fees, or Pioneering Agreement is in place, and
    - iv. Local storm retention basins shall be designed for the 100-year, 3-hour storm, based upon the Intensity-Duration-Frequency (IDF) Curve for the area as approved by the City Engineer. (Local basins are typically private in ownership and maintenance and serve only one or two specified subdivisions or sites as may be approved.)
  - d. Percolation Rate for Retention Basins. The percolation rate of the ambient soils may be permitted in the calculations only if an oil/sand separator is installed upstream and only 10% of the percolation rate is used due to eventual silting-in of the basin.
10. Standing water. The following regulations apply to standing water:
  - a. It is the policy of the City to eliminate standing water wherever possible as an effort to minimize a mosquito problem and associated viruses.
  - b. Basins must completely drain within 48 hours of the primary storm event.
  - c. Low flow bypass pipes may be required.
11. Ground surface improvements. It is city policy that the finished surface of the basin shall be improved to eliminate erosion and dust and to enhance the aesthetics of the area.

**15.25.060. Discharge.**

1. Policy. It is the policy of the City to control storm water at the source and minimize the potential for flooding downstream.
2. Requirements. The following requirements apply:
  - a. Storm Drainage leaving a site or subdivision shall not exceed, as much as practicable, the pre-developed quantities and qualities at a maximum rate as follows:
    - i. Allowable Discharge: The allowable discharge from any non-regional basin shall:
      - (1) Not exceed the pre-hard surfacing discharge for the entire site for the 10-year storm event.
      - (2) Not exceed the maximum discharge rate set by the City Engineer depending on the proposal, the facts and circumstances of the basin and historical flow, and the drainage within surrounding area. If no

- maximum discharge rate is established then the standard discharge rate is 0.1 cubic feet per second.
- (3) Controlled discharge may be established through an orifice or adjustable gate as approved by the City Engineer.
  - ii. Flow Concentration: By the very nature of development, flows are concentrated to one or more locations where historically, sheet flow in lower concentrations may have left the site. Attempts shall be made to minimize the runoff concentrated quantity to the flows stated above by use of detention basins, down stream piping to safe areas or other methods as deemed necessary by the City Engineer.
  - b. Water quality. Best Management Practices (BMP's) shall be used to maintain, to the maximum practicable extent, the quality of the water to the pre-developed condition. BMPs are included in the Storm Water Management Plan for the City and must be approved by the City Engineer.
  - c. Discharge to irrigation ditches. No discharge shall be permitted to irrigation ditches.
  - d. Sump drains (underground injection wells). Sump drains are not allowed.
  - e. Basin overflows. Attention shall be given to overflow locations and pathways to safe locations downstream as discussed above. Easement shall be obtained and pipes or swales sized to handle the 100 year flow.

**15.25.070. Permits and Practices.**

1. Policy. The following policies apply:
  - a. It shall be the policy of the City to comply with the requirements of the Clean Water Act phase II, and all other city, state and federal requirements. This is to include applications, permits, plans and implementation.
  - b. It is the policy of the City to require a Storm Water Activity Permit for all construction sites within the City. (See City Ordinance #349 - 15.24.020).
2. Permits:
  - a. City Storm Water Activity and/or Connection Permit. A city permit for all construction activities is required and can be obtained as outlined in City Ordinance Section 15.24.030.
    - i. This permit must be obtained before connecting to any existing storm drain system (ditches, pipes, catch basins, boxes, manholes, or similar facility).
    - ii. As part of this permit all fees must be paid, and all detention basins shall be calculated, designed, and stamped by a Licensed Professional Engineer.
  - b. Utah Pollutant Discharge Elimination System (UPDES) Permit. A storm water general permit for construction activities is required for all sites or development project affecting 1-acre or more, including any area used for staging, stockpiling, or any other temporary construction activity. This permit is filed with the Utah Division of Water Quality, Department of Environmental Quality. The permit can be obtained on-line as follows:

- i. <http://waterquality.utah.gov/updes/stormwater.htm>.
    - ii. Click on "Online Application Process Notice of Intent".
    - iii. The appropriate fee must be paid to the state.
    - iv. A Storm Water Pollution Prevention Plan (SWP3, or Erosion Control Plan or Pollution Prevention Plan) must be prepared and on site for this application. As a minimum, The BMPs discussed herein must be addressed.
  - c. Stream Alteration Permit. A Stream Alteration Permit is filed with the State Department of Natural Resources, Division of Water Rights.
    - i. This permit overlaps the 404 wetlands permit, discussed below, because it is applicable to the area equal to the stream plus two times the bank full width (up to 30 feet).
    - ii. Any modifications to the stream or banks within this area must comply with the Stream Alteration Permit.
  - d. EPA 404 Wetlands Permit. This permit is filed with the US Army Corp of Engineers and is applicable for all wetland areas in a development.
    - i. This permit applies to all wetlands regardless of standing water, soils type, and vegetation.
    - ii. As part of this permit a Wetlands Delineation Report is required.
    - iii. The scope of this permit applies to all jurisdictional waters of the United States up to and including the normal high water mark.
    - iv. No fee is typically required for this permit.
    - v. A letter of non-regulated wetlands may also be applicable.
    - vi. Any mitigation that may be required, must be done prior to recording a Final Plat.
  - e. Design Evaluation Permit. This permit applies to all sites whose total plan is capable of discharging 5 cfs or greater at the point of discharge based upon the 10-year storm.
    - i. This applies only to discharges into the Waters of the State.
    - ii. The design is submitted to the State Division of Water Quality.
    - iii. All appropriate Fees must be paid to the state or governing agency.
3. Best Management Practices (BMPs). The Storm Water Management Plan (SWMP) of the city contains a listing of BMPs that can be used on a site.
  - a. BMPs typically fall into the following categories:
    - i. Perimeter control,
    - ii. Erosion controls,
    - iii. Sediment control,
    - iv. Materials handling and spill prevention,
    - v. Waste management, and
    - vi. Good housekeeping.
  - b. The application of some BMPs are discussed below. They include, but are not limited to:
    - i. Oil separators,

- ii. Inlet protection,
  - iii. Tracking pads,
  - iv. Street sweeping,
  - v. Concrete washout, and
  - vi. Silt fences.
- c. Oil separators (OWS). Oil separators shall be required on all sites greater than 10 acres, or smaller sites anticipating oily discharges from mechanic shops or associated parking lots. Oil separators must be capable of removing particulates down to 150 microns. Possible products include, but are not limited to: BaySaver, Storm Cerptor, and Vortechnic.
- i. Where oil separators are required, sizing and design of Oil Separators must be reviewed by the City Engineer prior to installation. Consideration must be given to frequency and ease of maintenance of the structure. Private basins shall have contracts in place with a local sewer company to periodically clean the Separator (at least annually).
  - ii. Manufacturers recommendations for sizing must be followed with calculations submitted to the City. The separator may either be installed **upstream or downstream of the basin** keeping in mind that flows on the outlet of the basin would be smaller.
- d. Inlet protection (IP). The Storm Water Management Plan of the city will permit straw bails, silt fences or curb snakes (after asphalt is placed). Filter fabric under the grate shall not be permitted since drainage is greatly inhibited.
- e. Tracking pads (CR). Sites must have a tracking pad to eliminate mud from being tracked onto the adjacent street. If mud is tracked, the contractor shall be responsible to sweep the streets as necessary.
- f. Street sweeping (SC). If mud is tracked onto the street, the developer or owner shall be responsible for sweeping the street.
- g. Concrete washout (CWM). A place must be located within the subdivision or on the site for concrete washout. No washout will be permitted on the street which would then continue to the Storm Drain. The washout area may need to be maintained and temporarily excavated until the building foundations and driveways are constructed, or some other arrangement made.
- h. Silt fences (SF). Silt fences must be installed to prohibit the flow of sediments off of the site in accordance with manufacturers recommendations and the city's Storm Water Management Plan.

**15.25.080. Violation and penalties.**

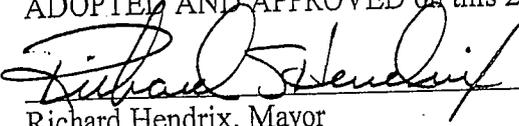
A violation of this Chapter shall be punished as provided in the Uniform Penalty Ordinance adopted by Ordinance No. 378. Each day that a violation under this Chapter continues constitutes a separate offense.

**Section 4:** Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of the Ordinance, or specific

application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.

**Section 5:** Effective date. This Ordinance shall take effect immediately upon its passage and posting.

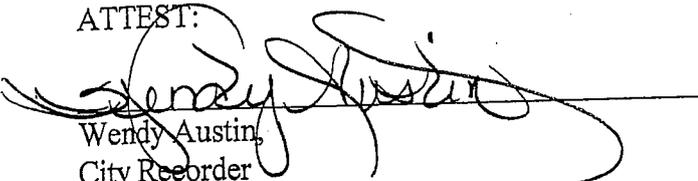
ADOPTED AND APPROVED on this 24<sup>th</sup> day of October, 2006.

