

CITY OF LAKE ELMO

RESOLUTION NO. 2009-029

**RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. 08-016 BY TITLE AND SUMMARY**

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-016, an ordinance to update the storm water and erosion and sediment control ordinance; 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 Administrator shall cause the following summary of Ordinance No. 08-016 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. 08-016.

In compliance with the Clean Water Act, the Minnesota Pollution Control Agency (MPCA) has issued a permit to the City of Lake Elmo establishing the conditions for discharging storm water to the waters of the state under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit Program. One of the conditions of this permit requires that a storm water and erosion and sediment control ordinance be implemented by the City of Lake Elmo. To ensure compliance to the NPDES/SDS Permit the City has adopted Ordinance No. 08-016 in compliance with this requirement.

The Lake Elmo Code of Ordinances currently references storm water and erosion and sediment control requirements in various sections. Several sections were determined to be outdated and have been updated with more recent storm water technology. The ordinance has also been revised to reference compliance with the City Engineering Design Standards.

The erosion and sediment control requirements are currently unspecific and not applicable to all relevant construction activities. The updated ordinance will require specific plan requirements to ensure the city is minimizing impacts from all significant construction activities. It also clearly

defines the enforcement process to ensure these controls are adequately maintained and functioning as intended.

Additionally, these requirements have now been consolidated into one location to allow for easier reference and enforcement. The updates formalize the application, plan review procedures, standards, inspection, maintenance, financial procedures and enforcement that have been implemented by the City.

The updates to the Lake Elmo Code of Ordinances will meet the storm water and erosion and sediment control ordinance requirement of the NPDES/SDS Permit. The content has been drafted to be consistent and enforceable by City Code.

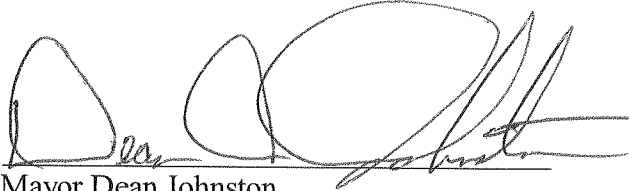
The full text of Ordinance No. 08-016 is available for inspection at Lake Elmo city hall during regular business hours.



Mayor Dean Johnston

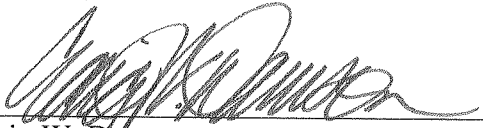
BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance in his office at city hall for public inspection and that she post a full copy of the ordinance in a public place within the city.

Dated: June 18, 2009.



Mayor Dean Johnston

ATTEST:



Craig W. Dawson
Interim City Administrator
(SEAL)

The motion for the adoption of the foregoing resolution was duly seconded by member

Mayor Johnston 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.

Voting in Favor:
Mayor Johnston
Council members Delapp, Emmons, Smith
ABSENT: Park