

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2013-89

**RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE 08-090 BY TITLE AND SUMMARY**

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-090, an ordinance to the City's regulations pertaining to Storm Water and Erosion and Sediment Control; and

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-090 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-090, which replaces the current sections of the City Code pertaining to Storm Water and Erosion and Sediment Control. The revisions to the Lake Elmo stormwater management ordinance are being proposed to better align the regulation of stormwater management in the city with the new State and Watershed rules and to simplify permitting and compliance requirements with the rules.

In compliance with the Federal Clean Water Act, the Minnesota Pollution Control Agency (MPCA) maintains permitting authority to manage stormwater and improve water quality throughout the state. The MPCA Stormwater Program includes two general stormwater permits that have been reissued on August 1, 2013 to comply with changing federal rules and incorporate changes needed to enhance compliance with the permit. The MPCA issues the Minnesota NPDES/SDS Construction Stormwater General Permit (R1000001) to protect water resources from contaminants in runoff from construction sites. The MPCA also issues the General NPDES/SDS Permit MNR040000 for Municipal Separate Storm Sewer Systems (MS4s) to regulate stormwater discharge from counties, cities, townships and other government entities in urbanized areas.

Through the reissuance of these two permits the MPCA has included new requirements for construction projects and by MS4's for controlling stormwater discharge volume, Total Suspended Solids (TSS) and Phosphorus; which will require increased infiltration of stormwater runoff for new development and redevelopment projects.

In addition, the Valley Branch Watershed District (VBWD) is updating their Rules and Regulations to comply with the changes in federal and state rules. Among these changes the VBWD is increasing the volume control design standard to capture and retain on site 1.1 inches of stormwater runoff from the new and/or fully reconstructed impervious surface. This design standard was previously 0.5 inches.

Ordinance 08-090 revises Section 150.277 Performance and Design Standards to;

- Eliminate the requirement by applicants to prepare and submit for approval by the City a Storm Water Management Plan using stormwater modeling design criteria that is different from the State and/or local Watershed District(s). Instead the Stormwater Management Plan must be submitted to the City, but will be the same Stormwater Management Plan already prepared for watershed district and/or State approvals.
- Align the stormwater rate control requirements by the city with the rate control requirements of the State and local Watershed(s).
- Align the water quality control (volume) requirements by the city with the water quality control (volume) requirements of the State and local Watershed(s).

The full text of Ordinance No. 08-090 is available for inspection at Lake Elmo city hall during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE FIFTHTEENTH DAY OF OCTOBER 2013.

CITY OF LAKE ELMO

(Seal)

By: _____
Mike Pearson
Mayor

ATTEST:

Adam Bell
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and upon vote being taken thereon, the following voted in favor thereof: and the following voted against same:

Whereupon said resolution was declared duly passed and adopted.