  
Richard Hendrix, Mayor  
Harrisville City

Roll Call Vote:

Ms. Anderson	yes
Mr. Robinson	yes
Mr. Pearce	yes
Mr. Richins	yes
Ms. Tait	yes

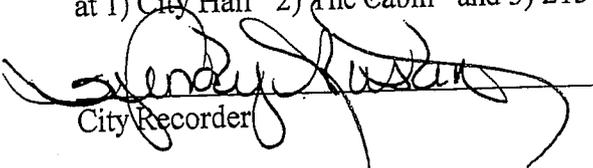
ATTEST:

  
Wendy Austin,  
City Recorder

RECORDED this 25<sup>th</sup> day of October, 2006.  
PUBLISHED OR POSTED this 26<sup>th</sup> day of October, 2006.

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Harrisville City, hereby certify that foregoing ordinance was duly passed and published, or posted at 1) City Hall 2) The Cabin and 3) 2150 N. on the above referenced dates.

  
City Recorder

DATE: 10-27-06



**A RESOLUTION REGARDING CREDITS AND OTHER ISSUES RELATING TO THE  
HARRISVILLE CITY STORM WATER IMPACT FEES**

**Whereas**, the City Council has adopted a Storm Water Capital Facilities Plan; and

**Whereas**, the City Council has adopted an associated Storm Water Impact Fee for new development within the City based on new impervious area; and

**Whereas**, the City is desirous of granting storm water impact fee credits to applicants who provide increased storm drainage controls beyond the minimum City requirements.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HARRISVILLE CITY, UTAH**, as follows:

**Harrisville City Storm Water Impact Fee – Credit Program.**

**Background:** Harrisville City has adopted a storm water impact fee which is charged to any new development within the City based on impervious surface area. Storm water impact fees are set by the City Council from time to time and adjusted for inflation and changes in the Storm Water Capital Facility Plan. The fee is charged at the time a building permit is issued and is calculated on a dollars per square foot of impervious area. Funds collected from this impact fee are used by the City to construct new and enlarged storm drainage facilities to accommodate surface runoff created by new development. The specific storm drainage projects are constructed at the locations and at such times as determined by the City.

**Credits:** Harrisville City desires to grant a storm water impact credit to any new, commercial, industrial, institutional or housing developments (except individual single family applicants) which can demonstrate that they have designed on-site storm drainage systems which limit outflow rates to a quantity less than the City standard of 0.2 c.f.s. per acre. This reduction in storm water outflow requires an increased volume of on-site storm water detention.

The applicant will be required to submit detailed storm water calculations showing the total storm water discharge from the subject property on a c.f.s. per acre basis per gross acre basis. The storm water discharged from the site under consideration shall be calculated using the "Rational Method" based on a 10 year return period and the Ogden Airport rainfall data. Rainfall data will be made available to the applicant from the City Engineer. As an alternative to the submission of a site storm water study, the City Engineer at no cost to the applicant, will provide the required analysis provided that all applicable site

development and storm water data is submitted for review. As applicable local rainfall data becomes available, the City reserves the right to adopt a rainfall design basis other than the Ogden Airport data. The new information, as it becomes available and is adopted, will be provided to the applicant as part of the storm drain credit application.

The granting of credits for storm water discharge, when recommended by the Review Committee and approved by the City Council, will be as follows:

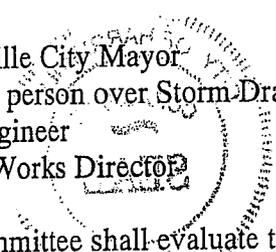
<b>Discharge from the Site</b> (c.f.s. per acre)	<b>Impact Fee *</b> (\$ per sq. foot impervious area)
0.20	\$ 0.35
0.19	\$ 0.34
0.18	\$ 0.32
0.17	\$ 0.31
0.16	\$ 0.30
0.15	\$ 0.29
0.14	\$ 0.27
0.13	\$ 0.26
0.12	\$ 0.25
0.11	\$ 0.24
0.10	\$ 0.23
0.09	\$ 0.21
0.08	\$ 0.20
0.07	\$ 0.19
0.06	\$ 0.18
0.05	\$ 0.16
0.04	\$ 0.15
0.03	\$ 0.14
0.02	\$ 0.13
0.01	\$ 0.11
0.00	\$ 0.10

\* The current storm water impact fee adopted July 1997, is \$ 0.35 per square foot of impervious area. Should the City Council adopt a revised base fee, then the credit schedule listed above will be automatically revised on a direct sliding scale with a minimum impact fee payment of \$ 0.10 per square foot at a discharge of 0.00 c.f.s. per acre.

Approval and Granting of Credit:

Each property owner (other than single family residential) applying for a storm drainage impact fee credit will be required to complete a credit application and submit this application together with required calculations and site data to the Harrisville City office. Within two weeks following the receipt of this application, a review committee shall meet and evaluate the credit application and the supporting data. The review committee shall consist of:

Harrisville City Mayor  
Council person over Storm Drainage  
City Engineer  
Public Works Director



The review committee shall evaluate the merits of each credit application and prepare a recommendation to the Harrisville City Council. Recommendations on the granting of any storm drainage impact fee credits shall be submitted to the City Council for approval with a copy of the committee's recommendation being mailed to the applicant. If approved, the reduction in storm water impact fee will be in accordance with the amount granted by the Council

Policies:

The Public Works Director may adopt policies, consistent with this resolution, the storm drainage impact fee ordinance and any other resolutions passed by the City Council, to assist in the application, administration and interpretation of this resolution, the storm drainage ordinance, subdivision ordinance, and any other resolutions related to the storm water impact fee.

Severability:

If any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not effect the validity or constitutionality of any section, sentence, clause or phrase of this ordinance.

All resolutions or policies in conflict herewith are hereby repealed.

PASSED AND APPROVED this 9th day of April, 2002

  
Fred A. Oates, Mayor

ATTEST:

  
City Recorder



**STATE OF UTAH, DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER QUALITY**  
 238 North 1460 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870 (801)538-6146

**Notice of Intent (NOI) for Coverage Under the UPDES General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4's), Permit No. UTR090000.**



INSTRUCTIONS ON BACK PAGE

DWQ USE ONLY

Coverage No. \_\_\_\_\_

Submission of this Notice of Intent constitutes notice that the party identified in Section I of this form intends to be authorized by a UPDES permit issued for storm water discharges from Small Municipal Separate Storm Sewers in the State of Utah. Becoming a permittee obligates such discharger to comply with the terms and conditions of the permit. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

**Part I. General Information**

Governmental Entity Name: HARRISVILLE CITY CORPORATION

Mailing Address: Street 3631 WEST WINDYBENBENCKE BOULEVARD

City HARRISVILLE State UTAH Zip Code 84404

Operator Type (Circle One):  County,  Hospital,  Prison,  Military Base,  Park,  College/University,  UDOT,  Sewer District,  Flood Control District,  Drainage District,  Association,  Other(list) \_\_\_\_\_

Operator Status (Circle One):  Federal/ State/ Local/ Other Public Entity(list) \_\_\_\_\_

Operator Contact Person: Name GENE BINGHAM

Title PUBLIC WORKS DIRECTOR Telephone Number 8017829648

Latitude/Longitude at Center of land for which you are requesting authorization to discharge:

Latitude 41° 17' 30" Longitude 112° 00' 00"

Population served by your MS4: 51000 People

Storm Water Management Program Responsible Person:

Name GENE BINGHAM Title PUBLIC WORKS DIRECTOR

Telephone Number 8017829648

**Part II: Outfalls and Receiving Waters**

Receiving Waters: List all separate storm water outfall receiving waters (all discharges to waters under the definition of waters of the State). If all receiving waters are not known at the time of the NOI submittal, list known outfalls and update the list on annual reports. (ATTACH ADDITIONAL SHEETS AS NEEDED)

	Outfall	Receiving Water
1.	SIX MILE	WARM SPRINGS/GSL
2.	FOUR MILE	WEBER RIVER/GSL
3.	SIXON CREEK	WEBER RIVER/GSL
4.	NEON DRAINAGE	WEBER RIVER/GSL
5.		
6.		

