

ORDINANCE NO. 04-2022

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 23, "SUBDIVISIONS", ARTICLE 23.03, "SUBDIVISION DESIGN STANDARDS", BY AMENDING SECTION 23.03.010 "STORMWATER COLLECTION AND CONVEYANCE SYSTEMS"; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the City's engineers have determined and recommended that the City's design standards for stormwater collection and conveyance systems should be updated, with City staff concurring in this recommendation; and

WHEREAS the City Council has determined that it would be in the best interest of the life, safety, health and general welfare of the citizens of the City to incorporate the recommended revisions into the City's Code of Ordinances providing design subdivision design standards for stormwater collection and conveyance systems;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, THAT:

SECTION 1. Chapter 23, "Subdivisions", Article 23.03, "Subdivision Design Standards" is hereby amended by amending Section 23.03.010 "Stormwater collection and conveyance systems" to read as follows (additions are underlined, deletions are struck through):

"CHAPTER 23. SUBDIVISIONS

...

ARTICLE 23.03 SUBDIVISION DESIGN STANDARDS

...

Sec. 23.03.010 Stormwater collection and conveyance systems

(a) System design requirements. Drainage improvements shall accommodate runoff from the proposed development and from the upstream drainage area in its anticipated maximum "build-out" condition, and shall be designed to prevent overloading the capacity of the downstream drainage system. The city may require the phasing of development, the use of control methods such as retention or detention, and/or the construction of off-site drainage improvements in order to mitigate the impact of the proposed development. No stormwater collection system shall be constructed unless it is designed in accordance with the city's TCSS Manual by a licensed professional engineer, and unless it is reviewed and approved by the city engineer. All plans submitted to the city engineer for approval shall include a layout

of the drainage system together with supporting calculations for the design of the system.

(b) All erosion and sedimentation controls shall conform to the TCSS Manual, TCEQ requirements, and NCTCOG, or whichever is the most stringent requirement. No person shall discharge stormwater associated with a construction activity without first having submitted to TCEQ the Notice of Intent (NOI) and or a construction site notice (CSN), and a copy to the city (refer to section 19.10.011). All persons must submit a Notice of Termination (NOT) to the state regulator agency (TCEQ), and a copy to the city at the same time. ~~For erosion and sedimentation control, the city uses the latest edition of "Storm Water Quality Best Management Practices for Construction Activities in North Central Texas" (by the NCTCOG), a copy of which is on file at the city.~~

(c) No person, individual, partnership, firm or corporation shall deepen, widen, fill, reclaim, reroute or change the course or location of any existing ditch, channel, stream or drainageway without first obtaining written permission of the city engineer and any other applicable agency (such as FEMA, TCEQ or the U.S. Army Corps of Engineers) having jurisdiction. The city engineer may, at his or her discretion, require preparation and submission of a CLOMAR or other detailed flood study for a proposed development if there are concerns regarding storm drainage on the subject property or upstream or downstream from the subject property. The costs of such study, if required, shall be borne by the developer. It shall be the duty of each person owning or having control of real property within the City to prevent soil, mud, rock or other debris from such real property being deposited or otherwise transported onto the streets, alleys, utility facilities, rights-of-way, or easements or into creeks, lakes, channels, or other water bodies. An erosion control plan is required for an earthwork development permit. A site-specific Stormwater Pollution Prevention Plan (SWP3), prepared by the Developer/Owner and Contractor with appropriate notices issued as required by the state Texas Pollutant Discharge Elimination System (TPDES) general permit, shall be kept on the construction site at all times during the construction and updated as needed to address changing conditions. A copy of the construction site notice and Notice of Intent (NOI) (if required) shall be provided to the City. The City Engineer may require additional information as necessary to evaluate the impacts of the proposed project.

(d) In order to help reduce stormwater runoff, and resulting erosion, sedimentation and conveyance of nonpoint source pollutants, the layout of the street network, lots and building sites shall, to the greatest extent possible, be sited and aligned along natural contour lines, and shall minimize the amount of cut and fill on slopes in order to minimize the amount of land area that is disturbed during construction. The person or operator must ensure all temporary control measures for erosion control or other BMPs are removed once final stabilization has been achieved.

(e) No cross-street flow (i.e., perpendicular to traffic flow) of stormwater runoff shall be permitted unless approved by the city engineer. When and if such drainage

flow is allowed, it must be across a concrete street (i.e., valley gutter) and as approved by the city engineer.

