AGENDA
Committee on Public Services
Tuesday, August 7, 2018 @ 4:00 p.m.
City Council Conference Room, 10th Floor

Council Member Peter Spadafore, Chair
Council Member Jeremy Garza, Vice Chair
Council Member Jody Washington, Member

1) **Call to Order**

2) **Public Comment on Agenda Items**

3) **Minutes**
   - July 17, 2018

4) **Discussion/Action:**

   A.) **RESOLUTION –** Appointment; Jason Wilkes; At-Large Member; Board of Public Service; Term to Expire June 30, 2019

   B.) **RESOLUTION** – Introduction & Set Public Hearing; Post Construction Storm Water Management Ordinance

   C.) **ORDINANCE DISCUSSION -** Chapter 405; Residential Parking Zones

5) **Other**

6) **Adjourn**

PUBLIC COMMENT AND SIGN IN SHEET

COMMITTEE Public Services

DATE Aug 7, 2018

Please print

NAME	ADDRESS	Purpose for Attending	Email Address	PHONE
Alec Malvetis	Public Service Dept.	proposed "stormwater" ordinance	akc.malvetis@lansingmi.gov	483-4454
JASON WILKES	3218 Continental Dr Lansing MI 48911	P.S. Board	jason.wilkes724@gmail.com	517-819-6111
Kevin McKinney	216 W. Chestnut #1	RPZ	kevin@mckinneyandassociates.net	487-2811

MINUTES
Committee on Public Service
Tuesday, July 17, 2018 @ 4:00 p.m.
City Hall, Conference Room, 10th Floor

CALL TO ORDER
The meeting was called to order at 4:01 p.m.

ROLL CALL
Council Member Peter Spadafore, Chair
Council Member Jeremy Garza, Vice Chair
Council Member Jody Washington, Member- excused

OTHERS PRESENT
Sherrie Boak, Council Office Manager
Dean Johnson, Public Service Department – arrived at 4:32 p.m.
Greg Venker, Assistant City Attorney – arrived at 4:05 p.m.
Ryan Peterson, Intern, City Attorney – arrived at 4:05 p.m.
Brent Forsberg
Kevin McKinney
Thadel Gormas
Jeff Deeham
Yanice Jackson-Long

Minutes
Council Member Spadafore passed the gavel to Council Member Garza.
MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE MINUTES FROM JUNE 19, 2018. MOTION CARRIED 2-0.
Council Member Garza passed the gavel to Council Member Spadafore.

Public Comment
No public comment.

Discussion/Action:
RESOLUTION – Appointment; Cynthia Lockington; 2nd Ward Member Board of Public Service; Term to expire June 30, 2022.
Council Member Spadafore recapped that the Committee interviewed Ms. Lockington for the Board in the past for the At-Large, but since that time the Mayor is now recommending her to be moved to the 2nd Ward position.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION TO APPOINT CYNTHIA LOCKINGTON TO THE 2ND WARD MEMBER OF THE BOARD OF PUBLIC SERVICE. MOTION CARRIED 2-0.

Council Member Spadafore amended the agenda and addressed item E.
RESOLUTION – Introduction & Set Public Hearing; Repeal Ordinance Chapter 816; To Eliminate the Provisions Allowing Dwarf Tossing
Mr. Peterson arrived with a revision version of the ordinance.

Meeting was recessed for copies to be made at 4:05 p.m.
Meeting called back to order at 4:06 p.m.

Mr. Peterson went through the ordinance and proposed changes that would not repeal the whole chapter, but amend Section 816.01, maintain the definitions in 816.02 and repeal 816.03-816.99 to prohibit dwarf tossing.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE HEARING FOR AUGUST 13, 2018 FOR THE AMENDMENTS TO CHAPTER 816. MOTION CARRIED 2-0.

DISCUSSION-Ordinance; Residential Parking Zone Pilot
Mr. Venker distributed the draft dated July 17, 2018. He proceeded to outline the ordinance which has an intent to create a permit system in areas of high density and high use, starting in downtown. This would be for hours of non-use and non-peak business hours, create a permit system for residents in the area to park on the street. He added that this would also be an opportunity to create revenue in the areas. Currently it was noted there are meters that are monitored till 6 pm and this ordinance would allow permitted parking in those areas after 6 pm. Council Member Garza asked what happens in the morning when they start enforcing the meters again, and Council Member Spadafore noted they would have to pay for the meter or move their vehicle.
Mr. Venker proceeded to go through the proposed ordinance, with 405.2 as the creation of the residential parking zones; 405.03 -405.05 addressing the application and issuance of a permit. It was noted that there could four (4) permits at one time to a residence, and those permits will be stickers for the vehicles. Council Member Spadafore admitted he had not had discussion with Public Service on any of their concerns, but will work with that department, Law and the parking office on the proposal. One suggestion that was made to address overflow parking and parking during snow clearing is to determine the amount of parking available in an area, and only allow permits for a certain percentage of that area, such as 70% of the 539 spaces.

Ms. Jackson-Long arrived and Council Member Spadafore paused discussion on the ordinance to address the appointment agenda item.

RESOLUTION –Appointment; Yanice Jackson-Long; City of Lansing Member to the Potter Park Zoo Board; Term Expire June 30, 2021
Ms. Jackson-Long spoke briefly on her current work experience with the Drain Commissioner, and her interest in improve the City of Lansing.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION TO APPOINT YANICE JACKSON-LONG TO THE CITY OF LANSING MEMBER POSITION ON THE POTTER PARK ZOO BOARD. MOTION CARRED 2-0.

DISCUSSION-Ordinance; Residential Parking Zone Pilot- continued

Mr. Forsberg provided the Committee with details on their plans for the downtown area and distributed a portfolio. This spoke to their goal of creating vibrant communities, their belief that the best way to bring development to downtown is to create a parking zone and so he approached Council Members. Mr. Forsberg continued, noting that in his opinion in having the parking zone, it will help develop the downtown area and he then present information on a future project he is proposing.

Council Member Garza asked about future parking concerns. Council Member Spadafore stated that currently there are 539 spaces per the map, which means this ordinance would allow overnight parking in those, but no permit required to park there during the day. This ordinance he clarified is targeted for the residents during the week and weekend at night. Council Member Spadafore continued by stated that is why they are considering a cap with a percentage open for those that are not residents. Council Member Garza asked if this would address the current resident's concerns that the Committee on Public Safety has heard, and was assured by Council Member Spadafore it would, based on the proposed zoned that are being established. Council Member Spadafore asked Mr. Venker how to address the fees for this year since it will be adopted mid fiscal year. Mr. Venker stated that Council could do a budget amendment to account for the revenue, and as part of this ordinance Law will put in a statement of "for the first year of effect the permit rate is set at $____ and therefore after done by resolution by Council."

Mr. Johnson confirmed this was the first time he was seeing the parking ordinance, and that his first question was the snow clearing when residents are parking on the downtown streets overnight.

Council Member Spadafore stated the Committee will continue the discussions on August 7th, and planned to introduce and set the hearing on August 13th for the August 27th Council meeting. Council Member Spadafore also stated that he hoped to have neighborhood meetings with those residents in the zone to get their input before it is adopted.

RESOLUTION – Set Public Hearing; Public Improvement III; Stabler Street Reconstruction Project

Mr. Johnson explained that this project for reconstruction is being performed in conjunction with BWL and their water main reconstruction. He added that there will also be a small amount of sidewalk repair and replacement involved. The department did an assessment of the project to determine the cost, and this phase is to set and hold the public hearing for those that will be assessed for the work. After the hearing the roll will be created. In order for anyone to appeal to the State Tax Tribunal in the future on this assessment, they have to appear at the City public hearing. After the hearing, phase IV is to ratify the roll.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION WITH THE HEARING DATE OF AUGUST 13, 2018 FOR THE PUBLIC IMPROVEMENT III FOR STABLER STREET RECONSTRCTION PROJECT. MOTION CARRIED 2-0.

RESOLUTION- Appointment of Jason Wilkes; Board of Public Service

Mr. Wilkes was not present so Council staff was asked to invite him to the next meeting.

ADJOURN

The meeting was adjourned at 4:58 p.m.
Submitted by Sherrie Boak, Recording Secretary
Lansing City Council
Approved: _____

Application for Appointment to Board or Commission

Thank you for your interest in serving on a Lansing Board, Commission or committee. The Lansing City Charter requires that every appointee to a board, commission, or committee established by Charter or ordinance must meet the following qualifications and eligibility requirements:

• Be a registered elector in the City of Lansing (Charter Section 2-102).

• Be a resident of Lansing for one year prior to taking office (Charter Section 2-102).

• Not be in default to the City at the time of taking office (Charter Section 2-103.2).

• Not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of public trust; or any felony (Charter Section 2-103.1).

(Section Break)

Date	1/17/2018
First Name	Jason
Middle	*Field not completed.*
Last Name	Wilkes
Other name(s) by which you have been known, including maiden names	*Field not completed.*
Date of Birth	
Address	3218 Continental Dr.
City	Lansing
State	MI

Zip Code	48911
Email	jason.wilkes724@gmail.com
Gender	Gender
Ward	3
Precinct	30
Best phone number to contact you	
Last 4 digits of social security number	
In what year did you move to Lansing?	2008
Additional information regarding experience and credentials	Vice President of Averill Woods Neighborhood Association, former Board Member of the Lansing Neighborhood Council, Member of the Lansing Branch of NAACP, Member of A. Philip Randolph Institute. Many years of service to my community inmay ways. Starting with the Lansing Police Explorers in 1991. Committed to the betterment of the citizens of Lansing that have not had a voice for so long. We must get back to ethics and integrity in City Government. Strong advocate for Buy local support local small businesses.
Occupational Background	Lansing Police Explorer, Manufacturing and Assembly, UAW Union Steward, UAW Community Service Chairman, UAW CAP Delegate, Human Resources Supervisor
Educational Background	LCC Criminal Justice program and Cornerstone University Bachelors Degree in Business Management. many courses in Human Resources
Please attach a resume if available	Lans Resume 2018.docx
First choice for board to serve on	Public Service
Second choice of a board to serve on	Planning Board
Third choice of a board to serve on	Economic Development Corporation/Tax
Fourth choice of a board to serve on	Police Commissioners

Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission	These boards are critical to the growth of our city and I believe that I have a lot to offer. Some members have served numerous years and not offered much. We need members that are going to work and do the homework to make this city a true "World Class City". I will be engaged with my Board and encourage others to be engaged as well. I will make myself available to my constituents and I will keep them up to date on our progress.
Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office	*Field not completed.*
Background Check Authorization	I agree
Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge	Jason Wilkes
Date & Time	1/17/2018 11:45 PM

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BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Jason Wilkes of 3218 Continental Drive, Lansing, MI 48911 as an At-Large Member of the Board of Public Service for a term to expire June 30, 2019; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Public Service Committee met on July 17, 2018 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Jason Wilkes of 3218 Continental Drive, Lansing, MI 48911 as an At-Large Member of the Board of Public Service for a term to expire June 30, 2019

Andy Schor, Mayor

PUBLIC SERVICE DEPARTMENT
7th Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-4455
FAX: (517) 483-6082
www.lansingmi.gov/pubserv

MEMORANDUM

TO: **Joseph Abood, Deputy City Attorney**

FROM: **Alec Malvetis, Asst. City Engineer**

DATE: **June 5, 2018**

SUBJECT: **New City Ordinance for Post-Construction Stormwater Management**

We are hereby formally transmitting the attached, proposed ordinance that establishes requirements for management of stormwater runoff from sites of development and/or redevelopment. This proposed ordinance will constitute a new chapter (i.e., Chapter 1219) under the Part 12 – Planning and Zoning Code.

As discussed with you previously, establishment of this ordinance is required by the Michigan Department of Environmental Quality via the conditions of National Pollutant Discharge Elimination System Permit No. MI0059769, which was issued to the City of Lansing on September 11, 2015. Similarly, other municipalities in the Greater Lansing-area have been required to establish consistent ordinances, including the Cities of East Lansing and Grand Ledge.