**Part III. Initial Identification of Best Management Practices (ATTACH ADDITIONAL SHEETS AS NEEDED)**

**1. Public Education and Outreach on Storm Water Impacts**

**Outreach Techniques**

- Classroom education/school programs
- Outreach to commercial entities
- Printed material
- Media campaign
- Classroom educational materials
- Events and Programs
- Displays
- Speakers to community groups
- Economic Incentives
- Promotional giveaways
- Others

**Management Practices to Encourage**

- Proper lawn and garden care (fertilizer and pesticide use, sweeping, etc.)
- Low impact development
- Pet waste management
- Pollution prevention for businesses
- Proper disposal of household hazardous wastes
- Water Conservation Practices
- Others

**2. Public Involvement/Participation**

**Involvement Techniques**

- Advisory/partner committees
- Local storm water contact
- Public access to documents and information
- Public review of plans and annual reports
- Watershed organizations
- Attitude surveys
- Community hot lines
- Stakeholder meetings
- Others

**Participation Activities**

- Adopt-a-stream
- Storm drain stenciling
- Stream/roadway cleanup
- Volunteer monitoring
- Wetland plantings
- Others

**3. Illicit Discharge Detection and Elimination**

**Detection and Elimination Activities**

- System mapping
- Regulatory Control Program
- Identifying and Eliminating Illicit connection procedures
- Dye testing/Tracing Procedures
- System inspections
- Dry Weather Screening Program/ Field Testing
- Others

**Type of Discharges to Target**

- Failing septic systems
- Illegal dumping
- Industrial/business connections
- Recreational sewage
- Sanitary sewer overflows
- Wastewater connections to the storm drain system
- Others

**4. Construction Site Storm Water Runoff Control**

**Program Activities**

- Regulatory Control Program
- Erosion and Sediment Control BMP's
- Other Waste Control Program
- Site Plan Review Procedures
- Public Information handling Procedures
- Site Inspection/Enforcement Procedures
- Other Construction Site Runoff Controls
- Contractor certification and inspector training
- Others

**Best Management Practices**

- Construction Entrance/Exit Stabilization
- Perimeter Controls
- Sediment Retention Structure Requirements
- Sediment filters and sediment chambers
- Mulching Requirements
- Temporary/Permanent Stabilization Requirements
- Vehicle maintenance and washing areas
- Cement Truck Washout Area
- OtherBMP's

**5. Post-Construction Storm Water Management in New Development and Redevelopment**

**Community Control Strategy**

- Regulatory Control Program
- Long Term O & M Procedures
- Pre-Construction Review of BMP Designs
- Site Inspections During Construction
- Post Construction Inspections
- Others

**Infiltration trench/basin**

- Infrastructure planning
- storm water inlet specifications
- Narrower residential streets
- Open space design
- Ordinances for post construction runoff
- Storm water wetland
- Zoning
- Others:

**6. Pollution Prevention/Good Housekeeping for Municipal Operations**

- Employee Training Program
- Inspection and Maintenance Program
- Municipal Operations Storm Water Control
- Others

**Municipal Operations Waste Disposal**

- Flood Management/Assessment Guidelines
- Others:

**Part IV. Initial Identification of Measurable Goals (Attach additional sheets as needed)**

<p><b>1. Public Education and Outreach on Storm Water Impacts</b></p> <p>Measurable goals (with start and end dates): INTERLOCAL AGREEMENT/COALITION WITH WEBER COUNTY, MARCH 2003 - ONGOING</p> <p>Milestones: Year 1: Year 2: Year 3: Year 4: Year 5:</p>	<p><b>4. Construction Site Storm Water Runoff Control</b></p> <p>Measurable goals (with start and end dates): ONGOING, 3-2003 STORM WATER MANAGEMENT STORM WATER ENFORCEMENT.</p> <p>Milestones: Year 1: Year 2: Year 3: Year 4: Year 5:</p>
<p><b>2. Public Involvement/Participation</b></p> <p>Measurable goals (with start and end dates): INTERLOCAL AGREEMENT/COALITION WITH WEBER COUNTY, MARCH 2003 - ONGOING</p> <p>Milestones: Year 1: Year 2: Year 3: Year 4: Year 5:</p>	<p><b>5. Post-Construction Storm Water Management in New Development and Redevelopment</b></p> <p>Measurable goals (with start and end dates): ONGOING, 3-2003 STRUCTURAL IMPROVEMENTS I.E. DETENTION BASINS.</p> <p>Milestones: Year 1: Year 2: Year 3: Year 4: Year 5:</p>
<p><b>3. Illicit Discharge Detection and Elimination</b></p> <p>Measurable goals (with start and end dates): ONGOING INSPECTIONS, D.E.M. ORDINANCE AND MASTER PLAN UPDATES ONGOING. COMPLETE MASTER PLAN AND MAP UPDATE - NOVEMBER 2007</p> <p>Milestones: Year 1: Year 2: Year 3: Year 4: Year 5:</p>	<p><b>6. Pollution Prevention/Good Housekeeping for Municipal Operations</b></p> <p>Measurable goals (with start and end dates): MARCH 2003 - ONGOING. SWVF ADAPTED - MARCH 2003 SEE ATTACHED SHEETS FOR MCM #6.</p> <p>Milestones: Year 1: Year 2: Year 3: Year 4: Year 5:</p>

**Part V. Certification**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print Name: RICHARD S HENDRIX  
 Signature: *Richard S Hendrix*  
 Date: 10/27/07



# Instructions for Completing the Notice of Intent for Coverage Under a UPDES General Permit for Storm Water Discharges From SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

Permit No. UTR090000

## Who Must File a Notice of Intent?

If you are an operator of a regulated small MS4 designated for permitting, you must apply for coverage under a UPDES permit, or apply for a modification of an existing UPDES permit. If you have questions about whether you need a permit under the UPDES Storm Water Program, contact the Utah Division of Water Quality. The NOI must be submitted in accordance with the deadlines established in Part 2.A. of the UPDES MS4 General Permit.

## When to File the NOI Form

DO NOT FILE THE NOI UNTIL YOU HAVE READ A COPY OF THE SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM GENERAL PERMIT. You will need to determine your eligibility, prepare your storm water management plan, and correctly answer all questions on the NOI form, all of which must be done before you can sign the certification statement on the NOI in good faith (and without risk of committing perjury).

## Where to File the NOI Form

NOIs must be sent to the following address:

Department of Environmental Quality  
Division of Water Quality  
P.O. Box 144870  
Salt Lake City, UT 84114-4870

## Completing the NOI Form

Please make sure you have addressed all applicable questions and have made a photocopy for your records before sending the completed form to the address above. Attach additional pages as needed for detailed explanations of items on the form.

## Part I. MS4 General Information

Provide the legal name of the person, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or other legal entity that operates the MS4 described in this application. The responsible party is the legal entity that controls the MS4's operation. Provide the telephone number of the MS4 operator. Provide the mailing address of the MS4 operator. Include the street address or P.O. box, city, state, and zip code. All correspondence regarding the permit will be sent to this address, not the MS4 address in Section E.

Enter the official or legal name of the MS4.

Enter the city or cities, county or counties, and state in which the MS4 is located.

Enter the latitude and longitude of the approximate center of the MS4 in degrees/minutes/seconds. Latitude and longitude can be obtained from U.S. Geological Survey (USGS) quadrangle or topographic maps or by using a GPS unit, calling 1-(888) ASK-USGS, searching for your Facility's address on several commercial map sites on the Internet, or searching the U.S. Census Bureau database at <http://www.census.gov/cgi-bin/gazetteer>. Additionally, estimate the acreage of land area that drains to the MS4. This estimate can be made using topographic maps or topographic data in a geographic information system.

Indicate the legal status of the MS4 operator as a Federal, State, private, or other public entity (other than Federal or State). This refers only to the operator, not the owner of the land on which the MS4 is located.

Indicate whether the MS4 discharges storm water into one or more receiving water(s). Enter the name(s) of the receiving water(s).

Indicate whether the MS4 discharges storm water into one or more receiving water(s). Enter the name(s) of the receiving water(s).

## Part II. Outfalls and Receiving Waters

Indicate all major outfalls (by outfall description) and the receiving water body for each outfall. Indicate whether any of the receiving water bodies are included on the 303(d) list for water quality impairments.

## Part III. Initial Identification of Management Practices

Check the management practices that you have selected to meet each of the minimum measures. If a selected practice is not on the list, check "Other" and write the name of the practice in the space provided.

## Part IV. Identification of Initial Measurable Goals

List the person(s) responsible for implementing or coordinating the storm water management program. Provide a narrative description of the measurable goals that will be used for each of the storm water minimum control measures. Indicate the month and year in which you will start and fully implement each of the minimum control measures, or indicate the frequency of the action in the description. Attach additional pages as necessary.

## Part V. Certification

Certification statement and signature. (CAUTION: An unsigned or undated NOI form will prevent the granting of permit coverage.) State statutes provide for severe penalties for submitting false information on this application form. State regulations require this application to be signed by either a principal executive or ranking elected official as described in Part VI.H. of the Small MS4 General Permit.

## Part VI. Contract Certification for Co-Permittee SWMP Implementation

Contract certification is required when more than one entity will be implementing the SWMP for the operator filing the NOI. The form must be completely filled out to clearly identify all coordinating agencies. Additional pages shall be used as necessary to define the responsibilities for each entity in preparation and implementation of the SWMP. The form must be signed by all coordinating entities, certifying that local agreements and/or contracts have been developed and agreed upon.

02003-41 ✓

WEBER COUNTY  
RESOLUTION NO. 5-2003

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN  
WEBER COUNTY AND HARRISVILLE CITY RELATING TO OBLIGATIONS  
REQUIRED FOR A GENERAL PERMIT FOR STORM WATER MANAGEMENT

**WHEREAS**, the Utah Interlocal Cooperation Act, Title 11, Chapter 3, Utah Code Annotated, 1953 as amended, permits governmental units to enter into agreements with one another for the purpose of exercising on a joint and cooperative basis powers and privileges that will benefit their citizens and make the most efficient use of their resources; and

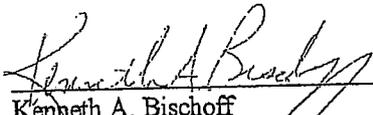
**WHEREAS**, Title 11, Chapter 13, Section 5 of the Utah Code Annotated, 1953 as amended, requires that governing bodies of governmental units adopt resolutions approving an interlocal agreement before such agreements may become effective; and

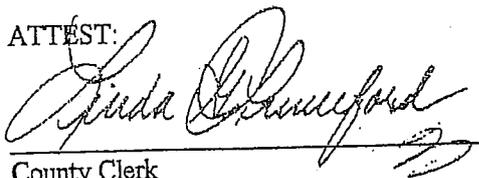
**WHEREAS**, Weber County and Harrisville City have negotiated an Agreement for the purposes of providing storm water services in accordance with the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1987, and the Utah Water Quality Act, together with federal and state regulation adopted pursuant to such Acts for Weber County.

