

EMERGENCY ORDINANCE NO. 2015-50

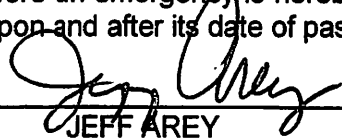
BE IT ENACTED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS AN EMERGENCY ORDINANCE TO BE ENTITLED: "AN ORDINANCE ADOPTING REGULATIONS TO PROTECT, MAINTAIN AND ENHANCE THE ENVIRONMENT OF SALINE COUNTY BY LESSENING OR DETERING HAZARDS TO PERSONS, PROPERTY OR THE ENVIRONMENT CAUSED BY INCREASED STORMWATER RUNOFF AND THE INTRODUCTION OF SILTS, DEBRIS AND POLLUTANTS TO THE STORMWATER DRAINAGE SYSTEM AND TO LOCAL WATER BODIES."

Article 1. STORMWATER ORDINANCE ADOPTED BY REFERENCE. The Stormwater Ordinance for Saline County, Arkansas is hereby adopted by reference. A copy of said ordinance is attached hereto as Exhibit "1" and shall be filed in the office of the County Clerk and shall be available for inspection and copying by any person during normal office hours.

Article 2. There now exists in Saline County an immediate and pressing need to establish a stormwater ordinance for Saline County. Therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and effect upon and after its date of passage.

DATED: AUGUST 18, 2015

APPROVED



JEFF AREY
SALINE COUNTY JUDGE

ATTEST



DOUG CURTIS
SALINE COUNTY CLERK

SPONSOR: J. R. WALTERS, JP DISTRICT #12

EMERGENCY ORDINANCE NO. 2015-50

BE IT ENACTED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS AN EMERGENCY ORDINANCE TO BE ENTITLED: "AN ORDINANCE ADOPTING REGULATIONS TO PROTECT, MAINTAIN AND ENHANCE THE ENVIRONMENT OF SALINE COUNTY BY LESSENING OR DETERING HAZARDS TO PERSONS, PROPERTY OR THE ENVIRONMENT CAUSED BY INCREASED STORMWATER RUNOFF AND THE INTRODUCTION OF SILTS, DEBRIS AND POLLUTANTS TO THE STORMWATER DRAINAGE SYSTEM AND TO LOCAL WATER BODIES."

ARTICLE 1
INTRODUCTORY PROVISIONS

1.1 Title - These regulations shall hereafter be known, cited and referred to as the "Stormwater Quality Management Regulations" of Saline County, Arkansas.

1.2 Authority - These regulations are adopted pursuant to the power and authority vested through the applicable laws and statutes of the State of Arkansas.

1.3 Applicability - The regulations set forth in this ordinance are applicable to all persons, firms, corporations, businesses or visitors to Saline County.

1.4 Exemptions -

1. Any land disturbing activity less than one (1) acre and not affecting any water body or part of a Larger Common Plan.
2. Any activity directly related to the planting, growing and harvesting of agricultural crops
3. Land where timber harvesting takes place provided the land will be stabilized through seeding or other appropriate means
4. Action taken under emergency conditions either to prevent harm or danger to persons or to protect property from fire or flooding

1.5 Conflicts - If a conflict should arise between the standards set forth in this ordinance, EPA or ADEQ regulations, the strictest regulation standard shall prevail.

1.6 Purpose - The purpose of this ordinance is to set forth minimum standards for the protection and enhancement of stormwater water quality in accordance with the provisions of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended, Ark. Code Ann. 8-4-101 et seq.), and the Clean Water Act (33 U.S.C. 1251 et seq.). These requirements will promote public health, safety and general welfare of the citizens of Saline County, Arkansas by:

1. Protect public and private property caused by erosion and sedimentation
2. Provide a single set of performance standards that apply to all developments
3. Require implementation of Best Management Practices (BMPs) to minimize discharges of chemical or other illicit discharges and pollutants, either directly or indirectly to local water bodies
4. Protect water quality from nutrients, pathogens, toxic materials, debris and other contaminants
5. Provide vegetated or other natural buffer areas to protect waters from development
6. Provide habitats for plants and animals
7. Protect riparian ecosystems
8. Assure that Saline County will remain in compliance with Federal and State laws

1.7 Definitions - As used in the Stormwater Management Ordinance, the following words and phrases shall have the following meanings:

Best Management Practices (BMPs) - Erosion and sediment control and water quality management practices that are the most effective and practicable means of controlling, preventing, and minimizing degradation of surface water, including avoidance of impacts, construction-phasing, minimizing the length of time soil areas are exposed, prohibitions, engineered systems, programs and other management practices published by state or designated area-wide planning agencies.