You have previously reviewed and tentatively approved the form of this ordinance. However, we are now seeking formal "approved as to form" status from the Office of the City Attorney. Following receipt of this approval, we will work with Zoning Administrator, Susan Stachowiak, to continue the process to its next step with the Planning Commission.

If you have any questions, please contact me at #483-4459. Thank you

INTRODUCTION OF ORDINANCE

Council Member _____ introduced:

An Ordinance amending the City of Lansing, Michigan codified ordinances by adding a new Chapter 1219 to be entitled post-construction stormwater management ordinance.

The Ordinance is referred to the Committee on _____

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

RESOLVED by the City Council, City of Lansing, that a public hearing be set for _____ in the City Council Chambers, 10th floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an ordinance of the City of Lansing, Michigan, by adding a new chapter 1219 to be entitled post-construction stormwater management ordinance; to state the findings and purpose; to define terms; to establish procedures for submission and criteria for approval of plans and projects; to designate those responsible for plan review, processing and approvals; to require performance and maintenance guarantees and agreements; to provide for civil fines, equitable remedies and criminal sanctions and costs for violation of this ordinance, nuisance abatement, cost reimbursement to the city and establishment of liens; and to establish an effective date.

Interested Persons are invited to attend this Public Hearing

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF LANSING, MICHIGAN CODIFIED ORDINANCES BY ADDING A NEW CHAPTER 1219 TO BE ENTITLED POST-CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE; TO STATE THE FINDINGS AND PURPOSE; TO DEFINE TERMS; TO ESTABLISH PROCEDURES FOR SUBMISSION AND CRITERIA FOR APPROVAL OF PLANS AND PROJECTS; TO DESIGNATE THOSE RESPONSIBLE FOR PLAN REVIEW, PROCESSING AND APPROVALS; TO REQUIRE PERFORMANCE AND MAINTENANCE GUARANTEES AND AGREEMENTS; TO PROVIDE FOR CIVIL FINES, EQUITABLE REMEDIES AND CRIMINAL SANCTIONS AND COSTS FOR VIOLATION OF THIS ORDINANCE, NUISANCE ABATEMENT, COST REIMBURSEMENT TO THE CITY AND ESTABLISHMENT OF LIENS; AND TO ESTABLISH AN EFFECTIVE DATE.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1219 of the codified ordinances of the City of Lansing, Michigan, is added and reads follows:

TITLE: CHAPTER 1219. – POST-CONSTRUCTION STORMWATER MANAGEMENT

1219.01. – PURPOSE

(A) THE PURPOSE OF THIS ORDINANCE IS TO ESTABLISH MINIMUM STORMWATER MANAGEMENT REQUIREMENTS AND CONTROLS TO PROTECT AND SAFEGUARD THE GENERAL HEALTH, SAFETY, AND WELFARE OF THE PUBLIC RESIDING IN THE CITY OF LANSING AND THE WATERSHEDS TO WHICH IT DRAINS AND TO COMPLY

WITH THE CITY'S NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT AND OTHER APPLICABLE FEDERAL AND STATE REGULATIONS.

(B) THIS ORDINANCE SEEKS TO MEET THAT PURPOSE BY MINIMIZING THE NEGATIVE IMPACTS OF INCREASED STORMWATER DISCHARGES FROM NEW LAND DEVELOPMENT AND REDEVELOPMENT THROUGH THE FOLLOWING OBJECTIVES:

(1) TO MINIMIZE INCREASED STORMWATER RUNOFF RATES AND VOLUMES FROM IDENTIFIED LAND DEVELOPMENT AND REDEVELOPMENT.

(2) TO MINIMIZE NONPOINT SOURCE POLLUTION.

(3) TO MINIMIZE THE DETERIORATION OF EXISTING WATERCOURSES, CULVERTS AND BRIDGES, AND OTHER STRUCTURES.

(4) TO ENCOURAGE WATER RECHARGE WHERE GEOLOGICALLY FAVORABLE CONDITIONS EXISTS.

(5) TO MAINTAIN THE ECOLOGICAL INTEGRITY OF STREAM CHANNELS.

(6) TO MINIMIZE THE NEGATIVE IMPACTS OF DEVELOPMENT ON DOWNSTREAM CHANNEL STABILITY.

(7) TO PRESERVE AND PROTECT WATER SUPPLY FACILITIES AND WATER RESOURCES BY CONTROLLING INCREASED FLOOD DISCHARGES, STREAM EROSION, AND RUNOFF POLLUTION.

(8) TO REDUCE THE ADVERSE IMPACT OF CHANGING LAND USE ON WATER BODIES AND, TO THAT END, THIS ORDINANCE ESTABLISHES MINIMUM STANDARDS TO PROTECT WATER BODIES FROM DEGRADATION RESULTING FROM CHANGING LAND USE WHERE STORMWATER MANAGEMENT CONTROLS ARE INSUFFICIENT TO MEET WATER QUANTITY AND QUALITY GOALS.

(9) TO ENSURE THAT STORM DRAINS AND STORMWATER BMPS ARE ADEQUATE TO ADDRESS STORMWATER MANAGEMENT NEEDS WITHIN A PROPOSED DEVELOPMENT, AND FOR PROTECTING DOWNSTREAM LANDOWNERS FROM FLOODING AND DEGRADATION OF WATER QUALITY. THE PROCEDURES, STANDARDS, AND RECOMMENDATIONS SET FORTH IN THIS ORDINANCE AND THE CITY OF LANSING'S STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL (POLICIES MANUAL) ARE DESIGNED FOR THESE PURPOSES.

(10) TO ENSURE THAT ALL STORMWATER FACILITIES NECESSARY FOR A PROPOSED DEVELOPMENT WILL HAVE AN APPROPRIATE GOVERNMENTAL UNIT RESPONSIBLE IN PERPETUITY FOR PERFORMING MAINTENANCE OR; FOR OVERSEEING THE PERFORMANCE OF MAINTENANCE BY A PRIVATE ENTITY.

(11) TO FACILITATE THE INTEGRATION OF STORMWATER MANAGEMENT AND POLLUTION CONTROL WITH OTHER ORDINANCES, PROGRAMS, POLICIES, AND THE COMPREHENSIVE PLANS OF THE CITY OF LANSING.

(12) TO ESTABLISH LEGAL AUTHORITY TO CARRY OUT ALL OF THE INSPECTION AND MONITORING PROCEDURES NECESSARY TO ENSURE COMPLIANCE WITH THIS ORDINANCE.

1219.02. – DEFINITIONS.

AS USED IN THIS CHAPTER:

APPLICANT MEANS ANY PERSON PROPOSING OR IMPLEMENTING THE DEVELOPMENT OR REDEVELOPMENT OF LAND.

BMP OR BEST MANAGEMENT PRACTICE MEANS ANY PRACTICE, OR COMBINATION

OF PRACTICES AND DESIGN CRITERIA THAT COMPLY WITH THE CITY OF LANSING STORMWATER MANAGEMENT DESIGN MANUAL OR EQUIVALENT PRACTICES AND DESIGN CRITERIA THAT ACCOMPLISH THE PURPOSES OF THIS ORDINANCE (INCLUDING, BUT NOT LIMITED TO MINIMIZING STORMWATER RUNOFF AND PREVENTING THE DISCHARGE OF POLLUTANTS INTO STORMWATER) AS DETERMINED BY THE CITY ENGINEER AND/OR, WHERE APPROPRIATE, THE STANDARDS OF THE COUNTY DRAIN COMMISSIONER.

CHANNEL MEANS A NATURAL OR ARTIFICIAL WATERCOURSE WITH A DEFINITE BED AND BANKS THAT CONDUCTS CONTINUOUSLY OR PERIODICALLY FLOWING WATER.

CONVEYANCE FACILITY MEANS A STORM DRAIN, PIPE, SWALE, OR CHANNEL.

DESIGN ENGINEER MEANS THE REGISTERED PROFESSIONAL ENGINEER RESPONSIBLE FOR THE DESIGN OF THE STORMWATER MANAGEMENT PLAN.

DETENTION MEANS A SYSTEM WHICH IS DESIGNED TO CAPTURE STORMWATER AND RELEASE IT OVER A GIVEN PERIOD OF TIME THROUGH AN OUTLET STRUCTURE AT A CONTROLLED RATE. THE GOALS OF THIS BMP ARE TO CONTROL PEAK DISCHARGE RATES AND PROVIDE GRAVITY SETTLING OF POLLUTANTS.

DEVELOPED OR DEVELOPMENT MEANS THE INSTALLATION OR CONSTRUCTION OF IMPERVIOUS SURFACES ON A DEVELOPMENT SITE THAT REQUIRE, PURSUANT TO STATE LAW OR LOCAL ORDINANCE, CITY OF LANSING APPROVAL OF A SITE PLAN, SITE CONDOMINIUM, SPECIAL LAND USE, PLANNED UNIT DEVELOPMENT, LAND DIVISION APPROVAL, PRIVATE ROAD APPROVAL, OR OTHER APPROVALS

REQUIRED FOR THE DEVELOPMENT OF LAND OR THE ERECTION OF BUILDINGS OR STRUCTURES; PROVIDED, HOWEVER, THAT FOR THE PURPOSES OF THIS ARTICLE ONLY, DEVELOPED OR DEVELOPMENT SHALL NOT INCLUDE THE ACTUAL CONSTRUCTION OF, OR AN ADDITION, EXTENSION, OR MODIFICATION TO, AN INDIVIDUAL SINGLE-FAMILY OR A TWO-FAMILY DETACHED DWELLING THAT DISTURBS LESS THAN ONE ACRE.

ENGINEERED SITE GRADING PLAN MEANS A SEALED DRAWING OR PLAN AND ACCOMPANYING TEXT PREPARED BY A REGISTERED ENGINEER OR LANDSCAPE ARCHITECT WHICH SHOWS ALTERATIONS OF TOPOGRAPHY, ALTERATIONS OF WATERCOURSES, FLOW DIRECTIONS OF STORMWATER RUNOFF, AND PROPOSED STORMWATER MANAGEMENT AND MEASURES, HAVING AS ITS PURPOSE TO ENSURE THAT THE OBJECTIVES OF THIS ORDINANCE ARE MET.

EROSION AND SEDIMENT CONTROL PLAN MEANS A PLAN THAT IS DESIGNED TO MINIMIZE THE ACCELERATED EROSION AND SEDIMENTATION RUNOFF AT A SITE DURING CONSTRUCTION.

*FEE IN LIEU CONTRIBUTION M*EANS A PAYMENT OF MONEY IN PLACE OF MEETING ALL OR PART OF THE STORMWATER PERFORMANCE STANDARDS REQUIRED BY THIS ORDINANCE.

GRADING MEANS ANY STRIPPING, EXCAVATING, FILLING, OR STOCKPILING OF SOIL OR ANY COMBINATION THEREOF AND THE LAND IN ITS EXCAVATED OR FILLED CONDITION.

IMPERVIOUS SURFACE MEANS SURFACE THAT DOES NOT ALLOW STORMWATER RUNOFF TO SLOWLY PERCOLATE INTO THE SOIL.

INFILTRATION MEANS THE PERCOLATION OF WATER INTO THE GROUND, EXPRESSED IN INCHES PER HOUR.

LAND DISTURBING ACTIVITY MEANS ANY ACTIVITY THAT CHANGES THE VOLUME OR PEAK FLOW DISCHARGE OF RAINFALL RUNOFF FROM THE LAND SURFACE. THIS MAY INCLUDE THE GRADING, DIGGING, CUTTING, SCRAPING, OR EXCAVATING OF SOIL, PLACEMENT OF FILL MATERIALS, PAVING, CONSTRUCTION, SUBSTANTIAL REMOVAL OF VEGETATION, OR ANY ACTIVITY THAT BARES SOIL OR ROCK OR INVOLVES THE DIVERSION OR PIPING OF ANY NATURAL OR MAN-MADE WATERCOURSE.