**WHEREAS**, Weber County and Harrisville City find that mutual benefit and cost effective government can be achieved through this interlocal agreement for the services entailed herein;

**NOW, THEREFOR, BE IT RESOLVED** by the Weber County Commission that the attached Interlocal Agreement is entered with Harrisville City for the purposes of storm water as authorized in the Interlocal Agreement, and the Interlocal Agreement is hereby approved and incorporated by this reference. The Commission hereby authorizes and directs the Commission Chair to execute the Interlocal Agreement for and on behalf of Weber County.

PASSED AND APPROVED by the Weber County Commission this 4th day of March , 2003.

  
\_\_\_\_\_  
Kenneth A. Bischoff  
Chair, Weber County Commission

ATTEST:  
  
\_\_\_\_\_  
County Clerk

C2003-41

INTERLOCAL AGREEMENT RELATING TO OBLIGATIONS  
REQUIRED FOR A GENERAL PERMIT FOR STORM WATER MANAGEMENT

THIS AGREEMENT made effective this 10th day of DECEMBER, 2002, is entered into by and among HARRISVILLE City (hereafter "City"), and Weber County (hereafter "County").

RECITALS

WHEREAS, the Utah Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended, permits public agencies to enter into agreements with one another for the purpose of exercising, on a joint and cooperative basis, powers and privileges that will benefit their citizens and make the most efficient use of their resources; and,

WHEREAS, all of the parties hereto are public agencies as defined by the Interlocal Cooperation Act;

WHEREAS, the County is a body politic duly organized under the laws of Utah;

WHEREAS, the City is a municipal corporation duly organized under Title 10 of the Utah Code Annotated, as amended;

WHEREAS, in accordance with the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1987, and the Utah Water Quality Act, together with federal and state regulation adopted pursuant to such Acts, the County and the City, as an operator of storm water systems; must reduce pollutants in storm water to the Maximum Extent Practicable (hereafter "MEP") to protect water quality;

WHEREAS, Phase II Storm Water Regulations (hereafter "Regulations") specify that compliance with the MEP requirement can be attained by developing, implementing and enforcing a storm water management plan which incorporates Best Management Practices addressing the six minimum control measures;

WHEREAS, also pursuant the Regulations, the County and the City must obtain a Utah Pollution Discharge Elimination System Permit (hereafter "Permit"), and the City can obtain such Permit by co-permitting with the County for the implementation of certain control measures;

WHEREAS, the County and the City desire to work cooperatively to obtain a Permit, to comply with the relevant federal and state storm water regulations, and to provide a cost efficient and effective storm water program;

NOW, THEREFORE, for the reasons cited above, and in consideration of the mutual covenants and agreements contained herein, HARRISVILLE City and Weber County do mutually agree and undertake as follows:

SECTION ONE  
SCOPE OF AGREEMENT

1. Intent. The parties intend by this Agreement to co-permit with one another to obtain a Utah Pollution Discharge Elimination System Permit meeting compliance with the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1987, and the Utah Water Quality Act, together with federal and state regulation adopted pursuant to such Acts which require the County and the City to reduce pollutants in storm water to the MEP to protect water quality. Specifically, this Agreement address the obligations of the County and the City in relation to compliance with Regulations which require developing, implementing and enforcing a storm water management plan incorporating Best Management Practices addressing the six minimum control measures as follows:
  - a. Public Education and Outreach.
  - b. Public Involvement and Participation.
  - c. Illicit Discharge Detection and Elimination.
  - d. Construction Site Runoff Control.
  - e. Post Construction Strom Water Management.
  - f. Pollution Prevention and Good House Keeping.
  
2. County Storm Water Management. The County shall provide for Storm Water Management administration and according to the relevant rules and regulations of law imposed upon the County. The County shall appoint capable individual as the Director of County Storm Water Management to implement and administer the relevant rules and regulations imposed upon the County. The Director shall also administer this Interlocal Agreement according to its provisions and any amendments.
  
3. Co-permitting. The County and the City mutually agree to co-permit to obtain a Utah Pollution Discharge Elimination System Permit, and shall provide one another with the relevant management plan, storm water information, and other necessary documentation for such Permit.
  
4. County Service Provided. The County shall be responsible for each control measure as follows, and the City shall cooperate with the County in relation to such measures:
  - a. Public Education and Outreach. The County shall provide materials and coordinate educational activities on a county-wide and regional level, including but not limited to media and public relations, publications and advertisements, and school outreach programs. The County may respond to concerns from city officials and relevant public committee recommendations.
  - b. Public Involvement and Participation. The County may establish a county-wide storm water advisory committee for public participation and to address storm water issues.
  - c. Illicit Discharge Detection and Elimination. That County shall provide for this control measure only as it relates to mapping and coordinating of discharges that occur in multiple jurisdictions, or as otherwise crosses jurisdictional boundaries between different cities.
  - d. Construction Site Runoff Control. The County has no responsibility for this control measure, outside unincorporated areas, except for mutual cooperation and coordination with the City at the City's request concerning this control measure.

- e. Post Construction Storm Water Management. The County has no responsibility for this control measure, outside unincorporated areas, except for mutual cooperation and coordination with the City at the City's request concerning this control measure.
  - f. Pollution Prevention and Good House Keeping. The County has no responsibility for this control measure, outside unincorporated areas, except for mutual cooperation and coordination with the City at the City's request concerning this control measure.
5. City Service Provided. The City shall be responsible for each control measure as follows, and the County shall cooperate with the City in relation to such measures:
- a. Public Education and Outreach. The City shall be responsible for distribution of material provided by the County within the City's jurisdiction as coordinated with the County Storm Water Director. The City may coordinate additional public education and outreach program with the County for special events or other activities at the discretion of the City.
  - b. Public Involvement and Participation. The City may establish a City Storm Water Advisory Committee for public participation and to address storm water issues. One representative from the City, appointed by the Mayor, may serve on the county-wide committee, if such committee exists.
  - c. Illicit Discharge Detection and Elimination. The City shall provide for the enforcement of illicit discharge detection and elimination.
  - d. Construction Site Runoff Control. The City is responsible to implement and administer this control measure within its jurisdiction and may seek mutual cooperation and coordination with the County at the City's request concerning this control measure.
  - e. Post Construction Storm Water Management. The City is responsible to implement and administer this control measure within its jurisdiction and may seek mutual cooperation and coordination with the County at the City's request concerning this control measure.
  - f. Pollution Prevention and Good House Keeping. The City is responsible to implement and administer this control measure within its jurisdiction and may seek mutual cooperation and coordination with the County at the City's request concerning this control measure.
6. Accounting and Administration. The County agrees to provide the City as a nominal cost. Upon receiving annual notice from the County of any nominal costs related to the County's obligations, the City agrees to pay the County a nominal charge to compensate the County. Compensation shall be used to assist the County in its obligations arising pursuant to this Agreement relating to the control measures of which the County has assumed responsibility. The County shall keep a accounting of the nominal charges incurred by the City, pay the debts for such and make necessary posting the accounting current. The County shall supply the resources, labor, computer system, postage, all other material necessary to fulfil its obligations under this Agreement. The City shall supply The County shall supply the resources, labor, computer system, postage, all other material necessary to fulfil its obligations under this Agreement.

7. Limitations. The County, except as outlined by this Agreement, does not assume any responsibility to inspect, install, operate or otherwise maintain the City's storm water system, storm water program, or storm water utility. Further, the County shall have no duty regarding storm water management, fees, inspections, or any other types of activity outside the scope of this Agreement, unless such relates to an unincorporated area.
8. Designated Contacts. The City shall designate its contact with the County for any and all issues which may arise under this Agreement. The County designates the Director as its contact with the City for any and all issues which may arise under this Agreement. The County and the City contacts may also consult with each other from time to time on the status of mutual relations and the terms of this Agreement.

## SECTION TWO GENERAL PROVISIONS

1. Termination. This Agreement may be terminated by either party upon ninety (90) days written notice from the Mayor or County Commission provided either to the County Clerk or the City Recorder, as the case may dictate.
2. Effective Date. This Agreement shall become effective upon compliance with state law governing interlocal cooperation agreements and upon ratification by the aforesaid City as provided U.C.A. § Section 11-13-10, as amended.
3. Amendment. This Interlocal Agreement may be changed, modified, or amended by written agreement of the participants, upon adoption of appropriate resolutions from County and the City, along with an approved as to form by the County Attorney and City Attorney, and upon meeting all other applicable requirements of the Interlocal Cooperation Act.
4. Entire Agreement. This Agreement, together with any written amendments, shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except for the resolutions of each party herein attached and incorporated by reference.
5. Indemnification. The County agrees to save and hold harmless the City from its obligation under this Agreement. In all other instances, each of the parties agrees to defend, hold harmless, and indemnify the other party for the wrongful or negligent acts or omissions of employees against any and all liabilities, claims, damages, actions, suits, proceedings, costs and expenses which arise by reason of this Agreement, however, in no event shall indemnification exceed the amount set forth in *Utah Code Ann.* § 63-30-1 et. seq, at the time of judgment.
6. Employee Status. It is understood and agreed by the parties that any and all personnel furnished by the parties shall remain employees of the respective parties and shall abide by the personnel policies of the respective parties.