Bio-retention -

1. An engineered process to manage stormwater runoff, using the chemical, biological and physical properties afforded by a natural, terrestrial-based community of plants, microbes and soil. Bio-retention provides two important functions: water quantity (flood) controls; and improves water quality through removal of pollutants and nutrients associated with runoff.
2. A method used for flow detention by utilizing infiltration. This method is normally used in small areas.

County - Saline County

County Engineer - The civil engineer responsible for directing the county engineering department in the execution of its duties.

County Engineering Department - The department responsible for all stormwater management activities and implementation of the provisions of this ordinance.

Commercial Development - Means any development that is not heavy industrial or residential. The category includes, but is not limited to: hospitals, laboratories and other medical facilities, educational institutions, recreational facilities, plant nurseries, multi-apartment buildings, car wash facilities, mini-malls and other business complexes, shopping malls, hotels, office buildings, public warehouses and other light industrial complexes.

Common Plan of Development - A contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.

Constructed Wetlands - An artificial wetland system designed to mitigate the impacts of urban runoff.

Construction Activity - For this permit, construction activity includes construction activity as defined in 40 C.F.R. part 122.26(b)(14)(x) and small construction activity as defined in 40 C.F.R. part 122.26(b)(15). This includes a disturbance to the land that results in a change in the topography, existing soil cover (both vegetative and non-vegetative), or the existing soil topography that may result in accelerated storm water runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of construction activity may include clearing, grading, filling and excavating. Construction activity includes the disturbance of less than one acre of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb one (1) acre or more.

Construction Site Erosion Control - Preventing or reducing soil erosion and sedimentation from land disturbing activity.

Contractor Certification Program - A voluntary program in which the county will provide periodic seminars and training to educate contractors and other professionals on the proper procedures for installation and maintenance of erosion and sediment control measures and related matters. Refer to the Saline County Best Management Practices manual for additional information.

Debris - Any material including floating woody materials and other trash, suspended sediment, or bed load, moved by a flowing stream.

Detention - The temporary detaining or storage of floodwater in reservoirs, on parking lots, on rooftops and other areas under predetermined and controlled conditions and accompanied by controlled release of the stored water.

Develop land - To change the runoff characteristics of a parcel of land in conjunction with residential, commercial, industrial, or institutional construction or alteration.

Developer - Any person or entity proposing building or land improvements.

Development - Any construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail and other non-residential projects, including public agency projects; or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity. Or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

Development - Should generally mean any of the following actions undertaken by a public or private individual or entity:

- (a) The division of a lot, tract or parcel of land into two (2) or more lots, plots, sites, tracts, parcels or other divisions by plat or deed, or
- (b) Any land change, including, without limitation, clearing, tree removal, grubbing, stripping, dredging, grading, excavating, transporting and filling of land.

Disturbed Area - Means an area that is altered as a result of clearing, grading, and/or excavation.

Drainage Area - All land area that contributes runoff to the same discharge point.

Drainage Basin - All land area contributing to a given discharge point in terms of drainage.

Drainage Easement - Authorization by a property owner for use by another party or parties for all or any portion of his/her land for a drainage and adjoining utility purposes. Easements shall be dedicated to the county when required or approved by the Administrative Authority.

Drainage Pipe - Drainage conduit, which carries storm water flows in either a closed storm water sewer system or culverts. RCP, CMP & HDPE are some common drainage pipes used throughout the state.

Duplex - Two housing units that share a common wall.

Easement - Shall mean a grant or reservation by the owner of land for the use of such land by others for a specific purpose or purposes, and which must be included in the conveyance of land affected by such easement.

Elevation or Elevations - All required elevations shall be based on mean sea level datum.

Emergency Flood Insurance Program or emergency program - Means the program as implemented on an emergency basis in accordance with the NFIP. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

Engineer - A person who is a registered professional engineer in the State of Arkansas.