MAINTENANCE AGREEMENT MEANS A BINDING AGREEMENT THAT ESTABLISHES THE TERMS, MEASURES, AND CONDITIONS FOR THE MAINTENANCE OF STORMWATER SYSTEMS AND FACILITIES.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT MEANS THE PERMIT ISSUED TO THE CITY OF LANSING BY THE MICHIGAN DEPARTMENT OF ENVIRONMENT QUALITY FOR POINT SOURCE DISCHARGES OF STORMWATER FROM MUNICIPAL SEPARATE STORM SEWER SYSTEMS.

NON-STRUCTURAL MEASURE MEANS A STORMWATER CONTROL AND TREATMENT TECHNIQUE THAT USES NATURAL PROCESSES, RESTORATION OR ENHANCEMENT OF NATURAL SYSTEMS, OR DESIGN APPROACHES TO CONTROL RUNOFF AND/OR REDUCE POLLUTANT LEVELS. SUCH MEASURES ARE USED IN LIEU OF OR TO SUPPLEMENT STRUCTURAL PRACTICES ON A LAND DEVELOPMENT SITE.

OFFSITE FACILITY MEANS ALL OR PART OF A DRAINAGE SYSTEM THAT IS

LOCATED PARTIALLY OR COMPLETELY OFF THE DEVELOPMENT SITE WHICH IT SERVES.

PEAK RATE OF DISCHARGE MEANS THE MAXIMUM RATE OF STORMWATER FLOW AT A PARTICULAR LOCATION FOLLOWING A STORM EVENT, AS MEASURED AT A GIVEN POINT AND TIME IN CUBIC FEET PER SECOND (CFS).

PERMANENT STORMWATER BMP MEANS A STORMWATER BEST MANAGEMENT PRACTICE (BMP) THAT WILL BE OPERATIONAL AFTER THE CONSTRUCTION PHASE OF A PROJECT AND THAT IS DESIGNED TO BECOME A PERMANENT PART OF THE SITE FOR THE PURPOSES OF MANAGING STORMWATER RUNOFF.

PLAN MEANS WRITTEN NARRATIVES, SPECIFICATIONS, DRAWINGS, SKETCHES, WRITTEN STANDARDS, OPERATING PROCEDURES, OR ANY COMBINATION OF THESE WHICH CONTAIN INFORMATION PURSUANT TO THIS ORDINANCE.

POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN (STORMWATER PLAN) MEANS DRAWINGS AND WRITTEN INFORMATION PREPARED BY A REGISTERED ENGINEER, REGISTERED LANDSCAPE ARCHITECT, OR REGISTERED SURVEYOR WHICH DESCRIBE THE WAY IN WHICH ACCELERATED SOIL EROSION AND/OR STORMWATER FLOWS FROM A PARTICULAR SITE ARE PROPOSED TO BE CONTROLLED, BOTH DURING AND AFTER CONSTRUCTION, HAVING AS ITS PURPOSE TO ENSURE THAT THE OBJECTIVES OF THIS ORDINANCE ARE MET.

RECEIVING STREAM OR CHANNEL MEANS THE BODY OF WATER OR CONVEYANCE INTO WHICH STORMWATER RUNOFF IS DISCHARGED

RECHARGE MEANS THE REPLENISHMENT OF UNDERGROUND WATER RESERVES THROUGH PERCOLATION.

REDEVELOPMENT MEANS A CHANGE TO A PREVIOUSLY EXISTING, IMPROVED PROPERTY, INCLUDING BUT NOT LIMITED TO THE DEMOLITION OR BUILDING OF STRUCTURES, FILLING, GRADING, PAVING, OR EXCAVATING, BUT EXCLUDING ORDINARY MAINTENANCE ACTIVITIES, REMODELING OF BUILDINGS ON THE EXISTING FOOTPRINT, RESURFACING OF PAVED AREAS, AND EXTERIOR CHANGES OR IMPROVEMENTS THAT DO NOT MATERIALLY INCREASE OR CONCENTRATE STORMWATER RUNOFF OR CAUSE ADDITIONAL NONPOINT SOURCE POLLUTION.

RESPONSIBLE PARTY MEANS ANY INDIVIDUAL, PARTNERSHIP, CO-PARTNERSHIP, FIRM, COMPANY, CORPORATION, ASSOCIATION, JOINT STOCK, COMPANY, TRUST, ESTATE, GOVERNMENTAL ENTITY, OR ANY OTHER LEGAL ENTITY; OR THEIR REPRESENTATIVES, AGENTS, OR ASSIGNS THAT IS NAMED ON A STORMWATER MAINTENANCE AGREEMENT AS RESPONSIBLE FOR LONG-TERM OPERATION AND MAINTENANCE OF ONE OR MORE STORMWATER BMPS.

RETENTION MEANS A HOLDING SYSTEM FOR STORMWATER, EITHER NATURAL OR MAN-MADE, WHICH DOES NOT HAVE A DIRECT OUTLET TO ADJOINING WATERCOURSES OR WETLANDS.

RUNOFF MEANS THAT PART OF PRECIPITATION, WHICH FLOWS OVER THE LAND.

SEDIMENT MEANS MINERAL OR ORGANIC PARTICULATE MATTER THAT HAS BEEN REMOVED FROM ITS SITE OF ORIGIN BY THE PROCESSES OF SOIL EROSION, IS IN SUSPENSION IN WATER, OR IS BEING TRANSPORTED.

STORMWATER BMP MEANS ANY FACILITY, STRUCTURE, CHANNEL, AREA, PROCESS OR MEASURE WHICH SERVES TO CONTROL STORMWATER RUNOFF IN ACCORDANCE WITH THE PURPOSES AND STANDARDS OF THIS ORDINANCE.

STORMWATER MANAGEMENT DESIGN MANUAL MEANS THE DOCUMENT THAT PROVIDES A DETAILED EXPLANATION OF THE DESIGN CRITERIA AND SPECIFIC CONSTRUCTED APPROACHES FOR ACHIEVING COMPLIANCE WITH THE CITY'S POST-CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE.

STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL MEANS THE DOCUMENT THAT PROVIDES A DETAILED EXPLANATION OF THE POLICIES AND PROCEDURES FOR ACHIEVING COMPLIANCE WITH THE CITY'S POST-CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE.

STREAM BUFFER MEANS AN AREA OF LAND AT OR NEAR A STREAMBANK, WETLAND, OR WATERBODY THAT HAS INTRINSIC WATER QUALITY VALUE DUE TO THE ECOLOGICAL AND BIOLOGICAL PROCESSES IT PERFORMS OR IS OTHERWISE SENSITIVE TO CHANGES WHICH MAY OTHERWISE RESULT IN SIGNIFICANT DEGRADATION TO WATER QUALITY.

WATERCOURSE MEANS ANY NATURAL OR MANMADE WATERWAY OR OTHER BODY OF WATER HAVING REASONABLY WELL DEFINED BANKS. RIVERS, STREAMS, CREEKS, BROOKS, AND CHANNELS, WHETHER CONTINUALLY OR INTERMITTENTLY FLOWING, AS WELL AS LAKES AND PONDS ARE WATERCOURSES FOR PURPOSES OF STORMWATER MANAGEMENT.

WATERSHED MEANS AN AREA OF LAND DRAINING TO A COMMON OUTLET OTHERWISE KNOWN AS A DRAINAGE OR CATCHMENT AREA.

WETLANDS MEANS AS DEFINED BY MICHIGAN'S WETLAND STATUTE, PART 303, WETLANDS PROTECTION, OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, AS AMENDED.

1219.03. - APPLICABILITY

(A) THIS ORDINANCE SHALL BE APPLICABLE TO ALL LAND DEVELOPMENT (NEW DEVELOPMENT AND REDEVELOPMENT), INCLUDING BUT NOT LIMITED TO, SITE PLAN, PLOT PLAN AND PLAT APPLICATIONS AS WELL AS ANY GRADING APPLICATIONS. IN ADDITION, THIS ORDINANCE SHALL BE APPLICABLE TO PUBLIC IMPROVEMENT PROJECTS THAT DISTURB ONE (1) ACRE OR MORE.

THE CITY ENGINEER MAY WAIVE THE CHANNEL PROTECTION REQUIREMENTS, WATER QUALITY REQUIREMENTS AND/OR FLOOD CONTROL REQUIREMENTS OF SECTION 1219.08(D) OF THIS ORDINANCE FOR:

- PROJECTS THAT ARE WITHIN AREAS OF THE CITY OF LANSING'S SEWER COLLECTION SYSTEM THAT ARE SERVED BY COMBINED SEWERS; OR
- PROJECTS THAT DISTURB LESS THAN ONE (1) ACRE AND ARE NOT PART OF A LARGER COMMON PLAN OF DEVELOPMENT OR SALE THAT WOULD DISTURB ONE (1) ACRE OR MORE.

(B) THE PROCEDURES AND STANDARDS SET FORTH IN THIS POST-CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE, AND THE POLICIES, PROCEDURES, AND DESIGN DATA SPECIFIED IN THE CITY OF LANSING STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL (POLICIES MANUAL) AND THE CITY OF LANSING STORMWATER MANAGEMENT DESIGN MANUAL (DESIGN MANUAL) PROVIDE THE MINIMUM STANDARDS TO BE ADHERED TO BY DEVELOPERS AND IN NO WAY LIMITS THE AUTHORITY OF THE CITY OF LANSING TO ADOPT OR PUBLISH AND/OR ENFORCE HIGHER STANDARDS

AS A CONDITION OF APPROVAL OF DEVELOPMENTS.

(C) NO SITE PLAN, PLOT PLAN, OR PLAT SHALL BE APPROVED UNDER PART 12 OF THE CITY CODE UNTIL APPROVAL BY THE CITY ENGINEER THAT SAID DEVELOPMENT OR REDEVELOPMENT MEETS ALL:

- SOIL EROSION AND SEDIMENTATION CONTROL MEASURES CONSISTENT WITH THE REQUIREMENTS OF CHAPTER 1218 OF THE CITY CODE;
- REQUIREMENTS FOR AN APPROVED POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN (STORMWATER PLAN) AS OUTLINED IN SECTION 1219.07 OF THIS ORDINANCE; AND
- RELATED LAND DEVELOPMENT REGULATIONS.

(D) IN ORDER TO ENSURE COMPLETION OF CONSTRUCTION OF THE PERMANENT STORMWATER BMPS SPECIFIED IN THE APPLICANT'S STORMWATER PLAN AS OUTLINED IN SECTION 1219.07 AND 1219.08 OF THIS ORDINANCE, A COMPLETION BOND MUST BE PROVIDED TO THE CITY OF LANSING IN CONJUNCTION WITH THE SITE PLAN OR PLOT PLAN SUBMITTED CONSISTENT WITH PART 12 OF THE CITY CODE. THE VALUE OF THE COMPLETION BOND MUST BE IN AN AMOUNT EQUIVALENT TO THE VALUE OF THE PERMANENT STORMWATER BMPS SPECIFIED IN THE APPROVED STORMWATER PLAN. CONSISTENT WITH SECTION 1219.10(G) OF THIS ORDINANCE, THE COMPLETION BOND WILL BE RELEASED BY THE CITY OF LANSING FOLLOWING FINAL VERIFICATION OF THE CONSTRUCTION BY A REGISTERED PROFESSIONAL ENGINEER.

(E) FOR AN EXISTING STORMWATER BASIN CONSTRUCTED PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE, AN APPROVED STORMWATER PLAN MUST

BE SECURED PRIOR TO ANY SIGNIFICANT EXPANSION, REPAIR, OR MAINTENANCE OF SAID STORMWATER BASIN.

1219.04. - EXEMPTIONS

(A) NOTWITHSTANDING THE REQUIREMENTS OF SECTION 1219.03, A STORMWATER PLAN SHALL NOT BE REQUIRED FOR ACTIVITIES PROTECTED BY THE RIGHT TO FARM ACT 93 OF 1981.

