

AN ORDINANCE REQUIRING A PERMIT TO CONNECT TO THE
CITY OF URBANA'S STORMWATER DRAINAGE FACILITIES

WHEREAS, the City of Urbana operates and maintains stormwater drainage facilities to convey stormwater from the community without damaging properties downstream; and

WHEREAS, such stormwater drainage facilities include not only the closed storm sewers, but the Saline Branch Drainage Ditch, McCullough Creek, Boneyard Creek and other natural water courses; and

WHEREAS, the Boneyard Creek in particular is itself a channel carrying off stormwater runoff from both the City of Champaign and the University of Illinois; and

WHEREAS, the stormwater drainage system of the City of Urbana by its very nature has a limited capacity, which capacity has been exceeded in the past and some areas of the City have experienced flooding; and

WHEREAS, to achieve an effective stormwater drainage management system for the greatest number of people and property, it is essential that the City of Urbana have the ability to control the amount and rate of storm waters entering into the stormwater drainage system of the City; and

WHEREAS, the control by the City of Urbana of the introduction of stormwater into the Boneyard Creek, by any entity, public or private, is an integral part of the legal obligation of the City of Urbana to protect the flood plain as is required by both Federal and State law; and

WHEREAS, to protect property values and for the general welfare of the citizens, the City Council of the City of Urbana finds and determines that it is essential to regulate the rate and amount of stormwater entering into the City's stormwater drainage system.

NOW THEREFORE, BE IT ORDAINED:

Section 1. That the following is enacted as Section 21-46 of the Land Development Code:

"21-46 Storm Water Drainage Connection
Permit.

Section A. that as used herein:

(1) The stormwater drainage system shall mean not only the Boneyard Creek and other natural water courses within the corporate limits of the City of Urbana, but any and all closed storm sewers owned and maintained by the City of Urbana;

(2) connection shall mean any activity occurring within the corporate limits of the City of Urbana which results in a change in the natural water course of stormwater runoff or (within the corporate limits of the City of Urbana) the installation or opening of any pipe which conveys stormwater.

Section B. From and after the effective date of this ordinance, all new connections or modifications to existing connections to the City of Urbana stormwater drainage system, or any connection which directly or indirectly causes stormwater runoff to empty into the Urbana stormwater system, shall require a permit issued by the City of Urbana, regardless of the identity of the owner or possessor of land from which such new or modified connection is to be made, be such entity public or private. This Ordinance shall not apply, however, to any governmental unit which is performing the functions of a drainage district and which governmental unit has an existing written agreement with the City of Urbana regarding the introduction of stormwater runoff into the City of Urbana Stormwater Drainage System.

Section C. The permit required in Section B above shall be issued by the City Engineer of the City of Urbana in accordance with the design criteria set forth in Section 21-42 of the Land Development code, even if the Land Development Code is not otherwise applicable to the activity causing the need for the new or modified connection. The City Engineer may issue such permit without submission of the stormwater management plan if the City Engineer finds that the proposed connection or modification shall not cause the introduction of sufficient storm waters into the City of Urbana stormwater drainage system as to cause a significant impact. The City Engineer shall determine whether or not such new or modified connection will cause a significant impact by applying the capacity analyses set forth in the 1980 Greeley & Hanson Report on Storm Sewer System for Urbana, Illinois and the 1986 Boneyard Creek Strategic Planning Study for Flood Control Champaign County, Illinois, Illinois Department of Transportation Division of Water Resources.

Section D. The City Engineer may revoke any such permit granted by him upon finding that a connection authorized by the permit is no longer functioning as designed and approved by the City Engineer. Upon revocation of such permit, the connection shall be disconnected within the time allowed by the City Engineer.


Section E. The permit fee will be paid as required by Chapter Fourteen of the City of Urbana Code of Ordinances.

Section F. Any person who violates the provisions of this Ordinance by making a new connection or modification to an existing connection as defined herein, or fails to disconnect a connection previously permitted after revocation of the permit allowing such connection, shall, upon conviction of such, be punished by a fine not exceeding Two Hundred Dollars (\$200.00). Each day any violation of this Ordinance shall continue shall constitute a separate offense.

Section 2. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code and the City Clerk is directed to publish this Ordinance in pamphlet form.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the Members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council on this 1st day of February, 1993.

A circular seal of the City of Urbana, Illinois, is stamped in the background. It features the text "THE CITY OF URBANA, ILLINOIS" around the perimeter and "SEAL OF THE CITY OF URBANA, ILLINOIS" in the center. The seal is partially obscured by the signature of Ruth S. Brookens.
Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 8th day of February, 1993.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Ruth S. Brookens, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 1st day of February, 1993, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9293-73, entitled "AN ORDINANCE REQUIRING A PERMIT TO CONNECT TO THE CITY OF URBANA'S STORMWATER DRAINAGE FACILITIES" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9293-73 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 9th day of February, 1993, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this 19th day of February, 1993.



Ruth S. Brookens
CITY CLERK