Engineer of Record - A registered professional engineer in Arkansas. This engineer shall supervise the design and construction of the development project and shall be acceptable to the County Engineer.

Erosion - The wearing away of land surfaces by the action of wind or water.

Erosion Prevention - Measures employed to prevent erosion including but not limited to: soil stabilization practices, limited grading, mulch, temporary or permanent cover and construction phasing.

Excavation - Any act by which organic matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the resulting conditions.

Existing Development - Buildings and other structures and impervious areas existing prior to ordinance adoption.

Existing Structure - Means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date.

Fill - Any act by which earth, sand, gravel, rock or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported, or moved to a new location and shall include the resulting conditions.

Final Stabilization - Means that either:

- (a) All soil disturbing activities at the site have been completed and a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 80% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed;
- (b) For individual lots in residential construction by either: (a) The homebuilder completing final stabilization as specified above, or (b) the homebuilder establishing temporary stabilization including perimeter controls for an individual lot prior to occupation of the home by the homeowner and informing the homeowner of the need for, and benefits of, final stabilization. (Homeowners typically have an incentive to put in the landscaping functionally equivalent to final stabilization as quick as possible to keep mud out of their homes and off sidewalks and driveways.); or
- (c) For construction projects on land used for agricultural purposes (e.g., pipelines across crop or range land) final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to surface waters and drainage systems, and areas which are not being returned to their preconstruction agricultural use must meet the final stabilization criteria in (a) or (b) above.

General Contractor - The party who signs the construction contract with the owner to construct the project described in the final plans and specifications. Where the construction project involves more than one contractor, the general contractor will be the party responsible for managing the project on behalf of the owner. In some cases, the owner may be the general contractor. In these cases, the owner may contract an individual as the operator who would become the Co-Permittee.

Good Housekeeping Practice - A common practice related to the storage, use, or cleanup of materials performed in a manner that minimizes the discharge of pollutants. Examples include cleaning up spills and leaks and storing materials in a manner that will contain any leaks and spills.

Grading - Shall mean excavating, filling (including hydraulic fill), or stockpiling of earth material, or any combination thereof, including the land in its excavated or filled condition.

Household Hazardous Waste - A product that is discarded from a home or a similar source that is either ignitable, corrosive, reactive, or toxic (e.g. used motor oil, oil-based paint, auto batteries, gasoline, pesticides, etc.).

Illegal Discharge - Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in this Ordinance.

Illegal/Illicit Connections - An illicit connection is defined as either of the following:

- (a) Any drain or conveyance, whether on the surface or subsurface, which allows illegal discharge to enter the storm drain system including, but not limited to, any conveyances which allow any non-storm water discharge including, sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,
- (b) Any drain or conveyance connected from and commercial or industrial land use to the storm drain system which has not been documented in plans, maps or equivalent records and approved by an authorized enforcement agency.

Impervious - A hard surface (such as a parking lot), which prevents or retards the entry of water into the soil, thus causing water to run off the surface in greater quantities and at an increased flow rate. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas, and concrete, asphalt, or gravel roads.

Infiltration - Means the downward entry of water into the surface of the soil or the flow of a fluid through pores or small openings, commonly used in hydrology to denote the flow of water into soil material.

Legal Authority - Defined as the ability to impose and enforce statutes, ordinances, and regulations to require control of pollutant sources and regulate the discharge of pollutants to the storm drain system, and to enter into interagency agreements, contracts, and memorandums of understanding.

Litter - Waste that is improperly disposed of on the street, sidewalk, lakes and other bodies of water, and in the general environment.

Municipal Separate Storm Sewer System (MS4) - Conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by a state, city, town, borough, county,

parish, district, association or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control or drainage district, similar entity, and Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the Clean Water Act that discharges to water of the United States.

Natural Waterways - Shall mean waterways that are part of the natural topography. They usually maintain a continuous or seasonal flow during the year and are characterized as being irregular in cross-section with a meandering course. Construction channels such as drainage ditches shall not be considered natural waterways.

New Structure - Structures for which the start of construction commences on or after the effective date of these regulations.

Non-Storm Water Discharge - Any discharge to the storm drain system that is not composed entirely of storm water.