(f) All stormwater retention or detention facilities which are not located underground shall be designed using materials and techniques as established in the city's TCSS Manual or as may be required by the city engineer.

(g). Detention and retention basins with associated intake, outflow systems, pump stations, emergency service channels structures and necessary supporting systems shall be considered stormwater management facilities defined in Section 23.03.010 of this article and shall be subject to the requirements in that section and shall include individual small lots.

(h). If the developer of a property proposes detention/retention facilities for the development to remain in place after the completion of the construction, then as condition to approval of the development the property owner will be required to sign an inspection and maintenance agreement with the city as specified in Section 19.10.014 of this article.

(i). Detention Basins shall be required when downstream facilities are not adequately sized to convey a design storm based on current City criteria for hydraulic capacity and demonstrate in a drainage analysis that no adverse impacts due to detention will result. Proposed calculated peak stormwater discharge from a site shall not exceed the calculated peak discharges from existing conditions unless sufficient downstream capacity above existing discharge conditions is available. Detention facilities when required shall be designed such that peak discharges or velocities are not increased when compared to pre-project conditions for the 2-, 10- and 100-year (50%, 10%, and 1% annual chance, respectively) floods. Construction of proposed detention facilities and associated supporting systems shall be substantially complete before any building permits for improvements served by the detention facilities can be approved.

(j). The perimeter boundary of a detention/retention basin, or a portion thereof, shall not be situated within street right-of-way designated on the City's Thoroughfare Plan. Detention/retention basin shall be fenced equal in design to a minimum of 6'tall Wrought Iron fence or screening per Article 21.08.

(k). The City of Seagoville requires that all new construction within the City limits, label their storm drains per the city standards outlined in the Storm Water Management Plan (SWMP). The SWMP states that all new construction will order new/replacement City drain labels approved by the city and install them on all new storm sewer drain. The labels shall be a 4" circular sticker and blue and teal in color. Berntsen Model SDS "NO DUMPING DRAINS TO STREAM," or City approved equal. If any get damaged or lost during the construction process, the Contractor shall be responsible until the subdivision has been accepted by the city, per provisions of Section 23.06.007.

(l). The City of Seagoville requires that all detention and retention basins on public/private lands shall be sodded, sprinkled, irrigated and surrounded by a visual screening fence (refer to Section 21.08.007.2.A) with a double 6' wide gate (12' wide total) for city vehicles to access when needed. If these lots are on private property or in neighborhoods, the HOA (Homeowners' Association) is responsible for upkeep, mowing, repairs, sprinkler system, fence at inlet area and fence outfall area as well as letting the City know if there are any problems with flow. Maintenance includes but isn't limited to cleaning of silt fence, as well as making sure that inlets are free and clear from debris. The person or operator must ensure all long-term operation and maintenance of post-construction stormwater runoff control mechanisms, such as detention and retention basins, dry wells, and other measures as described in city regulations. Maintenance of detention and retention ponds to be operated in accordance with the design. HOA shall maintain property as to prevent the ponding of water through filling, draining, outfall flowing or re-grading, and cleaning of outfall structure.

(m). The City is to have adjacent easements for entrances and outfalls. Although no City easement is to run through detention pond, there is to have an easement that leads to and surrounds inlet structure, and surrounds the exit structure of the basin, and that is maintained and kept clear by HOA.

(o). Installation of structural BMPs (Best Management Practices) must be completed prior to completion of the construction process to control pollutants in stormwater discharges that will occur after construction operations have been finalized (refer to section 19.10.013). Structural measures should be placed on upland soils to the degree attainable. Such installed structural measures may include but are not limited to the following: Stormwater detention structures (including wet ponds) stormwater retention structures, flow attenuation by use of open vegetative swales and natural depressions, other velocity dissipation devices, infiltration of runoff on-site, and sequential systems which combine several practices."

SECTION 2. All ordinances of the City in conflict with the provisions of this ordinance shall be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict herewith shall remain in full force and effect.

SECTION 3. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. Any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Seagoville, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense.

SECTION 6. This ordinance shall take effect immediately from and after its passage and publication of the caption as the law and charter may require.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, ON THIS THE 28th DAY OF FEBRUARY 2022.

APPROVED:



DENNIS K. CHILDRESS, MAYOR

APPROVED AS TO FORM:



Victoria W. Thomas, City Attorney
(021722vwtTM127850)

ATTEST:



Kandi Jackson, City Secretary