- 7. Warranties. Each party represents and warrants that it is a public agency within the meaning of the Interlocal Cooperation Act, is authorized to execute and deliver this Agreement and there is no litigation, legal action or investigation between the parties that would adversely effect this Agreement.
- 8. Documents on File. Executed copies of this Agreement shall be placed on file in the office of the County Clerk and the City Recorder and shall remain on file for public inspection for the duration of this Agreement.
- 9. Governing Law. It is understood and agreed by the parties that this Agreement shall be governed by the laws of the State of Utah as to interpretation and performance.
- 10. Non-transferable. This rights, duties, powers and obligations of this Agreement may not be transferred, assigned or delegated without the consent of the parties.
- 11. Rules of Construction and Severability. Standard rules of construction, as well as the context of this agreement, shall be used to determine the meaning of the provisions herein, except as follows. Nothing herein shall be construed to prevent the prosecutors of the respective Cities from substituting for each other or from having other prosecuting attorneys substitute for them. If any of the provisions herein are different from what is normally allowed or required by law, every effort shall be made to construe the clauses to be legally binding and to infer voluntary arrangements which are in addition to what is normally allowed or required by law. If any provision, article, sentence, clause, phrase, or portion of this agreement, including but not limited to any written amendments, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this agreement. It is thus the intention of the parties that each provision of this agreement shall be deemed independent of all other provisions herein.

DATED this 4 day of March, 2003  
~~5~~ day of ~~DECEMBER~~, 2002

FOR WEBER COUNTY:

Kenneth A. Bishop  
Chair, Weber County Commission

ATTEST:

Andrea D. Brumbyrd

County Clerk

APPROVED AS TO FORM:

[Signature]

County Attorney

DATED this 10 day of March, 2003  
~~10~~ day of ~~DECEMBER~~, 2002

FOR HARRISVILLE CITY:

Interlocal Agreement for Storm Water Management



*[Handwritten Signature]*  
Mayor

ATTEST:

APPROVED AS TO FORM:

*Brenda K Ouderkerk*  
City Recorder

*[Handwritten Signature]*  
City Attorney

HARRISVILLE CITY  
RESOLUTION NO. 02-07

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN  
HARRISVILLE CITY AND WEBER COUNTY RELATING TO OBLIGATIONS  
REQUIRED FOR A GENERAL PERMIT FOR STORM WATER  
MANAGEMENT

WHEREAS, the Utah Interlocal Cooperation Act, Title 11, Chapter 3, Utah Code Annotated, 1953 as amended, permits governmental units to enter into agreements with one another for the purpose of exercising on a joint and cooperative basis powers and privileges that will benefit their citizens and make the most efficient use of their resources; and

WHEREAS, Title 11, Chapter 13, Section 5 of the Utah Code Annotated, 1953 as amended, requires that governing bodies of governmental units adopt resolutions approving an interlocal agreement before such agreements may become effective; and

WHEREAS, Weber County and Harrisville City have negotiated an Agreement for the purposes of providing storm water services in accordance with the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1987, and the Utah Water Quality Act, together with federal and state regulation adopted pursuant to such Acts for Harrisville City;

WHEREAS, Weber County and Harrisville City find that mutual benefit and cost effective government can be achieved through this interlocal agreement for the services entailed herein;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Harrisville City that the attached Interlocal Agreement is entered with Weber County for the purposes of storm water as authorized in the Interlocal Agreement, and the Interlocal Agreement is hereby approved and incorporated by this reference. The Council hereby authorizes and directs the Mayor to execute the Interlocal Agreement for and on behalf of Harrisville City.

PASSED AND APPROVED by the Harrisville City Council this 10 day of December, 2002.

  
\_\_\_\_\_  
Mayor, Fred W. Oates  
Harrisville City



ATTEST:

  
\_\_\_\_\_  
City Recorder

STATE OF UTAH, DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER QUALITY  
 288 North 1460 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870 (801)538-6146

Notice of Intent (NOI) for Coverage Under the UPDES General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4's), Permit No. UTR090000.



INSTRUCTIONS ON BACK PAGE

DWQ USE ONLY

Coverage No. \_\_\_\_\_

Submission of this Notice of Intent constitutes notice that the party identified in Section I of this form intends to be authorized by a UPDES permit issued for storm water discharges from Small Municipal Separate Storm Sewers in the State of Utah. Becoming a permittee obligates such discharger to comply with the terms and conditions of the permit. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

Part I. General Information

Governmental Entity Name: HARRISVILLE CITY CORPORATION

Mailing Address: Street 363W INDEPENDENCE BLVD.

City HARRISVILLE State UT Zip Code 84404

Operator Type (Circle One): (City) County, Hospital, Prison, Military Base, Park, College/University, UDOT, Sewer District, Flood Control District, Drainage District, Association, Other(list) \_\_\_\_\_

Operator Status (Circle One): (Federal/State/Local) Other Public Entity(list) \_\_\_\_\_

Operator Contact Person: Name GENE BINGHAM

Title PUBLIC WORKS DIRECTOR Telephone Number 801 782-7049

Latitude/Longitude at Center of land for which you are requesting authorization to discharge:

Latitude 41° 17' 39" Longitude 112° 09' 00"

Population served by your MS4: 4109 People

Storm Water Management Program Responsible Person:

Name GENE BINGHAM Title PUBLIC WORKS DIRECTOR

Telephone Number 801 782 7049

Part II: Outfalls and Receiving Waters

Receiving Waters: List all separate storm water outfall receiving waters (all discharges to waters under the definition of waters of the State). If all receiving waters are not known at the time of the NOI submittal, list known outfalls and update the list on annual reports. (ATTACH ADDITIONAL SHEETS AS NEEDED)

	Outfall	Receiving Water
1.	<u>5/4 MILE</u>	<u>FOUR MILE</u>
2.	<u>FOUR MILE</u>	<u>WEBER RIVER</u>
3.	<u>DIXON CREEK</u>	<u>FIVE MILE</u>
4.	<u>HORN DRAINAGE</u>	<u>FOUR MILE</u>
5.		
6.		

**Part IV. Initial Identification of Best Management Practices (ATTACH ADDITIONAL SHEETS AS NEEDED)**

**1. Public Education and Outreach on Storm Water Impacts**

**Outreach Techniques**

- Classroom education/school programs
- Outreach to commercial entities
- Printed material
- Media campaign
- Classroom educational materials
- Events and Programs
- Displays
- Speakers to community groups
- Economic incentives
- Promotional giveaways
- Others

.....SDS S-STRM DRAIN SYSTEM SIGNAGE.....

**Management Practices to Encourage**

- Proper lawn and garden care (fertilizer and pesticide use, sweeping, etc.)
- Low impact development
- Pet waste management
- Pollution prevention for businesses
- Proper disposal of household hazardous wastes
- Water Conservation Practices
- Others

**2. Public Involvement/Participation**

**Involvement Techniques**

- Advisory/partner committees
- Local storm water contact
- Public access to documents and information
- Public review of plans and annual reports
- Watershed organizations
- Attitude surveys
- Community hot lines
- Stakeholder meetings
- Others

**Participation Activities**

- Adopt-a-stream
- Storm drain stenciling
- Stream/roadway cleanup
- Volunteer monitoring
- Wetland plantings
- Others

**3. Illicit Discharge Detection and Elimination**

**Detection and Elimination Activities**

- System mapping
- Regulatory Control Program
- Identifying and Eliminating illicit connection procedures
- Dye testing/Tracing Procedures
- System inspections
- Dry Weather Screening Program/ Field Testing
- Others

**Type of Discharges to Target**

- Failing septic systems
- Illegal dumping
- Industrial/business connections
- Recreational sewage
- Sanitary sewer overflows
- Wastewater connections to the storm drain system
- Others

**4. Construction Site Storm Water Runoff Control**

**Program Activities**

- Regulatory Control Program
- Erosion and Sediment Control BMP's
- Other Waste Control Program
- Site Plan Review Procedures
- Public Information handling Procedures
- Site Inspection/Enforcement Procedures
- Other Construction Site Runoff Controls
- Contractor certification and inspector training
- Others

**Best Management Practices**

- Construction Entrance/Exit Stabilization
- Perimeter Controls
- Sediment Retention Structure Requirements
- Sediment filters and sediment chambers
- Mulching Requirements
- Temporary/Permanent Stabilization Requirements
- Vehicle maintenance and washing areas
- Cement Truck Washout Area
- Other BMP's

**5. Post-Construction Storm Water Management in New Development and Redevelopment**

- Community Control Strategy
- Regulatory Control Program
- Long Term O& M Procedures
- Pre-Construction Review of BMP Designs
- Site Inspections During Construction
- Post Construction Inspections
- Others