Non-Structural BMP - A best management practice that does not require construction of a facility to control urban runoff.

Notice of Intent (NOI) - Application form for obtaining coverage under a General Storm Water Permit for construction activities that disturbs one or more acres or for industrial activities.

Notice of Termination - A notice to terminate coverage under this permit after construction is complete, the site has undergone final stabilization, and maintenance agreements for all permanent facilities have been established, in accordance with all applicable conditions of this permit.

NPDES - National Pollutant Discharge Elimination System initiated in 1972 by the amendments to the Federal Water Pollution Control Act (the Clean Water Act or CWA) to address the discharge of pollutants to navigable waters from point sources unless the discharge is authorized by an NPDES permit. The Water Quality Act of 1987 added section 402(p) to the CWA establishing phased and tiered requirements for stormwater discharge under the NPDES program.

Owner - The person or party possessing the title of the land on which the construction activities will occur; or if the construction activity is for a lease holder, the party or individual identified as the lease holder; or the contracting government agency responsible for the construction activity.

Permittee - A person, partnership or corporation to whom a permit is granted.

Permittee - A person or persons, firm, or governmental agency or other institution that signs the application submitted to AEDQ and is responsible for compliance with the terms and conditions of this permit.

Person Responsible for the Land Disturbing Activity - The person who has or represents having financial or operation control over the land disturbing activity; and/or the landowner or person in possession or control of the land who directly or indirectly allowed the land disturbing activity or has benefited from it or who has failed to comply with any provision of this ordinance.

Point Source - Pollution arising from a well-defined origin, such as a discharge from an industrial plant.

Pollutant - Any introduced gas, liquid, or solid that makes a resource unfit for a specific purpose. A substance that pollutes air, water or land. They are defined in Section (502) of the federal Clean

Water Act (33 U.S.C. ' 1362(6)). Specifically, pollutants that are carried by runoff from rainstorms or other watering activities. Examples of pollutants include but are not limited to the following:

- (a) Commercial and industrial waste (such as fuels, solvents, detergents, plastic pellets, hazardous substances, fertilizers, pesticides, slag, ash, and sludge);
- (b) Metals such as cadmium, lead, zinc, copper, silver, nickel, and chromium; and non-metals such as phosphorus and arsenic;
- (c) Petroleum hydrocarbons (such as fuels, lubricants, surfactants, waste oils, solvents, coolants, and grease);
- (d) Excessive eroded soils, sediment, and particulate materials in amounts which may adversely affect the beneficial use of the receiving waters, flora, or fauna;
- (e) Animal wastes (such as discharge from confinement facilities, kennels, pens, recreational facilities, stables, and show facilities);
- (f) Substances having characteristics such as pH less than 6 or greater than 9, unusual coloration or turbidity, excessive levels of fecal coliform, fecal streptococcus, or enterococcus.

Post-Development - Refers to the extent and distribution of land cover types anticipated to occur under conditions of full development of the submitted plan. This term is used to match pre- and post-development stormwater peak flows as required by the ordinance.

Pre-Developed Conditions - Those land use conditions that existed prior to the initiation of the land disturbing activity in terms of topography, vegetation, or land use and rate, volume, or direction of stormwater runoff.

Pre-Development - Refers to the extent and distribution of land cover types present before the initiation of land development activity, assuming that all land uses prior to land disturbing activity and in "good" condition as described in the Natural Resources Conservation Service Technical Release 55, Urban Hydrology for Small Watersheds" (commonly known as TR-55). This term is used to match pre- and post-development stormwater peak flows as required by the ordinance. In a situation where cumulative impervious surface created after the adoption of this ordinance exceeds the 20,000 sq. ft. threshold, the pre-development conditions shall be those prior to any land disturbance.

Raingarden -

1. Shallow depressions designed to collect rain on the site - typically runoff from impervious surfaces such as roofs - and allow plants, bacteria and soils to clean the water as it seeps into the ground.
2. A strategically located low area planted with native vegetation that intercepts runoff. Other terms include mini-wetland, stormwater garden, water quality garden, stormwater marsh, backyard wetland or bio-retention pond.

Receiving Water - Rivers, lakes, oceans, or other bodies that receive runoff.