(B) THE INSTALLATION OR REMOVAL OF INDIVIDUAL MANUFACTURED HOMES WITHIN A MANUFACTURED HOME PARK IS EXEMPTED FROM THE REQUIREMENTS OF THIS ORDINANCE. THIS EXEMPTION SHALL NOT BE CONSTRUED TO APPLY TO THE CONSTRUCTION, EXPANSION, OR MODIFICATION OF A MANUFACTURED HOME PARK.

(C) PLATS THAT HAVE RECEIVED PRELIMINARY PLAT APPROVAL AND OTHER DEVELOPMENTS WITH FINAL LAND USE APPROVAL PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE ARE EXEMPTED FROM THE REQUIREMENTS OF THIS ORDINANCE, WHERE SUCH APPROVALS REMAIN IN EFFECT.

(D) ANY EMERGENCY PROJECTS THAT ARE IMMEDIATELY NECESSARY FOR THE PROTECTION OF LIFE, PROPERTY, OR NATURAL RESOURCES, ARE EXEMPTED FROM THE REQUIREMENTS OF THIS ORDINANCE.

(E) LINEAR CONSTRUCTION PROJECTS, SUCH AS PIPELINE OR UTILITY LINE INSTALLATION, THAT DO NOT RESULT IN THE INSTALLATION OF ANY IMPERVIOUS COVER, AS DETERMINED BY THE CITY ENGINEER, ARE EXEMPTED

FROM THE REQUIREMENTS OF THIS ORDINANCE.

1219.05. - LIABILITY

ANY PERSON WHO UNDERTAKES OR CAUSES TO BE UNDERTAKEN ANY LAND DEVELOPMENT SHALL ENSURE THAT SOIL EROSION, SEDIMENTATION, INCREASED POLLUTANT LOADS AND CHANGED WATER FLOW CHARACTERISTICS RESULTING FROM THE ACTIVITY ARE CONTROLLED SO AS TO MINIMIZE POLLUTION OF RECEIVING WATERS. THE REQUIREMENTS OF THIS ORDINANCE AND OTHER APPLICABLE CITY OF LANSING ORDINANCES ARE MINIMUM STANDARDS AND A PERSON'S COMPLIANCE WITH THE SAME SHALL NOT RELIEVE SUCH PERSON FROM THE DUTY OF ENACTING ALL MEASURES NECESSARY TO MINIMIZE POLLUTION OF RECEIVING WATERS TO THE MAXIMUM EXTENT PRACTICABLE.

1219.06. - DESIGNATION OF STORMWATER AUTHORITY; POWERS AND DUTIES

(A) THE CITY ENGINEER SHALL ADMINISTER AND ENFORCE THIS ORDINANCE, AND MAY FURNISH ADDITIONAL POLICY, CRITERIA AND INFORMATION INCLUDING SPECIFICATIONS AND STANDARDS AND/OR ESTABLISHMENT OF A PERMITTING PROGRAM, FOR THE PROPER IMPLEMENTATION OF THE REQUIREMENTS OF THIS ORDINANCE AND MAY PROVIDE SUCH INFORMATION IN THE FORM OF A STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL AND/OR STORMWATER MANAGEMENT DESIGN MANUAL.

(B) THE CITY OF LANSING'S STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL AND/OR STORMWATER MANAGEMENT DESIGN MANUAL MAY BE UPDATED AND EXPANDED FROM TIME TO TIME, AT THE DISCRETION OF THE CITY ENGINEER BASED ON REGULATORY REVISIONS AND/OR IMPROVEMENTS IN ENGINEERING, SCIENCE, MONITORING AND LOCAL MAINTENANCE EXPERIENCE.

(C) REPRESENTATIVES OF THE CITY ENGINEER SHALL HAVE THE RIGHT TO ENTER UPON ANY LAND FOR THE PURPOSES OF MAKING AN INSPECTION OR ACQUIRING INFORMATION TO DETERMINE WHETHER OR NOT THE PROPERTY CONFORMS TO THE REQUIREMENTS OF THIS ORDINANCE.

1219.07. - CONTENTS OF POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN

(A) THE STORMWATER MANAGEMENT PLAN (STORMWATER PLAN) SHALL UTILIZE TO THE MAXIMUM EXTENT PRACTICABLE SITE PLANNING AND DESIGN TECHNIQUES THAT REDUCE RUNOFF RATES, VOLUMES, AND POLLUTANT LOADS. SUCH TECHNIQUES INCLUDE, BUT ARE NOT LIMITED TO, MINIMIZATION AND/OR DISCONNECTION OF IMPERVIOUS SURFACES; DEVELOPMENT DESIGN THAT REDUCES THE RATE AND VOLUME OF RUNOFF; RESTORATION OR ENHANCEMENT OF NATURAL AREAS SUCH AS RIPARIAN AREAS, WETLANDS, AND FORESTS; AND DISTRIBUTED PRACTICES THAT INTERCEPT AND TREAT RUNOFF FROM DEVELOPED AREAS.

(B) THE STORMWATER PLAN SHALL BE PRESENTED AS FOLLOWS:

(1) THROUGH PLANS, ILLUSTRATIONS, REPORTS, AND CALCULATIONS, THE STORMWATER PLAN SHALL DISPLAY THE REQUIRED INFORMATION SPECIFIED IN THE CITY OF LANSING STORMWATER MANAGEMENT DESIGN MANUAL (DESIGN MANUAL).

(2) THE STORMWATER PLAN MUST BE SUFFICIENTLY DETAILED TO SPECIFY THE TYPE, LOCATION, AND SIZE OF STORMWATER MANAGEMENT FACILITIES.

(3) IF IT IS PROPOSED TO DEVELOP A PARCEL IN TWO OR MORE PHASES, THE STORMWATER PLAN SHALL BE PREPARED AND SUBMITTED FOR THE TOTAL PROJECT.

(C) THE STORMWATER PLAN SHALL BE PREPARED BY A REGISTERED CIVIL ENGINEER IN ACCORDANCE WITH THE REQUIREMENTS OUTLINED IN THE DESIGN MANUAL. OTHER PERSONS AND PROFESSIONALS MAY ASSIST IN THE PREPARATION OF THE PLAN. ALL PLANS SHALL BE PROPERLY SEALED.

1219.08. - STANDARDS FOR POST CONSTRUCTION STORMWATER MANAGEMENT PLAN (STORMWATER PLAN) APPROVAL

(A) ALL DEVELOPMENTS REQUIRING A STORMWATER PLAN SHALL BE DESIGNED, CONSTRUCTED, AND MAINTAINED TO PREVENT FLOODING, MINIMIZE STREAM CHANNEL IMPACTS, PROTECT WATER QUALITY, AND ACHIEVE THE PURPOSES OF THIS ORDINANCE, AS STATED ABOVE. THE CITY OF LANSING HAS ADOPTED PERFORMANCE STANDARDS TO MEET THE OBJECTIVES OF MANAGING THE QUANTITY AND QUALITY OF STORMWATER RUNOFF FROM A SITE AS DESCRIBED BELOW AND IN THE CITY OF LANSING STORMWATER MANAGEMENT

DESIGN MANUAL (DESIGN MANUAL).

(B) DESIGNERS MAY SELECT ANY COMBINATION OF STORMWATER BMPS WHICH MEET THE PERFORMANCE STANDARDS PROVIDED THE SELECTIONS:

(1) COMPLY WITH THE REQUIREMENTS IDENTIFIED IN THIS ORDINANCE AND THE ASSOCIATED CITY OF LANSING STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL (POLICIES MANUAL) AND DESIGN MANUAL;

(2) COMPLY WITH ALL OTHER LOCAL, COUNTY, STATE, OR FEDERAL REQUIREMENTS; AND

(3) DO NOT CONFLICT WITH THE EXISTING LOCAL STORMWATER MANAGEMENT AND WATERSHED PLANS.

(C) THE PARTICULAR FACILITIES AND MEASURES REQUIRED ON-SITE SHALL TAKE INTO CONSIDERATION THE NATURAL FEATURES, UPLAND AREAS, WETLANDS, AND WATERCOURSES ON THE SITE; THE POTENTIAL FOR ON-SITE AND OFFSITE ADVERSE STORMWATER IMPACTS, WATER POLLUTION, AND EROSION; AND THE SIZE OF THE SITE.

(D) THE FOLLOWING ON-SITE STORMWATER MANAGEMENT CONCEPTS MUST BE FOLLOWED:

(1) NATURAL TOPOGRAPHY AND SITE DRAINAGE SHALL BE PRESERVED AND SITE GRADING SHALL BE MINIMIZED TO THE MAXIMUM EXTENT REASONABLY ACHIEVABLE CONSIDERING THE NATURE OF THE DEVELOPMENT.

(2) THE PREFERRED CONVEYANCE STRATEGY IS TO TRANSPORT, WHEREVER POSSIBLE, UNTREATED AND TREATED RUNOFF IN CONVEYANCE FACILITIES OPEN TO THE ATMOSPHERE (E.G. SWALES, VEGETATED BUFFER STRIPS, ENERGY-

DISSIPATING STRUCTURES, ETC.), RATHER THAN THROUGH ENCLOSED PIPES, SO AS TO DECREASE RUNOFF VELOCITY, ALLOW FOR NATURAL INFILTRATION, ALLOW SUSPENDED SEDIMENT PARTICLES TO SETTLE, AND TO REMOVE POLLUTANTS.

(3) WATERCOURSES SHALL NOT BE DEEPENED, WIDENED, DREDGED, CLEARED OF VEGETATION, STRAIGHTENED, STABILIZED, OR OTHERWISE ALTERED WITHOUT APPLICABLE PERMITS OR APPROVALS FROM THE CITY ENGINEER, RELEVANT COUNTY AGENCIES AND THE APPLICABLE STATE OF MICHIGAN DEPARTMENT(S).

(4) THE STORMWATER PLAN AND ASSOCIATED BMPS MUST DEMONSTRATE COMPLIANCE WITH REQUIRED CHANNEL PROTECTION/VOLUME CRITERIA BY PROVIDING RETENTION AS NECESSARY TO MEET VOLUME AND PEAK FLOW LIMITS CONSISTENT WITH THE REQUIREMENTS OF THE DESIGN MANUAL. SPECIFIC DETAILS FOR ACHIEVING COMPLIANCE WITH THE VOLUME/CHANNEL PROTECTION CRITERIA ARE OUTLINED IN THE DESIGN MANUAL.

(5) THE STORMWATER PLAN AND ASSOCIATED BMPS MUST DEMONSTRATE COMPLIANCE WITH REQUIRED WATER QUALITY CRITERIA BY PROVIDING TREATMENT OF TOTAL SUSPENDED SOLIDS (TSS) OR BY PROVIDING RETENTION TO ACHIEVE THE SAME CRITERIA FOR MAXIMUM TSS CONCENTRATIONS IN THE STORMWATER DISCHARGE FROM THE SITE WITH EITHER APPROACH BEING CONSISTENT WITH THE REQUIREMENTS OF THE DESIGN MANUAL. SPECIFIC DETAILS FOR ACHIEVING COMPLIANCE WITH THE WATER QUALITY CRITERIA ARE OUTLINED IN THE DESIGN MANUAL.

(6) THE STORMWATER PLAN AND ASSOCIATED BMPS MUST DEMONSTRATE COMPLIANCE WITH REQUIRED PEAK FLOWRATE AND FLOOD CONTROL CRITERIA BY PROVIDING STORMWATER DETENTION AND/OR RETENTION CONSISTENT WITH THE REQUIREMENTS OF THE DESIGN MANUAL. SPECIFIC DETAILS FOR ACHIEVING COMPLIANCE WITH THE PEAK FLOWRATE AND FLOOD CONTROL CRITERIA ARE OUTLINED IN THE DESIGN MANUAL.

(7) UNDER CERTAIN CONDITIONS, THE CITY OF LANSING, UPON RECOMMENDATION BY THE CITY ENGINEER, MAY IMPOSE THE FOLLOWING ADDITIONAL RESTRICTIONS ON STORMWATER DISCHARGES.