- Infiltration trench/basin
- Infrastructure planning
- storm water inlet specifications
- Narrower residential streets
- Open space design
- Ordinances for post construction runoff
- Storm water wetland
- Zoning
- Others:

**6. Pollution Prevention/Good Housekeeping for Municipal Operations**

- Employee Training Program
- Inspection and Maintenance Program
- Municipal Operations Storm Water Control
- Others

- Municipal Operations Waste Disposal
- Flood Management/Assessment Guidelines
- Others:

**Part V. Initial Identification of Measurable Goals (Attach additional sheets as needed)**

<p><b>1. Public Education and Outreach on Storm Water Impacts</b></p> <p>Measurable goals (with start and end dates):                  LIST OF DUMPSITES - DEC. 2004                  PUBLIC ED. W/ WEBER COUNTY                  MAR. 2003                  SIGNAGE JUN. 2004</p> <p>Milestones: Year 1:                  Year 2:                  Year 3:                  Year 4:                  Year 5:</p>	<p><b>4. Construction Site Storm Water Runoff Control</b></p> <p>Measurable goals (with start and end dates):                  BASIC WORKS STANDARDS - DEC. 2004                  ORDINANCE ENFORCEMENT - DEC. 2005</p> <p>Milestones: Year 1:                  Year 2: P.W. STANDARDS                  Year 3: ENFORCEMENT                  Year 4:                  Year 5:</p>
<p><b>2. Public Involvement/Participation</b></p> <p>Measurable goals (with start and end dates):                  PARTICIPATION W/ WEBER COUNTY, MARCH                  2003                  MSA ESTABLISH COMMITTEE DEC. 2003</p> <p>Milestones: Year 1:                  Year 2:                  Year 3:                  Year 4:                  Year 5:</p>	<p><b>5. Post-Construction Storm Water Management in New Development and Redevelopment</b></p> <p>Measurable goals (with start and end dates):                  STRUCTURAL IMPROVEMENTS - DEC. 2004                  STORM DRAIN STUDY REQUIREMENTS -                  (DEVELOPMENTS): MARCH 2003                  SITE REVIEWS, MARCH 2003</p> <p>Milestones: Year 1: SITE REVIEW / S.D. STUDY                  Year 2: STRUCTURAL IMPROVEMENTS.                  Year 3:                  Year 4:                  Year 5:</p>
<p><b>3. Illicit Discharge Detection and Elimination</b></p> <p>Measurable goals (with start and end dates):                  PARTICIPATE W/ WEBER COUNTY -                  MARCH 2003                  COMPLETE MAP - MARCH 2003                  MASTER PLAN UPDATE JUN. 2004                  D.D. MANURES, JUN. 2003</p> <p>Milestones: Year 1: W.C. / MAP / D.D.                  Year 2: MASTER PLAN                  Year 3:                  Year 4:                  Year 5:</p>	<p><b>6. Pollution Prevention/Good Housekeeping for Municipal Operations</b></p> <p>Measurable goals (with start and end dates):                  SEE ATTACHED SHEET FOR MCL 6.</p> <p>Milestones: Year 1: 2003 CBC, ET, U, SC, SEU, VEG                  Year 2: 2004 PLAN, BEM, BERC, PU, REM, WAD.                  Year 3:                  Year 4:                  Year 5:</p>

**Part VI. Certification**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print Name: FRED DATES

Signature:  Date: 11/17/003

Commercial and Residential	Oil, Grease, and Hydrocarbons	Asphalt surface leaching, spills, leaks, construction activities
Residential and Parks	Floatables	Street refuse, industrial yard waste

### 6.3 MEASURABLE GOALS AND FISCAL ABILITY

The following table summarizes the BMPs, Measurable Goals, Implementation Schedule and Fiscal ability of the City's for each BMP. The Fiscal Ability references the anticipated cost for the BMP as well as the source of funding. The City plans to institute a Storm Water Utility Fund (SWUF) which should cover the costs of this plan

MCM 6 - POLLUTION PREVENTION / GOOD HOUSE KEEPING				
Name	BMP	Measurable Goal	Implementation Schedule	Fiscal Ability
	Storm Water Master Plan	Update the master plan to include de-silting basins for City Mains	Dec 2004	see MCM 3 for costs
BRRC	Building Repair, Remodeling, and Construction	Provide 2 hours of annual training to employees	June 2004	Included below
BGM	Building and Grounds Maintenance	Reduce pesticide use by keeping a log of usage in each location	June 2004	Included below
CBC	Catch Basin Cleaning	Clean catch basins semi-annually	Sept 2003	\$10,000/yr from SWUF
CO	Covering	Construct a storage facility for Salt Storage	June 2005	\$50,000 from SWUF
ET	Employee Training	training 2 hrs / year	June 2003	\$1000 per year
LC	Litter Control	Start an "Adopt a Neighborhood" Program	Organize by Dec 2003	Coordinated by City Hall for \$500/ year
MU	Material Use	Training 2 hrs/ yr	Dec 2004	\$500/yr by SWUF
RBM	Roadway/ Bridge Maintenance	Fill Potholes annually	Dec 2004	\$1500/yr by SWUF
SC	Street Cleaning	Sweep Streets Semi-annually	Immediate	\$11,000/yr by SWUF

**Part VII: Contract Certification for Co-Permittee SWMP Implementation**  
 (ATTACH ADDITIONAL SHEETS AS NEEDED)

List entity names responsible for implementation of the SWMP

- |                        |                            |
|------------------------|----------------------------|
| 1. <u>WEBER COUNTY</u> | 2. <u>HARRISVILLE CITY</u> |
| 3. _____               | 4. _____                   |
| 5. _____               | 6. _____                   |

The above entities have entered into an agreement or contract to satisfy the implementation requirements of the Storm Water Management Program listed in the NOI. As stated in the existing agreements (MOU's) or contracts, the entities have agreed to the following responsibilities.

Circle the entity numbers (entity numbers correspond to entity name numbers listed above) corresponding with responsibilities, or portions thereof, of each entity entering into this agreement in the table below:

<u>RESPONSIBILITY</u>	<u>ENTITY</u>					
a. Public Education and Outreach	①	2.	3.	4.	5.	6.
b. Public Involvement and Participation	①	2.	3.	4.	5.	6.
c. Illicit Discharge Detection and Elimination	①	2.	3.	4.	5.	6.
d. Construction Site Run-off Control	1.	②	3.	4.	5.	6.
e. Post-Construction Storm Water Management in New Development and Redevelopment	1.	②	3.	4.	5.	6.
f. Pollution Prevention/Good Housekeeping for Municipal Operations	1.	②	3.	4.	5.	6.

If any entity is agreeing to accomplish only a portion of a responsibility in the table then explain the responsibility portion (e.g. entity 1 is responsible for storm drain stenciling program in the MS4 area, entity 2 is responsible for conducting phone surveys for item (a) in the table etc.) on a separate sheet.

The following statement and the accompanying signatures serve as certification that the agreements (MOU's) or contracts have been developed and agreed upon for the implementation of the Operator's (Identified in Part I of the NOI) SWMP.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Entity	Authorized Signature	Date	Entity	Authorized Signature	Date
1.	<u>[Signature]</u>	<u>12-11-03</u>	2.	<u>[Signature]</u>	<u>11/17/03</u>
3.	_____		4.	_____	
5.	_____		6.	_____	

## **APPENDIX D**

### **Permits**

STATE OF UTAH, DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER QUALITY  
195 North 1950 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870 (801)536-4300

**NOI**

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity Under the UPDES General Permit No. UTR300000. SEE REVERSE FOR INSTRUCTIONS

Submission of this Notice of Intent constitutes notice that the party(s) identified in Section I of this form intends to be authorized by UPDES General Permit No. UTR300000 issued for storm water discharges associated with construction activity in the State of Utah. Becoming a permittee obligates such discharger to comply with the terms and conditions of the permit. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

Is this NOI seeking continuation for previously expired permit coverage at the same site? Y  N   
If yes, what is the number of the previous permit coverage? Permit No. UTR

I. OPERATOR INFORMATION Date NOI is received at DWQ \_\_\_\_\_ (to be completed by DWQ)

Name (Main operator): \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Status of Owner/Operator: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Name (1st Co-permittee): \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Status of Owner/Operator: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Name (2nd Co-permittee): \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Status of Owner/Operator: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Name (3rd Co-permittee): \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Status of Owner/Operator: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Please copy this form if you have more co-permittees than what is allowed on this form.

II. FACILITY SITE / LOCATION INFORMATION

Name: \_\_\_\_\_  
Project No. (if any): \_\_\_\_\_  
Address: \_\_\_\_\_ County: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

Method (check one):  USGS Topo Map, Scale \_\_\_\_\_  EPA Web site  GPS  Other

Is the facility located in Indian Country?

Y  N

# INSTRUCTIONS

## Notice Of Intent (NOI) For Permit Coverage Under the UPDES General Permit For Storm Water Discharges From Construction Activities

**Who Must File A Notice Of Intent (NOI) Form.** State law at UAC R317-8-3.9 prohibits point source discharges of storm water from construction activities to a water body(ies) of the State without a Utah Pollutant Discharge Elimination System (UPDES) permit. The operator of a construction activity that has such a storm water discharge must submit a NOI to obtain coverage under the UPDES Storm Water General Permit. If you have questions about whether you need a permit under the UPDES Storm Water program, or if you need information as to whether a particular program is administered by EPA or a state agency, contact the storm water coordinator at (801) 536-4300.