Redevelopment - Land-disturbing activity that results in the creation or addition or replacement of 5,000 square feet or more of impervious surface area on an already developed site. Where redevelopment results in an alteration to more than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post development storm water quality control requirements, the entire project must be mitigated. Where redevelopment results in an alteration to less than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post development storm water quality control requirements, only the alteration must be mitigated, and not the entire development. Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of facility

or emergency redevelopment activity required to protect public health and safety. Existing single family structures are exempt from the redevelopment requirements.

Registered Landscape Architect - A landscape architect properly registered and licensed to conduct work within the State of Arkansas.

Registered Land Surveyor - A land surveyor properly registered and licensed to conduct work within the State of Arkansas.

Registered Professional Engineer - Shall mean a professional engineer properly registered and licensed to conduct work within the State of Arkansas.

Regulatory Floodway - The floodplain area that is reserved in an open manner by Federal, State or local requirements, i.e., unconfined or unobstructed either horizontally or vertically, to provide for the discharge of the base flood so that the cumulative increase in water surface elevation is no more than a designated amount (not to exceed 1 foot as established by the Federal Emergency Management Agency (FEMA) for administering the National Flood Insurance Program).

Retention Structure - A permanent structure whose primary purpose is to permanently store a given volume of stormwater runoff. Release of the given volume is by infiltration and/or evaporation.

Riparian Buffer - A natural or vegetated area adjacent to streams and perennial water bodies through which stormwater flows in a diffuse manner, so that runoff does not become channelized and which provides for the infiltration of runoff and filtering of pollutants. The riparian buffer is measured landward (horizontal distance) from the stream bank on both sides of the stream or from the normal pool elevation of a perennial water body.

Riverine - Means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Runoff - The portion of rainfall or irrigation water and other watering activities also known as dry-weather flows that flow across the ground surface and eventually to receiving waters. Runoff can pick up pollutants from the air or the land and carry them to receiving waters.

Sediment - Fragmentary material that originates from weathering of rocks and is transported by, suspended in, or deposited by water.

Sediment - Solid earth material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity or ice, and has come to rest on the earth's surface at a different site.

Sediment Control - Methods employed to prevent sediment from leaving the site. Sediment control practices include silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, storm drain inlet protection, and temporary or permanent sedimentation basins.

Stormwater - Water which originates from atmospheric moisture (rainfall or snowmelt) and falls onto land, water, or other surfaces.

Stormwater Management Plan - The set of drawings and other documents that comprise all of the information and specifications for the drainage systems, structures, concepts and techniques that will be used to control stormwater as required by this Ordinance and the Stormwater Management Manual. Also included are the supporting engineering calculations and results of any computer analysis.

Stormwater Management Manual - The set of drainage policies, analysis methods, design charts, stormwater runoff methods, and design standards used by the County as the official design guidelines for drainage improvements consistent with this Ordinance. Any modifications will be made by the Administrative Authority consistent with the stated policies and intent of the Ordinance.

Stormwater Pollution Prevention Plan (SWPPP) - A plan designed to eliminate or reduce at the source the use, generation, or release of silts, toxic pollutants, hazardous substances, and hazardous wastes from entering storm waters.

Stormwater Runoff - Water that results from precipitation which is not absorbed by the soil, evaporated into the atmosphere or entrapped by ground surface depressions and vegetation, which flows over the ground surface.

Stream - A body of running water.

Triple Fee - Refers as to this ordinance as three (3) times the original cost of a permit which may be imposed on construction sites that have started land disturbance activities without approval or permits from the Administrative Authority.

Urban Forestry -

1. The management of trees for their contribution to the physiological, sociological, and economic well-being of urban society. Urban forestry deals with woodlands, groups of trees, and individual trees, where people live - it is multifaceted, for urban areas it includes a great variety of habitats (streets, parks, derelict corners, etc.) where trees bestow a great variety of benefits and problems.
2. The art, science and technology of managing trees, forests, and natural systems in and around urban areas for the health and well-being of communities.

Waters of the State - All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

ARTICLE II **PERFORMANCE STANDARDS AND DESIGN CRITERIA**

2.1 General - The Stormwater Quality Management Manual and Stormwater Specification Manual of Saline County, Arkansas shall be the source for all design criteria and performance standards with regards to stormwater control and quality.

