Stormwater Feature Maintenance

Ordinance
Development

• Researched many long ordinances.
• Wrote our own.
• Has been tested.
• Gave a long comment period for HOAs to comment.
Definitions

• **Good working order.** The stormwater feature functions as designed to achieve its purpose pursuant to the design intent and record drawings and is not a public nuisance. This includes preserving and continuing its function in controlling stormwater quality and quantity as the degree or amount for which the stormwater feature was designed.

• **Maintenance activities.** Practices required for the long-term sustainability and function of a component or system. This includes periodic inspections, debris removal and disposal, replanting of trees, maintaining vegetation, removal of silt, and repair of manmade components. The maintenance activities in natural channels and riparian areas shall be as minimal as possible.

• **Stormwater feature.** A natural or manmade component or system which remains as a permanent part of a development also known as structural BMPs. The purpose of which includes stormwater conveyance, stormwater quality improvement, flood mitigation, or erosion reduction. The features include but are not limited to, channels, detention facilities, retention ponds, bioretention, rain harvest systems, landscape buffers, riparian areas, enhanced swales, filter strips, permeable pavers and manufactured devices.
Simple Ordinance

Sec. 34-367  General requirements

(a) The owner of any stormwater feature shall have full responsibility for maintenance activities so that the stormwater feature remains in good working order.

(b) The maintenance activities shall be performed according to the below guidelines with the first applicable item to serve as the prevailing guideline:

   (1) Documents submitted to and reviewed by the city, and filed at the county with the property that establish the maintenance activities for the stormwater feature, if available.

   (2) The manufacturer’s recommended maintenance activities if the stormwater feature was manufactured.

   (3) Generally accepted maintenance activities suitable in the North Texas Region, if available.

   (4) Generally accepted maintenance activities.

(c) Maintenance activities resulting in the following are prohibited:

   (1) Increased erosion potential;

   (2) Decreased bank stability;

   (3) Increased flooding potential;

   (4) Increased pollutants;

   (5) Unnecessary disturbance of vegetation and riparian areas; or

   (6) Increased proliferation of invasive species.

(Ordinance 12-06-43, sec. 2, ex. A, adopted 6/19/12)
Lessons Learned from this

• Long review period for stakeholders.
• Keep it simple.
Simple Questions?

On the Simple Ordinance