**Where To File NOI Form** NOIs, with fee payment(s), must be sent to the following address:

Department of Environmental Quality  
Division of Water Quality  
P.O. Box 144870  
Salt Lake City, UT 84114-4870

(The NOI can also be completed on line at <http://www.waterquality.utah.gov/UPDES/stormwatercon.htm>)

**Beginning of Coverage** Storm Water General Permits cover a facility quickly avoiding delays, therefore coverage is immediate after submitting an NOI with submission of the permit fee. The permittee should be aware that though you may not have a permit in hand, if you have sent in a completed NOI with the permit fee you are covered by the conditions in the permit and will be expected to comply with these conditions. If you wish, contact the Division of Water Quality at (801) 536-4300 to receive a generic copy of the permit or you can print a copy from the DWQ web site or it can be downloaded during the on line application process.

**Permit Fees (MAKE CHECKS PAYABLE TO: DIVISION OF WATER QUALITY)** Construction projects are prorated from the time they begin disturbing ground until the time the disturbed surface is stabilized, and the permit is terminated by the permittee with a submittal of a Notice of Termination (NOT) form. That time period may or may not be that same time period as what could be considered project start date and project end date. Fees are prorated at \$8.34 per month of coverage needed, except there is a \$100 minimum and a \$500.00 maximum. EXAMPLE: if you need 5 months of coverage:  $5 \times \$8.34 = \$41.70$ , then you will need to submit the \$100 minimum, if 18 months of coverage is needed:  $18 \times \$8.34 = \$150.12$ , your total fee will be \$150.12. The \$500.00 maximum will provide permit coverage for five years and then expire at the end of the five year period. Permit coverage is calculated on the dollar amount of the permit fee submitted. The minimum time period that a permit can be issued for is one year. If stabilization occurs before one year, the permittee must submit an NOT. State or local political subdivisions are exempt from the permit fee. The fee must be received with the NOI before permit coverage is given.

**Length of Coverage:** Storm Water Construction Permits get coverage starting on the day that the NOI and fee payment is received at DWQ (on line if that is the case) and ending on the date that the fee pays up to. The minimum fee is \$100, therefore all permits where the minimum fee is paid will automatically receive coverage for one year. If a permittee does not need coverage for a full year and does not want to be held accountable for permit conditions, they must submit the NOT (associated with the permit) after the site has been stabilized (or when other requirements are met so that the permittee can legally terminate the permit) to terminate coverage.

The Storm Water General Permit for Construction Activities UTR300000 will expire on June 30, 2013.

**SECTION I - FACILITY OPERATOR INFORMATION** Give the legal name(s) of the person(s), firm(s), public organization(s), or any other entity(ies) that conducts the construction operation at the facility or site described in this application. The name of the operator(s) may be the developer, the owner, the general contractor, the design firm, the excavation contractor and/or others (e.g. anyone that fits the definition of operator). An operator is anyone that has control over site/project specifications and/or control of day to day operational activities. Do not use a colloquial name.

Enter the complete address and telephone number of the operator(s). Enter the appropriate letter to indicate the legal status of the operator of the facility.  
F = Federal M = Public (other than Fed or State) S = State P = Private

**SECTION II - FACILITY/SITE LOCATION INFORMATION.** Enter the facility name or legal name and project number (if any) of the site and complete street address, including city, state and ZIP code. The latitude and longitude of the facility must be included to the approximate centroid of the site, and the method of how the Lat/Long was obtained (USGS maps, GPS, Internet Map sites [such as Google Earth], other). The township and range is desirable but not necessary.

Indicate whether the facility is located in Indian Country. If the facility is located in Indian Country, do not complete this NOI, instead complete form 3510-6 and submit to EPA Region VIII except for facilities on the Navajo Reservation or on the Goshute Reservation which should submit EPA form 3510-6 to Region IX.

**SECTION III - SITE ACTIVITY INFORMATION** If the storm water discharges to a municipal separate storm sewer system (MS4), enter the name of the operator of the MS4 (e.g., municipality name, county name) and the receiving water of the discharge from the MS4 if it is known (if it is not known please estimate or guess and indicate so). (An MS4 is defined as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by a state, city, town, county, district, association or other public body which is designed or used for collecting or conveying storm water).

**SECTION IV - TYPE OF CONSTRUCTION** Check each type of construction that applies to this application.

**SECTION V - BEST MANAGEMENT PRACTICES** Check each type of best management practice that will be used to control storm water runoff at the job site.

**SECTION VI - ADDITIONAL INFORMATION REQUIRED** Enter the project start date and the estimated completion date for the entire development plan. All coverage's issued under this NOI terminate on June 30, 2013. Provide an estimate of the total number of acres of the site on which soil will be disturbed (round to the nearest acre). Indicate whether the storm water pollution prevention plan for the site is in compliance with approved state and/or local sediment and erosion plans, permits, or storm water management plans.

**SECTION VII - CERTIFICATION** State statutes provide for severe penalties for submitting false information on this application form. State regulations require this application to be signed as follows:

*For a corporation:* by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

*For a partnership or sole proprietorship:* by a general partner or the proprietor; or

*For a municipality, state, Federal, or other public facility:* by either a principal executive officer or ranking elected official.

**POLLUTION PREVENTION PLAN** A storm water pollution prevention plan (SWP3) is required to be in hand before the NOI can be submitted. It is important to know SWP3 requirements (contained in the permit) even during the design portion of the project. A copy of the permit can be obtained from the Division of Water Quality's storm water construction web site. Guidance material for developing a SWP3 can be obtained from EPA (NTIS) or copied from EPA material at the Division of Water Quality's storm water construction web site.

**NOTICE OF TERMINATION (NOT)** A completed Notice of Termination (NOT) form is required to terminate your permit at the end of construction. Please complete the NOT form, including the project's assigned permit number, and return it to the Division of Water Quality. If you apply on line you will receive a partially filled out NOT at the time of application for which you will need to fill in the termination date and provide a signature for submission. Please contact the storm water coordinator at (801) 536-4300 for any questions or for a copy of the NOT form.

III. SITE ACTIVITY INFORMATION

Municipal Separate Storm Sewer System (MS4) Operator Name: \_\_\_\_\_

Receiving Water Body: \_\_\_\_\_ (this is known  this is a guess )

Estimate of distance to the nearest water body? \_\_\_\_\_ ft. miles. (circle one)

List the Number of any other UPDES permits at the site: \_\_\_\_\_

IV. TYPE OF CONSTRUCTION (Check all that apply)

1.  Residential    2.  Commercial    3.  Industrial    4.  Road    5.  Bridge    6.  Utility  
7.  Contouring, Landscaping    8.  Other (Please list) \_\_\_\_\_

V. BEST MANAGEMENT PRACTICES

Identify proposed Best Management Practices (BMPs) to reduce pollutants in storm water discharges: (Check all that apply)

1.  Silt Fences    2.  Sediment Pond    3.  Seeding/Preservation of Vegetation    4.  Mulching/Geotextiles  
5.  Check Dams    6.  Structural Controls (Berms, Ditches, etc.)  
7.  Other (Please list) \_\_\_\_\_

VI. ADDITIONAL INFORMATION REQUIRED

A storm water pollution prevention plan has been prepared for this site and is to the best of my knowledge in Compliance with State and/or Local Sediment and Erosion Plans and Requirements. Y  N   
(A pollution prevention plan is required to be on hand before submittal of the NOI.)

Project Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_ (All coverage's issued under this NOI will terminate on June 30, 2013)

VII. CERTIFICATION: I certify under penalty of law that I have read and understand the *Part 1* eligibility requirements for coverage under the general permit for storm water discharges from construction activities. I further certify that to the best of my knowledge, all discharges and BMPs that have been scheduled and detailed in a pollution prevention plan will satisfy requirements of *Part 1*, and *Part 3* of this permit. I understand that continued coverage under this storm water general permit is contingent upon maintaining eligibility as provided for in *Part 1*.