- PEAK DISCHARGE MAY BE FURTHER RESTRICTED WHEN IT CAN BE SHOWN THAT A PROBABLE RISK TO DOWNSTREAM STRUCTURES OR UNIQUE NATURAL AREAS EXISTS OR THAT EXISTING SEVERE FLOODING PROBLEMS COULD BE FURTHER AGGRAVATED.
- MEASURES SHALL BE IMPOSED TO PROTECT AGAINST GROUND OR SURFACE WATER POLLUTION WHERE THE NATURE OF THE SOILS OR BEDROCK UNDERLYING A STORMWATER MANAGEMENT STRUCTURE CONSTITUTES SUBSTANTIAL RISK OF CONTAMINATION, SUCH AS MIGHT BE THE CASE IN LIMESTONE FORMATIONS. SPECIAL PROVISIONS TO BE FOLLOWED IN THESE CASES WILL BE PROVIDED BY THE CITY ENGINEER.

(E) STORMWATER “CREDITS” FOR ONSITE STORMWATER MANAGEMENT

MAY BE CONSIDERED IN ACCORDANCE WITH THE PROVISIONS PROVIDED IN THE POLICIES MANUAL.

(F) STORMWATER "OFFSETS" MAY BE CONSIDERED WHERE WATER QUANTITY OR WATER QUALITY BMPS REQUIRED BY THIS ORDINANCE CAN NOT BE FULLY ACCOMMODATED ON-SITE IN ACCORDANCE WITH THE PROVISIONS PROVIDED IN THE POLICIES MANUAL.

1219.09. - STORMWATER MANAGEMENT PLAN AND BMP CONSTRUCTION PLANS SUBMISSION

(A) THE STORMWATER MANAGEMENT PLAN (STORMWATER PLAN) AND THE ASSOCIATED, PROPOSED BMP CONSTRUCTION PLANS AND SPECIFICATIONS SHALL BE SUBMITTED FOR REVIEW IN ACCORDANCE WITH THE SITE PLAN SUBMITTAL REQUIREMENTS OF PART 12 OF THE CITY CODE.

(B) THE BMP CONSTRUCTION PLANS AND SPECIFICATIONS SHALL BE PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS ORDINANCE AND THE CITY OF LANSING STORMWATER MANAGEMENT DESIGN MANUAL (DESIGN MANUAL).

(C) THE BMP CONSTRUCTION PLANS AND SPECIFICATIONS SHALL BE PREPARED BY A LICENSED LANDSCAPE ARCHITECT, CERTIFIED PROFESSIONAL SURVEYOR, OR PROFESSIONAL ENGINEER AND MUST BE SIGNED BY THE PROFESSIONAL PREPARING THE PLAN, WHO SHALL CERTIFY THAT THE DESIGN OF ALL STORMWATER BMPS MEET THE REQUIREMENTS OF THIS ORDINANCE.

(D) NO SUBSTANTIVE CHANGES SHALL BE MADE TO AN APPROVED

STORMWATER PLAN WITHOUT REVIEW AND WRITTEN APPROVAL BY THE CITY OF LANSING. THE ENGINEERING DIVISION MAY REQUEST ADDITIONAL DATA WITH A PLAN AMENDMENT AS MAY BE NECESSARY FOR A COMPLETE REVIEW OF THE STORMWATER PLAN AND BMP CONSTRUCTION PLANS AND SPECIFICATIONS TO ENSURE THAT CHANGES TO THE PLAN WILL COMPLY WITH THE REQUIREMENTS OF THIS ORDINANCE.

(E) COMPLIANCE WITH THE REQUIREMENTS OF THIS ORDINANCE DOES NOT ELIMINATE THE NEED FOR THE PROPRIETOR TO OBTAIN REQUIRED PERMITS AND APPROVALS FROM COUNTY AND STATE AGENCIES.

(F) FOR SITE CONDOMINIUMS, COMPLETE MASTER DEED DOCUMENTS (INCLUDING "EXHIBITS" DRAWINGS) MUST BE SUBMITTED FOR THE CITY'S REVIEW AND APPROVAL PRIOR TO RECORDING.

1219.10. - REVIEW PROCEDURES

(A) ALL STORMWATER MANAGEMENT PLANS AND BMP CONSTRUCTION PLANS AND SPECIFICATIONS SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE CITY ENGINEERING DIVISION IN ORDER TO ENSURE CONFORMANCE WITH THE REQUIREMENTS OF THIS ORDINANCE AND THE ASSOCIATED CITY OF LANSING STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL AND THE CITY OF LANSING STORMWATER MANAGEMENT DESIGN MANUAL.

(B) UPON SUBMISSION OF A STORMWATER MANAGEMENT PLAN (STORMWATER PLAN) AND BMP CONSTRUCTION PLANS AND SPECIFICATIONS, AS PROVIDED HEREIN, SUCH PLAN SHALL BE REVIEWED BY THE ENGINEERING

DIVISION AND A WRITTEN RESPONSE PREPARED AND SUBMITTED TO THE CITY OF LANSING PLANNING OFFICE. IF THE PROPOSED PLAN IS NOT SUFFICIENT AS ORIGINALLY SUBMITTED, THE ENGINEERING DIVISION WILL NOTIFY THE APPLICANT IN WRITING, SETTING FORTH THE REASONS FOR WITHHOLDING A RECOMMENDATION FOR APPROVAL, AND WILL STATE THE CHANGES NECESSARY TO OBTAIN APPROVAL. FAILURE OF THE OWNER TO ULTIMATELY DEMONSTRATE THAT THE PROJECT MEETS REQUIREMENTS, AS DETERMINED BY THE CITY OF LANSING, SHALL BE REASON TO DENY APPROVAL OF THE STORMWATER PLAN AND BMP CONSTRUCTION PLANS AND SPECIFICATIONS.

(C) BEFORE APPROVAL OF THE FINAL STORMWATER BMP CONSTRUCTION PLANS, COPIES OF ALL NECESSARY WETLAND, FLOODPLAIN, INLAND LAKES AND STREAMS, EROSION CONTROL OR OTHER NEEDED STATE, FEDERAL, OR LOCAL PERMITS RELATING TO STORMWATER MANAGEMENT HAVE BEEN PROVIDED BY THE APPLICANT FOR THE CITY OF LANSING'S FILES.

(D) A SATISFACTORY MAINTENANCE AGREEMENT IN ACCORDANCE WITH SECTION 1219.18 OF THIS ORDINANCE THAT ASSURES LONG-TERM MAINTENANCE OF ALL DRAINAGE IMPROVEMENTS WILL BE IN PLACE BEFORE APPROVAL OF THE STORMWATER PLAN AND BMP CONSTRUCTION PLANS AND SPECIFICATIONS. DOCUMENTATION OF THE MAINTENANCE AGREEMENT WILL BE SUPPLIED TO THE ENGINEERING DIVISION AND APPROVED BY THE CITY ENGINEER.

(E) A SOIL EROSION AND SEDIMENTATION CONTROL PERMIT SHALL NOT BE ISSUED UNDER CHAPTER 1218 OF THE CITY CODE UNLESS THE DETAILED STORMWATER PLAN AND BMP CONSTRUCTION PLANS AND SPECIFICATIONS

MEET THE STANDARDS OF THIS ORDINANCE AND THE ASSOCIATED CITY OF LANSING STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL AND THE CITY OF LANSING STORMWATER MANAGEMENT DESIGN MANUAL.

(F) FOR DEVELOPMENTS THAT WILL RESULT IN DISTURBANCE OF FIVE OR MORE ACRES OF LAND, A COMPLETE NOTICE OF COVERAGE FOR CONSTRUCTION-PHASE STORMWATER MUST BE SUBMITTED TO THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, WATER RESOURCES DIVISION, TO HAVE THE DISCHARGE AUTHORIZED UNDER A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT.

(G) THE APPLICANT WILL MAKE ARRANGEMENTS ACCEPTABLE TO THE ENGINEERING DIVISION FOR INSPECTION DURING CONSTRUCTION AND FOR FINAL VERIFICATION OF THE CONSTRUCTION OF ALL PERMANENT STORMWATER BMPS BY A REGISTERED PROFESSIONAL ENGINEER. FOLLOWING FINAL VERIFICATION OF THE CONSTRUCTION BY A REGISTERED PROFESSIONAL ENGINEER, THE COMPLETION BOND REQUIRED CONSISTENT WITH SECTION 1219.03(D) OF THIS ORDINANCE WILL BE RELEASED BY THE CITY OF LANSING.

(H) ELECTRONIC FILES OF THE AS-BUILT STORM DRAINS AND STORMWATER BMPS WILL BE SUBMITTED BY THE APPLICANT OR HIS/HER ENGINEER TO THE ENGINEERING DIVISION ALONG WITH THE FINAL PLAN FOR EXISTING SYSTEMS, OR UPON COMPLETION OF SYSTEM CONSTRUCTION FOR NEW SYSTEMS.

(I) COMPLETE DEVELOPMENT AGREEMENTS (INCLUDING DEED RESTRICTIONS) MUST BE SUBMITTED FOR THE CITY OF LANSING REVIEW AND APPROVAL PRIOR TO RECORDING.

1219.11. - REVIEW FEES

THE CITY OF LANSING CITY COUNCIL SHALL ESTABLISH APPLICATION FEES AND ESCROW REQUIREMENTS BY RESOLUTION. FEES AND ESCROW ACCOUNT PAYMENTS SHALL BE SUFFICIENT TO COVER ADMINISTRATIVE AND TECHNICAL REVIEW COSTS ANTICIPATED TO BE INCURRED BY THE CITY INCLUDING THE COSTS OF ON-SITE INSPECTIONS.

1219.12. - OFF-SITE STORMWATER MANAGEMENT

REQUIREMENTS FOR OFF-SITE STORMWATER MANAGEMENT MAY BE CONSIDERED IN ACCORDANCE WITH THE OFFSET PROVISIONS PROVIDED IN THE CITY OF LANSING STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL.

1219.13. - REVISION OF PLAN

IF IT BECOMES NECESSARY TO ALTER A DEVELOPMENT OR EARTH CHANGE PROPOSAL AFTER THE STORMWATER PLAN HAS BEEN APPROVED, A REVISED STORMWATER PLAN MUST BE SUBMITTED, REVIEWED, AND APPROVED IN ACCORDANCE WITH THE PROCEDURE SET FORTH ABOVE. ALL REQUIREMENTS AND STANDARDS FOR STORMWATER PLANS SHALL APPLY.

1219.14. - DRAINS UNDER THE JURISDICTION OF THE DRAIN COMMISSIONER

(A) DRAINAGE DISTRICTS WILL NOT BE ALTERED WHEN DESIGNING

DEVELOPMENT DRAINAGE, EXCEPT AS PROVIDED UNDER SECTION 433 OF ACT 40, PUBLIC ACT 1956, AS AMENDED.

(B) EXISTING COUNTY DRAIN EASEMENTS WILL BE INDICATED ON THE STORMWATER PLAN AS WELL AS THE FINAL STORMWATER BMP CONSTRUCTION PLANS AND WILL BE DESIGNATED AS "INGHAM COUNTY DRAIN", "EATON COUNTY DRAIN", OR THE APPROPRIATE INTER-COUNTY DRAIN AS APPLICABLE. COUNTY DRAIN EASEMENTS PRIOR TO 1956 WERE NOT REQUIRED BY STATUTE TO BE RECORDED IMMEDIATELY; THEREFORE, IT MAY BE NECESSARY TO CHECK THE PERMANENT RECORDS OF THE DRAIN OFFICE TO SEE IF A DRAIN EASEMENT IS IN EXISTENCE ON THE SUBJECT PROPERTY.

(C) A PERMIT WILL BE OBTAINED FROM THE APPROPRIATE DRAIN COMMISSIONER'S OFFICE PRIOR TO DISCHARGING INTO, TAPPING OR CROSSING ANY COUNTY OR INTER-COUNTY DRAIN. THE PERMIT MUST BE OBTAINED PRIOR TO FINAL PLAN APPROVAL.

