

Floyd County Board of Commissioners
Ordinance Amending regarding Storm Water Ordinance FCO -

Whereas, the Floyd County Board of Commissioners met on February 2, 2010 on this matter pursuant to establishing authority over the storm water infrastructure and control;

Whereas, the County already has established authority for the control and management of storm water in the Floyd County Advisory Plan Commission jurisdiction;

Whereas, the County seeks to codify the method regarding operation, maintenance, and performance of storm water infrastructure in the unincorporated areas of the County under the authority of the City of New Albany's two mile planning and zoning control;


Whereas, County has the authority over these matters and sees this as a matter of public health and safety in both areas;

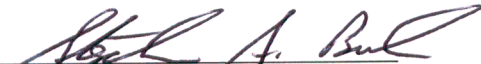
NOW, THEREFORE,

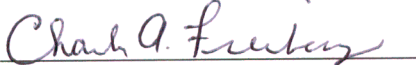
BE IT ORDAINED, that the Floyd County Commissioners approved the following process and procedure for the operation and maintenance of storm water infrastructure within the two mile fringe and unincorporated areas.

SO ORDAINED this 2ND day of February, 2010.

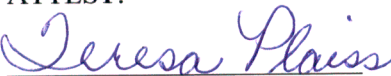
BOARD OF COMMISSIONERS
OF THE COUNTY OF FLOYD


Mark Seabrook, President


Stephen A. Bush, Commissioner


Charles Freiberger, Commissioner

ATTEST:


Teresa Plaiss, County Auditor

Section 1.02 – Jurisdiction

This article shall govern all properties and controlled activities within the jurisdictional boundaries of unincorporated Floyd County and all properties that are served by City of New Albany Plan Commission under their two mile fringe authority.

Section 1.09 Enforcement

- C. Stop Work Order – Floyd County may issue a Stop Work Order and require that all activities cease, except those actions that are necessary to eliminate the illicit discharge. Unacceptable or untimely actions to eliminate the illicit discharge may be used as grounds to revoke permits for the construction site as described in this ordinance.

- U. Emergency Orders and Abatements. Floyd County may order the abatement of any discharge from any source to the storm water conveyance system when, in the opinion of Floyd County, the discharge causes or threatens to cause a condition that presents an imminent danger to the public health, safety, or welfare of the citizens of Floyd County, the environment, or is a violation of a NPDES permit. If such emergency situations occur and the property owner or other responsible party is unavailable, or time constraints are such that service of a notice and order to abate cannot be effected without presenting an immediate danger to the public health, safety, or welfare, Floyd County may undertake the abatement of said threat or danger. The costs of any such action by Floyd County may be recovered as stated in this ordinance.

Section 2.2 Jurisdiction, Alternatives, and Exemptions

The Construction Site Runoff Control Ordinance shall govern all properties within the jurisdictional boundaries of the Floyd County Plan Commission and all properties that are served by City of New Albany Plan Commission under their two mile fringe authority.

- A. There are two alternatives for permit application and processing procedures as described by the following:
 - 1. For projects located within the Floyd County’s MS4 area, the project site owner shall submit an application for a storm water management permit to Floyd County. The application will include the information specified in this ordinance. Four copies of each application must be submitted. Additionally, the County may require digital submission of construction plans in an approved format. One copy of the application will be forwarded to the Soil and Water Conservation District (SWCD) for its review and comment. The remaining three copies will be reviewed by departments within the County.

- B. The following development activities are exempt from the provisions of this ordinance.
 - 1. Agricultural land management activities

2. Additions to or modifications of existing detached, single-family dwellings
3. Development of individual lots which are not part of a larger development project, if the total disturbance is less than one (1) acre. Multi-lot developments are dealt with in section 2.09.

Section 2.7 Storm Water Quality Management Permit

- B. It will be the responsibility of the project site owner to complete a storm water permit application and to ensure that a sufficient construction plan, including Storm water Pollution Prevention Plan (SWPPP), is completed and submitted to the Storm Water Department in accordance with this Article.

E.7. The NOI letter must be submitted to the Floyd County Storm Water Department at the following location/address:

City-County Building
New Albany, IN 47150

Section 2.09 Requirements for Individual Lots

Although no permit is required for individual lots disturbing less than one (1) acre, within a larger permitted project, a formal storm water review will be required prior to the issuance of a building permit. All storm water management measures necessary to comply with this Article must be implemented in accordance with the permitted plan for the larger project.

- A. The information following in 2.09 (B) and 2.09 (C) must be submitted for review and approval, prior to the issuance of a building permit for an individual lot.