I also certify under penalty of law that this document and all attachments were prepared under the direction or supervision of those who have placed their signature below, in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print Name (of responsible person for the main operator from first page): \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name (of responsible person for the 1st co-permittee from first page): \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name (of responsible person for the 2nd co-permittee from first page): \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name (of responsible person for 3rd co-permittee from first page): \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Amount of Permit Fee Enclosed: \$ \_\_\_\_\_



# STORM WATER CONNECTION & ACTIVITY PERMIT APPLICATION

## HARRISVILLE CITY CORPORATION

### 1. GENERAL INFORMATION

		Receipt no.	date issued	permit no.	Bldg permit no.
date of application		date work starts		Engineer	phone
proposed work		General Contractor		phone	
Bldg Address		Owner's Signature		date	
lot	subd. name & number				
<b>PERMIT FEES</b> (a.Subd Plat, b.Site Plan, c. lot plan)					
Owner of property		phone		P.W. Standards purchase (a.&b. only) (\$30.00)	
				Storm Water Connection Fee (a&b only)	
Mailing address		city/zip		Storm Water Activity Fee (a,b,&c required)	
				Total Fee	

### 2. STORM WATER UTILITY INFORMATION

	Area (sf)	Percent	STORM WATER UTILITY INFORMATION	
Building Size			Total Hard Surface (sf)	
Pavement area			Total ERU's (2800sf of H.S.)	
Landscape area			Credits (given in section 3)	
Other _____			Monthly Anticipated Utility Fee	
Total lot size		100%		
Total Disturbed Area				

### 3. STORM WATER CONNECTION PERMIT and ACTIVITY PERMIT

CONSTRUCTION BMPs (check all applicable)					MAINTENANCE BMP's (Utility Credit up to 50%)	%
BRRC	<input type="checkbox"/>	GM	<input type="checkbox"/>	SF	Detention Basin (30%) Required Volume: _____	
CESA	<input type="checkbox"/>	HWM	<input type="checkbox"/>	SBB	Increased Detention Volume (10%) Actual Volume: _____	
CR	<input type="checkbox"/>	IP	<input type="checkbox"/>	ST	Increased Landscaping (10%) Area: _____	
CWM	<input type="checkbox"/>	PTHD	<input type="checkbox"/>	TCMC	Oil Separator (10%) <input type="checkbox"/>	
DC	<input type="checkbox"/>	SD	<input type="checkbox"/>	VEF	Annual lot Sweeping (10%) Receipts submitted for credit	
ECB	<input type="checkbox"/>	SCE	<input type="checkbox"/>	WD	Catch basin Cleaning (10%) Receipts submitted for credit	
EVWA	<input type="checkbox"/>	SCU	<input type="checkbox"/>	Other	TOTAL CREDIT (%)	

### 4. APPROVALS

	Plan Approval Required			BMP Plan	Storm Water Calculations	Pollution Prevent Plan	Approved (date)
	a.Subd Plat	b.Site Plan	c.Lot Plan				
Storm Drain Inspector							
Public Works Director							
City Engineer							
Building Official							
Planning Commission							
City Council							

## ABBREVIATIONS ASSOCIATED WITH THIS PERMIT

BMP	Best management practice
BRRC	Building repair, remodeling and construction
CESA	Contaminated or erodible surface areas
CR	Construction road stabilization
CWM	Concrete waste management
DC	Dust control
ECB	Erosion control blanket
EVWA	Equipment and vehicle wash down area
GM	Geotextiles and mats
HWM	Hazardous waste management
IP	Inlet protection
PTHD	Portable toilet hold down
SB	Sediment basin
SCE	Stabilized construction entrance
SCU	Spill clean-up
SF	Silt fence
SBB	Straw bale barrier
ST	Sediment trap
TCMC	Temporary Corrugated metal culvert
VEF	Vehicle and equipment fueling
WD	Waste disposal

## STORM WATER CONNECTION AND ACTIVITY PERMIT CRITERIA

The connection and activity permit both have some of the same requirements. An activity permit (i.e. lot plan/building permit) can be issued without needing a connection permit, however, a connection permit (i.e. subdivision, commercial and special development) cannot be issued without an activity permit. When this is the case, both can be issued at the same time to avoid competition when all of the requirements have been met.

When only an activity permit is needed, the three following construction BMP's (Best Management Practices), will be required: CWM (Concrete Waste Management), EVWA (Equipment and Vehicle Wash Down Area), and TCMC (Temporary Corrugated Metal Culvert).

# RESIDENTIAL CONSTRUCTION SITE REQUIREMENTS CHECKLIST

All of the following must be at the construction site before the first inspection (sewer and water) is given and remain throughout the construction of the building.

- Portable toilet
- Concrete wash-out
- Means of trash collection
- No dirt, road base or gravel in the gutter and street
- No dirt curb ramps installed
- Good house keeping must be preformed at all times
- Before final occupancy an NOT must be filled.

**NOTICE OF TERMINATION (NOT)** A completed Notice of Termination (NOT) form is required to terminate your permit at the end of construction. Please complete the NOT form, including the project's assigned the permit number, and return it to the Division of Water Quality. If you apply on line you will receive a partially filled out NOT at the time of application for which you will need to fill in the termination date and provide a signature for submission. Please contact the storm water coordinator at (801) 536-4300 for any questions or a copy of the NOT form.

I, \_\_\_\_\_, am aware of the requirements and understand no inspections will be given unless I am in compliance.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contact Phone #

\_\_\_\_\_  
site address

\_\_\_\_\_  
Lot #

\_\_\_\_\_  
subdivision

STATE OF UTAH, DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER QUALITY

195 North 1950 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870

**NOT**

**Notice of Termination (NOT) for Storm Water Discharges Associated with Construction Activity Under the UPDES General Permit No. UTR 200000 or UTR300000.  
SEE REVERSE FOR INSTRUCTIONS**

Submission of this Notice of Termination constitutes notice that the operator and/or co-permittee identified in Section II of this form is no longer authorized to discharge storm water associated with industrial activity under the UPDES program from that portion of the site for which they are responsible as indicated in the SWPPP. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

**I. Permit Information**

UPDES Storm Water General Permit Number: \_\_\_\_\_

Final stabilization has been achieved on all portions of the site for which you are responsible; Partial site NOT:  Full site NOT:

Another party has assumed control of the site for which you are responsible through appropriate transfer of responsibility: Partial site   
Full site

Coverage under another Storm Water Construction permit or an alternative UPDES permit has been obtained: Partial site  Full site

For residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner:   
(list each of the addresses of the lots transferred to a homeowner on a separate sheet and attach it to this sheet before submitting.)

**II. Facility Operator (or co-permittee) Information (the same as was entered on the NOI)**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

If this NOT is for a portion of the site, please send a map from the SWPPP with indications that show which portion of the site this applies to.

**III. Facility Site/Location Information (the same as was entered on the NOI)**

Name: \_\_\_\_\_

Address: \_\_\_\_\_ County: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

**IV. Certification:** I certify under penalty of law that either: a) all storm water discharges associated with construction activity from the portion of the identified facility where I was an operator have ceased or have been eliminated or b) I am no longer an operator at the construction site and a new operator has assumed operational control for those portions of the construction site where I previously had operational control. I understand that by submitting this notice of termination, I am no longer authorized to discharge storm water associated with construction activity under this general permit, and that discharging pollutants in storm water associated with construction activity to waters of the State is unlawful under the State of Utah Water Quality Act where the discharge is not authorized by a UPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Water Quality Act.

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

## Instructions for Completing Notice of Termination (NOT) Form

### Who May File A Notice Of Termination (NOT) Form

**Permittees** who are presently covered under the State issued Utah Pollutant Discharge Elimination System (UPDES) General Storm Water Permit for Construction Activity may submit a notice of termination (NOT) form when their facilities no longer have any storm water discharges associated with industrial activity as defined in the storm water regulations at UAC R317-8-3.9(b)(c) and (d), or when they are no longer the operator of the facilities.

For construction activities, elimination of all storm water discharges associated with industrial activity occurs when disturbed soils at the construction site (or on a portion of the site that this NOT applies to, which if it is a portion of the site this NOT must be accompanied with a map of the site showing which portion) have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time, or that all storm water discharges authorized by the UPDES general permit for construction activity have otherwise been eliminated. Final stabilization means that all soil-disturbing activities at the site (or on a specified portion of the site) have been completed, and that a uniform perennial vegetative cover with a density of 70% of the cover for unpaved areas and areas not covered by permanent structures has been established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

### Where to File NOT Form

Send this form to the following address:

Division of Water Quality  
195 North 1950 West  
P.O. Box 144870  
Salt Lake City, Utah 84114-4870

Or by Fax  
(801) 536-4301

### Section I - Permit Information

Enter the existing UPDES Storm Water General Permit number assigned to the facility or site identified in Section III. If you do not know the permit number, contact the Division of Water Quality at (801) 536-4300.

Indicate your reason for submitting this Notice of Termination by checking the appropriate box.

### Section II - Facility Operator Information

There may be more than one operator for a construction project. This form must be filled out and submitted by the appropriate operator/co-permittees listed on the notice of intent (NOI) that was submitted for receiving coverage under this permit. In this section give the legal name of the person, firm, public organization, or any other entity that is filed as an operator/co-permittee at the facility or site (or portion of the site) described in this application to terminate coverage. The operator/co-permittee of the facility is the legal entity which controls the sites operation (referring to operation of construction activity) or a portion of it and/or the person dictating the storm water control specifications, rather than the plant or site manager of the finished or rehabilitated facility. Do not use a colloquial name. Enter the complete address and telephone number of the operator.

### Section III - Facility/Site Location Information

Enter the facility's or site's official or legal name and complete address, including city, state and ZIP code and the latitude and longitude of the facility at the approximate center of the site (as was reported on the NOI), and that portion of the site as indicated in the SWPPP that is being terminated.

### Section IV - Certification

State statutes provide for severe penalties for submitting false information on this application form. State regulations require this application to be signed as follows:

*For a corporation:* by a responsible corporate officer, which means: (I) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

*For a partnership or sole proprietorship:* by a general partner or the proprietor, respectively; or

*For a municipality, State, Federal, or other public facility:* by either a principal executive officer or ranking elected official.

**APPENDIX E**  
**Documentation**