(D) PROPOSED RELOCATIONS OF COUNTY DRAINS WILL BE PROCESSED THROUGH THE OFFICE OF THE APPROPRIATE DRAIN COMMISSIONER.

1219.15. - AS-BUILT CERTIFICATION

AN AS-BUILT CERTIFICATION FOR STORMWATER BMPS MUST BE PROVIDED TO THE ENGINEERING DIVISION PRIOR TO FINAL APPROVAL OF THE DEVELOPMENT. THE CERTIFICATION SHOULD INCLUDE ALL OF THE REQUIREMENTS NOTED IN THE DESIGN MANUAL.

1219.16. - NOTICE OF CONSTRUCTION COMMENCEMENT

THE APPLICANT MUST NOTIFY THE CITY OF LANSING ENGINEERING DIVISION BEFORE THE COMMENCEMENT OF CONSTRUCTION. IN ADDITION, THE APPLICANT MUST NOTIFY THE CITY OF LANSING ENGINEERING DIVISION IN ADVANCE OF CONSTRUCTION OF CRITICAL COMPONENTS OF THE STORMWATER PRACTICES SHOWN ON THE APPROVED STORMWATER BMP CONSTRUCTION PLANS AND SPECIFICATIONS. THE CITY MAY, AT ITS DISCRETION, ISSUE VERBAL OR WRITTEN AUTHORIZATION TO PROCEED WITH CRITICAL CONSTRUCTION STEPS, SUCH AS INSTALLATION OF PERMANENT STORMWATER BMPS BASED ON STABILIZATION OF THE DRAINAGE AREA AND OTHER FACTORS.

1219.17. - CONSTRUCTION INSPECTIONS BY CITY OF LANSING OR ITS REPRESENTATIVES

THE CITY OF LANSING ENGINEERING DIVISION OR ITS REPRESENTATIVES MAY CONDUCT PERIODIC INSPECTIONS OF THE STORMWATER PRACTICES SHOWN ON THE APPROVED STORMWATER BMP CONSTRUCTION PLANS AND SPECIFICATIONS, AND ESPECIALLY DURING CRITICAL INSTALLATION AND STABILIZATION STEPS. ALL INSPECTIONS SHALL BE DOCUMENTED IN WRITING. THE INSPECTION SHALL DOCUMENT ANY VARIATIONS OR DISCREPANCIES FROM THE APPROVED PLAN, AND THE RESOLUTION OF SUCH ISSUES.

1219.18. - MAINTENANCE AGREEMENT

(A) PURPOSE OF MAINTENANCE AGREEMENT - THE PURPOSE OF THE

MAINTENANCE AGREEMENT IS TO PROVIDE THE MEANS AND ASSURANCE THAT PERPETUAL, LONG-TERM MAINTENANCE OF STORMWATER BMPS SHALL BE PROVIDED FOR AND UNDERTAKEN. A MAINTENANCE AGREEMENT SHALL BE SUBMITTED TO THE CITY OF LANSING, FOR REVIEW BY THE CITY ENGINEER AND HIS/HER DESIGNEE, AND SHALL BE SUBJECT TO APPROVAL IN CONSISTENT WITH THE APPROVED STORMWATER MANAGEMENT PLAN AND BMP CONSTRUCTION PLANS AND SPECIFICATIONS.

(B) RESPONSIBLE PARTY

(1) THE RESPONSIBLE PARTY NAMED IN THE RECORDED STORMWATER MAINTENANCE AGREEMENT SHALL MAINTAIN IN GOOD CONDITION AND PROMPTLY REPAIR AND RESTORE ALL STRUCTURAL AND NON-STRUCTURAL STORMWATER BMPS AND ALL NECESSARY ACCESS ROUTES AND APPURTENANCES. SUCH REPAIRS OR RESTORATION AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE APPROVED STORMWATER BMP CONSTRUCTION PLANS AND SPECIFICATIONS AND THE STORMWATER MAINTENANCE AGREEMENT.

(2) THE RESPONSIBLE PARTY SHALL MAKE RECORDS OF INSTALLATION AND OF ALL MAINTENANCE AND REPAIRS, AND SHALL RETAIN THE RECORDS FOR AT LEAST FIVE (5) YEARS. THESE RECORDS SHALL BE MADE AVAILABLE TO THE CITY OF LANSING DURING INSPECTION OF THE PRACTICE AND AT OTHER REASONABLE TIMES UPON REQUEST.

(C) MAINTENANCE AGREEMENT PROVISIONS

(1) THE MAINTENANCE AGREEMENT SHALL PROVIDE FOR ROUTINE,

EMERGENCY, AND LONG-TERM MAINTENANCE OF ALL STORMWATER BMPS.

(2) THE MAINTENANCE AGREEMENT SHALL BE BINDING ON ALL SUBSEQUENT OWNERS OF LAND SERVED BY THE STORMWATER BMPS AND SHALL BE RECORDED IN THE OFFICE OF THE APPROPRIATE COUNTY REGISTER OF DEEDS PRIOR TO THE EFFECTIVENESS OF THE APPROVAL OF THE CITY OF LANSING.

(3) IF IT HAS BEEN FOUND BY THE CITY OF LANSING, FOLLOWING NOTICE AND AN OPPORTUNITY TO BE HEARD BY THE PROPERTY OWNER, THAT THERE HAS BEEN A MATERIAL FAILURE OR REFUSAL TO UNDERTAKE MAINTENANCE AS REQUIRED UNDER THIS ORDINANCE AND/OR AS REQUIRED IN THE APPROVED MAINTENANCE AGREEMENT AS REQUIRED HEREUNDER, THE CITY ENGINEER SHALL THEN BE AUTHORIZED, BUT NOT REQUIRED, TO HIRE AN ENTITY WITH QUALIFICATIONS AND EXPERIENCE IN THE SUBJECT MATTER TO UNDERTAKE THE MONITORING AND MAINTENANCE AS SO REQUIRED, IN WHICH EVENT THE PROPERTY OWNER SHALL BE OBLIGATED TO ADVANCE OR REIMBURSE PAYMENT (AS DETERMINED BY THE CITY OF LANSING) FOR ALL COSTS AND EXPENSES ASSOCIATED WITH SUCH MONITORING AND MAINTENANCE, TOGETHER WITH A REASONABLE ADMINISTRATIVE FEE. THE MAINTENANCE AGREEMENT REQUIRED UNDER THIS ORDINANCE SHALL CONTAIN A PROVISION SPELLING OUT THIS REQUIREMENT AND, IF THE APPLICANT OBJECTS IN ANY RESPECT TO SUCH PROVISION OR THE UNDERLYING RIGHTS AND OBLIGATIONS, SUCH OBJECTION SHALL BE RESOLVED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF THE PROPOSED DEVELOPMENT ON THE PROPERTY.

1219.19. - MAINTENANCE INSPECTIONS

THE CITY OF LANSING ENGINEERING DIVISION OR ITS REPRESENTATIVES MAY CONDUCT PERIODIC INSPECTIONS FOR ALL STORMWATER PRACTICES CONSTRUCTED AS PART OF THE APPROVED BMP CONSTRUCTION PLANS AND SPECIFICATIONS. ALL INSPECTIONS WILL BE DOCUMENTED IN WRITING. THE INSPECTION SHALL DOCUMENT ANY MAINTENANCE AND REPAIR NEEDS AND ANY DISCREPANCIES FROM THE STORMWATER MAINTENANCE AGREEMENT.

1219.20. - STORMWATER MANAGEMENT EASEMENTS

(A) NECESSITY OF EASEMENTS FOR ON-SITE STORMWATER BMPS - STORMWATER MANAGEMENT EASEMENTS SHALL BE PROVIDED IN A FORM REQUIRED BY THE CITY OF LANSING ENGINEERING DIVISION, AND RECORDED AS DIRECTED AS PART OF THE APPROVAL OF THE CITY OF LANSING TO ASSURE:

- ACCESS FOR INSPECTIONS;
- ACCESS TO STORMWATER BMPS FOR MAINTENANCE PURPOSES; AND
- PRESERVATION OF PRIMARY AND SECONDARY DRAINAGEWAYS WHICH ARE NEEDED TO SERVE STORMWATER MANAGEMENT NEEDS OF OTHER PROPERTIES.

(B) EASEMENTS FOR OFF-SITE STORMWATER BMPS - THE OWNER SHALL OBTAIN EASEMENTS ASSURING ACCESS TO ALL AREAS USED FOR OFF-SITE STORMWATER MANAGEMENT, INCLUDING UNDEVELOPED OR UNDISTURBED LANDS.

(C) RECORDING OF EASEMENTS - EASEMENTS SHALL BE RECORDED WITH

THE APPROPRIATE COUNTY REGISTER OF DEEDS BASED ON JURISDICTION AND ACCORDING TO COUNTY REQUIREMENTS.

(D) RECORDING PRIOR TO BUILDING PERMIT ISSUANCE - THE APPLICANT MUST PROVIDE THE CITY ENGINEERING DIVISION WITH EVIDENCE OF THE RECORDING OF THE EASEMENT PRIOR TO FINAL SUBDIVISION PLAT OR CONDOMINIUM APPROVAL OR OTHER APPLICABLE FINAL CONSTRUCTION APPROVAL.

(E) RIGHT-OF-ENTRY - THE EASEMENTS MUST CONTAIN A PROVISION GRANTING THE CITY OF LANSING AND ITS REPRESENTATIVES THE RIGHT OF ENTRY FOR THE PURPOSES OF INSPECTING ALL STORMWATER BMPS AT REASONABLE TIMES AND IN A REASONABLE MANNER. THIS INCLUDES THE RIGHT TO ENTER A PROPERTY WHEN THE CITY OF LANSING HAS A REASONABLE BASIS TO BELIEVE THAT A VIOLATION OF THIS ORDINANCE IS OCCURRING OR HAS OCCURRED AND TO ENTER WHEN NECESSARY FOR ABATEMENT OF A PUBLIC NUISANCE OR CORRECTION OF A VIOLATION OF THIS ORDINANCE.

1219.21. - SEVERABILITY

IF ANY SECTION, CLAUSE, PROVISION OR PORTION OF THIS ORDINANCE IS ADJUDGED UNCONSTITUTIONAL OR INVALID BY A COURT OF COMPETENT JURISDICTION, THE REMAINDER OF THIS ORDINANCE SHALL REMAIN IN FORCE AND EFFECT.

1219.22. - STOP WORK ORDER

WHERE THERE IS WORK IN PROGRESS THAT CAUSES OR CONSTITUTES IN WHOLE OR IN PART, A VIOLATION OF ANY PROVISION OF THIS ORDINANCE, THE CITY OF LANSING IS AUTHORIZED TO ISSUE A STOP WORK ORDER SO AS TO PREVENT FURTHER OR CONTINUING VIOLATIONS OR ADVERSE EFFECTS. ALL PERSONS TO WHOM THE STOP WORK ORDER IS DIRECTED, OR WHO ARE INVOLVED IN ANY WAY WITH THE WORK OR MATTER DESCRIBED IN THE STOP WORK ORDER SHALL FULLY AND PROMPTLY COMPLY THEREWITH. THE CITY OF LANSING MAY ALSO UNDERTAKE OR CAUSE TO BE UNDERTAKEN, ANY NECESSARY OR ADVISABLE PROTECTIVE MEASURES SO AS TO PREVENT VIOLATIONS OF THIS ORDINANCE OR TO AVOID OR REDUCE THE EFFECTS OF NONCOMPLIANCE HEREWITH. THE COST OF ANY SUCH PROTECTIVE MEASURES SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY UPON WHICH THE WORK IS BEING DONE AND THE RESPONSIBILITY OF ANY PERSON CARRYING OUT OR PARTICIPATING IN THE WORK, AND SUCH COST SHALL BE A LIEN UPON THE PROPERTY.

1219.23. - SANCTIONS FOR VIOLATIONS

(A) ANY PERSON VIOLATING ANY PROVISION OF THIS ORDINANCE SHALL BE RESPONSIBLE FOR A MUNICIPAL CIVIL INFRACTION, PLUS COSTS, DAMAGES, EXPENSES, AND OTHER SANCTIONS AS AUTHORIZED UNDER CHAPTER 87 OF THE REVISED JUDICATURE ACT OF 1961 AND OTHER APPLICABLE LAWS, INCLUDING, WITHOUT LIMITATION, EQUITABLE RELIEF; PROVIDED, HOWEVER, THAT THE VIOLATION STATED IN THIS ORDINANCE SHALL BE A MISDEMEANOR. THE CITY

OF LANSING IS AUTHORIZED TO ISSUE MUNICIPAL CIVIL INFRACTION CITATIONS TO ANY PERSON ALLEGED TO BE VIOLATING ANY PROVISION OF THIS ORDINANCE. EACH DAY SUCH VIOLATION OCCURS OR CONTINUES SHALL BE DEEMED A SEPARATE OFFENSE AND SHALL MAKE THE VIOLATOR LIABLE FOR THE IMPOSITION OF A FINE FOR EACH DAY. THE RIGHTS AND REMEDIES PROVIDED FOR IN THIS SECTION ARE CUMULATIVE AND IN ADDITION TO ANY OTHER REMEDIES PROVIDED BY LAW. AN ADMISSION OR DETERMINATION OF RESPONSIBILITY SHALL NOT EXEMPT THE OFFENDER FROM COMPLIANCE WITH THE REQUIREMENTS OF THIS ORDINANCE.

(B) ANY PERSON WHO NEGLECTS OR FAILS TO COMPLY WITH A STOP WORK ORDER ISSUED UNDER THIS ORDINANCE SHALL, UPON CONVICTION, BE GUILTY OF A MISDEMEANOR, PUNISHABLE BY A FINE OF NOT MORE THAN $500 OR IMPRISONMENT IN THE COUNTY JAIL FOR NOT MORE THAN 90 DAYS, OR BOTH, SUCH FINE AND IMPRISONMENT, AND SUCH PERSON SHALL ALSO PAY SUCH COSTS AS MAY BE IMPOSED IN THE DISCRETION OF THE COURT.

(C) ANY PERSON WHO AIDS OR ABETS A PERSON IN A VIOLATION OF THIS ORDINANCE SHALL BE SUBJECT TO THE SANCTIONS PROVIDED IN THIS SECTION.

1219.24. - FAILURE TO COMPLY; COMPLETION

IN ADDITION TO ANY OTHER REMEDIES, SHOULD ANY OWNER FAIL TO COMPLY WITH THE PROVISIONS OF THIS ORDINANCE, THE CITY OF LANSING MAY, AFTER THE GIVING OF REASONABLE NOTICE AND OPPORTUNITY FOR COMPLIANCE, HAVE THE NECESSARY WORK DONE, AND THE OWNER SHALL BE

OBLIGATED TO PROMPTLY REIMBURSE THE CITY FOR ALL COSTS OF SUCH WORK.

1219.25. - EMERGENCY MEASURES

WHEN EMERGENCY MEASURES ARE NECESSARY TO MODERATE A NUISANCE, TO PROTECT PUBLIC SAFETY, HEALTH AND WELFARE, AND/OR TO PREVENT LOSS OF LIFE, INJURY OR DAMAGE TO PROPERTY, THE CITY OF LANSING IS AUTHORIZED TO CARRY OUT OR ARRANGE FOR ALL SUCH EMERGENCY MEASURES. PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE COST OF SUCH MEASURES MADE NECESSARY AS A RESULT OF A VIOLATION OF THIS ORDINANCE, AND SHALL PROMPTLY REIMBURSE THE CITY FOR ALL SUCH COSTS.

1219.26. - COST RECOVERY FOR DAMAGE TO STORM DRAIN SYSTEM

A DISCHARGER SHALL BE LIABLE FOR ALL COSTS INCURRED BY THE CITY OF LANSING AS THE RESULT OF CAUSING A DISCHARGE THAT PRODUCES A DEPOSIT OR OBSTRUCTION, OR CAUSES DAMAGE TO, OR IMPAIRS A STORM DRAIN OR RECEIVING WATERS, OR VIOLATES ANY OF THE PROVISIONS OF THIS ORDINANCE. COSTS INCLUDE, BUT ARE NOT LIMITED TO, THOSE PENALTIES LEVIED BY THE ENVIRONMENTAL PROTECTION AGENCY OR MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY FOR VIOLATION OF AN NPDES PERMIT, ATTORNEY FEES, AND OTHER COSTS AND EXPENSES.

1219.27. - COLLECTION OF COSTS; LIEN

COSTS INCURRED BY THE CITY OF LANSING AND EITHER OF THE DRAIN COMMISSIONERS PURSUANT TO THIS ORDINANCE SHALL BE A LIEN ON THE PREMISES WHICH SHALL BE ENFORCEABLE IN ACCORDANCE WITH ACT NO. 94 OF THE PUBLIC ACTS OF 1933, AS AMENDED FROM TIME TO TIME. ANY SUCH CHARGES WHICH ARE DELINQUENT FOR SIX (6) MONTHS OR MORE MAY BE CERTIFIED ANNUALLY TO THE CITY OF LANSING TREASURER WHO SHALL ENTER THE LIEN ON THE NEXT TAX ROLL AGAINST THE PREMISES AND THE COSTS SHALL BE COLLECTED AND THE LIEN SHALL BE ENFORCED IN THE SAME MANNER AS PROVIDED FOR IN THE COLLECTION OF TAXES ASSESSED UPON THE ROLL AND THE ENFORCEMENT OF A LIEN FOR TAXES. IN ADDITION TO ANY OTHER LAWFUL ENFORCEMENT METHODS, THE CITY OR THE APPROPRIATE DRAIN COMMISSIONER SHALL HAVE ALL REMEDIES AUTHORIZED BY ACT NO. 94 OF THE PUBLIC ACTS OF 1933, AS AMENDED.

1219.28. - EFFECT OF APPROVAL ON REMEDIES

THE APPROVAL OR DISAPPROVAL OF ANY POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN SHALL NOT HAVE ANY EFFECT ON ANY REMEDY OF ANY PERSON AT LAW OR IN EQUITY.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other

than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by city council.

Approved as to form:

_____
City Attorney

Dated: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO CREATE CHAPTER 405 OF THE LANSING CODIFIED ORDINANCES; TO PROVIDE FOR CREATION OF RESIDENTIAL PARKING ZONES IN AREAS WHERE STREET PARKING IS AVAILABLE TO FACILITATE THE SAME; TO PROVIDE FOR HOURS OF USE FOR RESIDENTIAL PARKING ZONES; TO PROVIDE FOR APPLICATION, PERMITTING, AND PAYMENT RATES FOR RESIDENTIAL PARKING ZONES; AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS CHAPTER.

THE CITY OF LANSING ORDAINS:

Section 1. Chapter 405 of the Lansing Code of Ordinances is hereby created as follows:

CHAPTER 405 – RESIDENTIAL PARKING ZONES

405.01 – PURPOSE AND INTENT

THE PURPOSE OF THIS ORDINANCE IS TO ESTABLISH, AS HEREINAFTER PROVIDED, A PERMIT SYSTEM WHEREBY VEHICLES BEARING A VALID RESIDENTIAL PARKING PERMIT ISSUED PURSUANT TO THIS SECTION MAY PARK ON THE STREET WITHIN ZONES DESIGNATED, AFTER CONSIDERATION OF POPULATION DENSITY AND ADEQUACY OF OTHERWISE METERED PARKING, DURING HOURS OF NON-BUSINESS USE AND DURING OTHER TIMES, AS HEREINAFTER PROVIDED. FURTHER, IT IS THE PURPOSE OF THIS ORDINANCE TO ESTABLISH A MECHANISM WHEREBY RESIDENTS IN SUCH DESIGNATED ZONES WILL BE AFFORDED AN

OPPORTUNITY TO PARK ON PUBLIC STREETS TO THE PARTIAL EXCLUSION OF NONRESIDENTS DURING NON-PEAK BUSINESS HOURS. IT IS INTENDED THAT ANY RESIDENTIAL PARKING ZONE CREATED PURSUANT TO THIS ORDINANCE WILL BETTER UTILIZE THE CITY OF LANSING'S STREET PARKING SPACES IN HIGH DENSITY AREAS DURING TIMES OF LOW USE.

405.02 – CREATION OF RESIDENTIAL PARKING ZONES

(a) THE CITY COUNCIL MAY ESTABLISH BY ORDINANCE ONE OR MORE RESIDENTIAL PARKING ZONES.

(b) ALL SUCH ORDINANCES ESTABLISHING A RESIDENTIAL PARKING ZONE SHALL CONTAIN, AT LEAST:

(1) A DESCRIPTION OF THE STREETS OR PORTIONS OF STREETS WITHIN THE ZONE;

(2) THE HOURS DURING WHICH THE ZONE WILL BE IN EFFECT; AND

(3) ANY SPECIAL CONSIDERATIONS REGARDING HOW THE ZONE WILL INTERACT WITH METERED SPACES OTHERWISE WITHIN THE ZONE.

(4) ANY SPECIAL CONSIDERATIONS FOR ALTERNATE PARKING DURING TEMPORARY SUSPENSION FOR SNOW REMOVAL, EMERGENCIES OR CONSTRUCTION PURPOSES.

405.03 – ISSUANCE OF PERMIT

(a) FOLLOWING THE ESTABLISHMENT OF A RESIDENTIAL PERMIT ZONE, THE CITY SHALL ISSUE APPROPRIATE PERMITS. A PERMIT SHALL BE ISSUED, UPON APPLICATION AND PAYMENT OF THE APPLICABLE FEE, TO THE

OWNER OR THE OPERATOR OF A MOTOR VEHICLE WHO RESIDES WITHIN HIS/HER RESIDENTIAL PARKING ZONE.

(b) A REPLACEMENT PERMIT SHALL BE ISSUED ONLY IF ALL OR PART OF THE ORIGINAL PERMIT IS PRODUCED AT THE TIME THAT A REPLACEMENT PERMIT IS APPLIED FOR, OR IF PROOF OF THEFT OF THE VEHICLE IS DEMONSTRATED TO THE SATISFACTION OF THE PARKING MANAGER.

(1) THE PARKING MANAGER MAY CHARGE A NOMINAL FEE TO THE PERMIT HOLDER TO COVER THE COST OF GENERATING THE DUPLICATE PERMIT UNDER THIS PROVISION.

(c) A RESIDENTIAL PARKING PERMIT WILL NOT BE ISSUED TO THE OWNER OR OPERATOR OF A MOTOR VEHICLE CURRENTLY HAVING ANY OUTSTANDING PARKING CITATIONS, NOR TO THE OWNER OR OPERATOR OF A MOTOR VEHICLE WHO RESIDES ON ANY RESIDENTIAL PROPERTY WHICH IS SPECIFICALLY RESTRICTED BY CONDITION IMPOSED BY THE CITY OR BY OTHER VALID USE RESTRICTION PROHIBITING RESIDENTS OF SAID PROPERTY FROM OBTAINING RESIDENTIAL PARKING PERMITS

(d) PERMITS SHALL BE ISSUED ON AN ANNUAL BASIS FOLLOWING THE FISCAL YEAR, RUNNING FROM JULY 1 UNTIL JUNE 30 OF THE FOLLOWING YEAR.

(e) THE FEE FOR ANY RESIDENTIAL PARKING ZONE PERMITS SHALL BE SET BY RESOLUTION OF COUNCIL DURING ITS ANNUAL BUDGET CYCLE, AT THE SAME TIME THAT PREVAILING RATES FOR STREET AND OFF-STREET PARKING ARE SET.

405.04 – APPLICATION

(a) THE APPLICATION FOR A PERMIT SHALL BE CREATED, AND FROM TIME TO TIME MODIFIED, BY THE PARKING MANAGER, AND SHALL CONTAIN AT LEAST THE FOLLOWING INFORMATION FROM APPLICANTS:

(1) THE NAME OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE;

(2) THE RESIDENTIAL ADDRESS OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE;

(3) THE EMAIL ADDRESS OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE TO BE USED FOR CONTACT IN CASE OF TEMPORARY SUSPENSION FOR SNOW REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES;

(4) THE MOTOR VEHICLE'S MAKE, MODEL, VEHICLE IDENTIFICATION NUMBER, AND LICENSE PLATE NUMBER. THE MOTOR VEHICLE'S REGISTRATION SHALL BE REQUIRED TO BE PRESENTED TO THE PARKING MANAGER OR HIS/HER DESIGNEE AT THE TIME OF MAKING SAID APPLICATION.

(b) IN ADDITION TO THE INFORMATION REQUIRED FOR AN APPLICATION IN SUBSECTION (a), THE FOLLOWING WILL BE REQUIRED IN ORDER TO VERIFY THAT THE APPLICANT LEGALLY RESIDES AT THE ADDRESS FOR WHICH THE PERMIT IS REQUESTED:

(1) THE APPLICANT SHALL PRESENT THE MOTOR VEHICLE'S REGISTRATION AT TIME OF APPLICATION. THE REGISTRATION MUST BE CURRENT, AND IT MUST SHOW THE ADDRESS OF THE DWELLING

UNIT IN THE ZONE FOR WHICH THE PERMIT IS SOUGHT, EXCEPT AS PROVIDED HEREIN.

(i) IF THE APPLICANT FOR A RESIDENTIAL PARKING PERMIT IS THE OWNER OF THE VEHICLE SOUGHT TO BE REGISTERED AND HIS/HER PERMANENT RESIDENCE IS AT THE ADDRESS FOR WHICH THE PERMIT IS SOUGHT, THEN SAID VEHICLE SHALL BE REGISTERED AT THE PERMANENT ADDRESS AND SHALL HAVE VALID STATE OF MICHIGAN MOTOR VEHICLE PLATES.

(ii) IF THE APPLICANT FOR A RESIDENTIAL PARKING PERMIT HAS HIS/HER PERMANENT RESIDENCE AT THE ADDRESS FOR WHICH THE PERMIT IS SOUGHT BUT THE VEHICLE UNDER HIS/HER CONTROL INDICATES ANOTHER ADDRESS OF RESIDENCE FOR THE OWNER OF SAID VEHICLE, THE APPLICANT SHALL BE REQUIRED TO CERTIFY THAT SAID VEHICLE IS KEPT BY THE APPLICANT AND ONLY AT THE ADDRESS FOR WHICH THE PERMIT IS REQUESTED AND THAT IT WILL NOT BE KEPT AT ANY OTHER LOCATION FOR THE DURATION OF THE PERMIT'S VALIDITY.

(2) THE APPLICANT SHALL ALSO PROVIDE AN EXECUTED LEASE OR OTHER REASONABLE PROOF SHOWING RESIDENCE FOR THE DWELLING UNIT WITHIN THE ZONE FOR WHICH THE PERMIT IS SOUGHT.

(c) THE PERMIT MAY BE RENEWED ANNUALLY UPON SUCH CONDITIONS AND PROCEDURES AS THE PARKING MANAGER SHALL SPECIFY TO ENSURE REGISTRATION OF THE MOTOR VEHICLE AND CONTINUED VALID RESIDENCY OF THE APPLICANT

(d) NO RESIDENT MAY APPLY FOR OR HOLD MORE THAN ONE PERMIT AT ANY TIME.

405.05 – PARKING PERMITS

(a) THE PERMIT SHALL DISPLAY THE MOTOR VEHICLE'S LICENSE PLATE NUMBER AND EXPIRATION DATE, AND THE ZONE WHERE THE PERMIT IS VALID.

(b) A RESIDENTIAL PARKING PERMIT IS VALID ONLY WHEN VISIBLY AND PROPERLY DISPLAYED ON THE VEHICLE WHEN PARKED IN THE DESIGNATED ZONE WHERE THE RESIDENT LIVES.

(c) USE OF SAID PERMIT SHALL BE RESTRICTED TO STREETS DESIGNATED FOR RESIDENTIAL PERMIT PARKING WITHIN THE DESIGNATED ZONE AS SET BY ORDINANCE. A RESIDENTIAL PARKING PERMIT SHALL NOT GUARANTEE OR RESERVE TO THE HOLDER A PARKING SPACE ON RESIDENTIAL STREETS DESIGNATED FOR PERMIT PARKING.

(d) A RESIDENTIAL PARKING PERMIT SHALL NOT AUTHORIZE THE HOLDER THEREOF TO STAND OR PARK A MOTOR VEHICLE IN SUCH PLACES OR DURING SUCH TIMES AS THE STOPPING, STANDING, OR PARKING OF MOTOR VEHICLES IS PROHIBITED, METERED, OR SET ASIDE TO SPECIFIED TYPES OF VEHICLES, NOR EXEMPT THE HOLDER FROM THE OBSERVANCE OF ANY

TRAFFIC REGULATION OTHER THAN THE SPECIFIED OVERNIGHT PARKING LIMIT. RESIDENTIAL PARKING PERMITS MAY BE TEMPORARILY SUSPENDED BY THE CITY FOR SNOW REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES.

(e) THE OWNER OR OPERATOR OF A VEHICLE DISPLAYING A RESIDENTIAL PARKING PERMIT SHALL COMPLETELY REMOVE SAID PERMIT IMMEDIATELY UPON ITS EXPIRATION OR TERMINATION.

(f) PARKING PERMITS ARE NOT TRANSFERRABLE TO OTHER PERSONS.

(g) IN THE EVENT A VALID PERMIT HOLDER SELLS, TRANSFERS, OR OTHERWISE DISPOSES OF THE MOTOR VEHICLE FOR WHICH A PERMIT IS GRANTED, THE PERMIT SHALL TERMINATE AUTOMATICALLY.

(h) IF A PERMIT HOLDER DESIRES TO TRANSFER THEIR VALID PERMIT TO A DIFFERENT VEHICLE, THEY MUST MAKE A SUPPLEMENTAL APPLICATION TO THE PARKING MANAGER INDICATING THE CHANGE IN VEHICLE, AND THEY MUST PROVIDE THE ORIGINAL PERMIT AS PROOF THAT IT HAS BEEN REMOVED FROM THE MOTOR VEHICLE FOR WHICH THE PERMIT WAS PREVIOUSLY GRANTED;

(1) THERE WILL BE NO APPLICATION FEE REQUIRED FOR A SUPPLEMENTAL APPLICATION TO CHANGE VEHICLE UNDER THIS PROVISION, HOWEVER THE FEE FOR ISSUANCE OF A REPLACEMENT PERMIT UNDER 405.03(b) SHALL APPLY.

405.06 – PENALTIES FOR VIOLATIONS OF CHAPTER 405

(a) ANY PARKING VIOLATION COMMITTED BY A PERMIT HOLDER WILL BE ENFORCED AND FINED AS SET FORTH IN CHAPTER 404.

(b) IF A PERMIT HOLDER COMMITS THREE PARKING VIOLATIONS IN THE PARKING ZONE FOR WHICH THEY ARE PERMITTED DURING THE PERMIT YEAR, THEIR PERMIT MAY BE TERMINATED AND REVOKED BY THE PARKING MANAGER.

(c) IF A PERMIT HOLDER TRANSFERS THEIR PERMIT TO ANOTHER VEHICLE, THEIR PERMIT WILL BE TERMINATED AND REVOKED, AND THEY SHALL PAY A FORFEITURE IN THE AMOUNT OF THE APPLICATION FEE AS SET BY COUNCIL PURSUANT TO SECTION 405.03(e) OF THIS CHAPTER.

405.10 – RESIDENTIAL PARKING ZONE 1

(a) THE FOLLOWING BLOCKS OF THE FOLLOWING STREETS SHALL FORM RESIDENTIAL PARKING ZONE 1:

(1) BOTH SIDES OF THE 400, 500, AND 600 BLOCKS OF TOWNSEND STREET;

(2) BOTH SIDES OF THE 400, 500, AND 600 BLOCKS OF SOUTH CAPITOL AVENUE;

(3) BOTH SIDES OF THE 400 BLOCK OF SOUTH WASHINGTON SQUARE;

(4) BOTH SIDES OF THE 500 AND 600 BLOCKS OF SOUTH WASHINGTON AVENUE;

(5) BOTH SIDES OF THE 500 AND 600 BLOCKS OF SOUTH GRAND AVENUE;

(6) BOTH SIDES OF THE 200 BLOCK OF WEST KALAMAZOO STREET;

(7) THE SOUTH SIDE OF THE 100 BLOCK OF WEST KALAMAZOO STREET;

(8) THE SOUTH SIDE OF THE 100 BLOCK OF EAST KALAMAZOO STREET;

(9) BOTH SIDES OF THE 100 AND 200 BLOCKS OF WEST LENAWEE STREET;

(10) BOTH SIDES OF THE 100 BLOCK OF EAST LENAWEE STREET;

(11) THE NORTH SIDE OF THE 200 BLOCK OF WEST HILLSDALE STREET;

(12) BOTH SIDES OF THE 100 BLOCK OF WEST HILLSDALE STREET;

(13) BOTH SIDES OF THE 100 BLOCK OF EAST HILLSDALE STREET.

(b) BETWEEN THE HOURS OF 6 P.M. AND 8 A.M., ANY VEHICLE BEARING A PERMIT FOR ZONE 1, ISSUED AND DISPLAYED PURSUANT TO THIS CHAPTER, MAY PARK IN ANY STREET SPOT DESIGNATED FOR PARKING IN ZONE 1.

(c) ZONE 1 PARKING PERMITS WILL NOT INTERFERE WITH METERED PARKING, AND WILL NOT GIVE A PERMIT HOLDER THE RIGHT TO PARK IN METERED PARKING SPACES DURING THE HOURS THAT METERS ARE ENFORCED.

(d) DURING DECLARED SNOW EMERGENCIES, THE CITY WILL PROVIDE NOTICE TO ALL PERMIT HOLDERS BY THE MEANS IDENTIFIED BY THE PERMIT HOLDERS IN THEIR APPLICATIONS, AND PERMIT HOLDERS CAN PARK IN THE SOUTH CAPITOL RAMP DURING SUCH EMERGENCIES FROM 7 PM TO 7 AM.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council.

Briefing Regarding the Proposed City Ordinance for Post-Construction Stormwater Management for Development and Redevelopment

Committee on Public Services

August 7, 2018

For decades, the City has held a National Pollutant Discharge Elimination System (NPDES) permit for discharge from the City's wastewater treatment plant to the Grand River. NPDES is a federal program administered by the State DEQ, and the associated permits require that the "effluent" (i.e., the treated wastewater) meet Water Quality Standards prior to discharge to Waters of the State.

In 1999, based on new federal regulations, municipalities within "urbanized areas" were required to have authorization of their stormwater discharges to local waterways that are Waters of the State, so a second NPDES permit was issued to the City for its Municipal Separate Storm Sewer System (MS4).

Since storm sewer discharges cannot easily be treated, the City's MS4 permit and most other Michigan MS4 permits utilize "best management practices" (BMPs) to achieve water quality goals for stormwater runoff. One of the permit's primary BMP requirements is that of Post-Construction Stormwater Management for Development and Redevelopment.

For Post-Construction Stormwater Management, the City's MS4 permit requires that the following two criteria be achieved:

1. "treatment" (i.e., removal) of suspended solids in the stormwater runoff; and
2. "channel protection", which reduces the peak flows to the waterways through use of on-site retention of stormwater runoff.

Since these requirements are applicable to development and redevelopment, they are primarily implemented through the site plan approval process. However, these requirements also apply to the City's own capital improvement projects. Of note, these required criteria are typically achieved and encouraged in the site design through use of natural, "green" practices such as rain gardens, bio-vegetated swales, retention ponds, etc.

In order for these requirements to be enforceable, the State DEQ requires via the permit an "enforceable mechanism" in the form of an ordinance (or other equivalent mechanism). Of note, other municipalities in the region, including East Lansing and Grand Ledge, have already passed almost identical ordinances.

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