ARTICLE III **SUBMITTAL & SITE REQUIREMENTS**

3.1 Small Construction Sites with land disturbance of greater than one (1) acre, but less than five (5) acres or part of a larger common plan of development - Saline County of Arkansas requires that a Stormwater Pollution Prevention Plan (SWPPP) be developed and submitted to the county for review and approval 14 days prior to commencement of construction. The plan must be in accordance with rules and regulations set forth by NPDES Permit No. ARR 150000.

Site Requirements for Small Site:

1. Develop SWPPP which includes Post-Construction Water Quality plan and design
2. Submit SWPPP to Saline County for review and approval 14 days prior to construction activity

3. Post On-Site (ADEQ) Automatic Coverage Construction Notice
4. Post On-Site Saline County Stormwater Permit
5. Use Best Management Practices (BMPs) to reduce runoff, sedimentation and erosion
6. Use BMPs to contain and properly dispose of all hazardous materials
7. Maintain SWPPP, site plan and inspection reports on site Monday - Friday between the hours of 8:00 am - 5:00 pm
8. Remove all BMPs after final stabilization - 100% coverage with 80% density
9. A solid waste dumpster must be used on site once construction activity begins

3.2 Large Construction Sites are sites with five (5) acres or more of land disturbance - These sites will require a permit from both Saline County, Arkansas and ADEQ. Both permitting authorities will require a SWPPP submittal 14 days prior to commencement of construction. The plan must be in accordance with rules and regulations set forth by NPDES Permit No. ARR 150000.

NOTE: Saline County will not issue a county stormwater permit until an ADEQ NOC has been received by the developer and turned into the county for record.

Site requirements for Large Sites:

1. Develop SWPPP which includes Post-Construction Water Quality plan and design
2. Submit SWPPP to Saline County and to ADEQ for review and approval 14 days prior to construction activity
3. Post On-Site (ADEQ) Notice of Coverage
4. Post Saline County Stormwater Permit
5. Use Best Management Practices (BMPs) to reduce runoff, sedimentation and erosion
6. Use BMPs to contain and properly dispose of all hazardous materials
7. Maintain SWPPP, site plan and inspection reports on site Monday - Friday between the hours of 8:00 am - 5:00 pm
8. Remove all BMPs after final stabilization - 100% coverage with 80% density
9. A solid waste dumpster must be used on site once construction activity begins

3.3 Special Construction Sites are projects disturbing less than one (1) acre but are adjacent to a water body and pose a potential to pollute - Saline County of Arkansas requires that a Stormwater Pollution Prevention Plan (SWPPP) be developed and submitted to the county for review and approval 14 days prior to commencement of construction. The plan must be in accordance with rules and regulations set forth by NPDES Permit No. ARR 150000.

Site Requirements for Small Site:

1. Develop SWPPP
2. Submit SWPPP to Saline County for review and approval 14 days prior to construction activity
3. Post On-Site (ADEQ) Automatic Coverage Construction Notice
4. Post Saline County Stormwater Permit
5. Use Best Management Practices (BMPs) to reduce runoff, sedimentation and erosion
6. Use BMPs to contain and properly dispose of all hazardous materials
7. Maintain SWPPP, site plan and inspection reports on site Monday - Friday between the hours of 8:00 am - 5:00 pm
8. Remove all BMPs after final stabilization - 100% coverage with 80% density
9. A solid waste dumpster must be used on site once construction activity begins

3.4 Post Construction Requirements

1. Upon completion of the project the permittee must call for and pass a final stormwater inspection prior to termination of the permit
2. Disturbed portions of the project site must be stabilized by landscaping, vegetation or other approved erosion preventing means. Stabilization must cover one hundred percent (100%) of the site with at least eighty percent (80%) density of stabilizing material

3. All temporary BMPs must be removed
4. If the project is greater than five (5) acres and carries an ADEQ permit the permittee must submit a Notice of Termination (NOT) to ADEQ which includes pictures of the final stabilization throughout the site. Saline County will only terminate its permit after receiving confirmation that the ADEQ permit has been terminated

ARTICLE IV

SALINE COUNTY STORMWATER PERMIT FEE STRUCTURE

4.1 Permit Fee Structure

1. All Saline County Stormwater Permits are valid throughout the duration of the project and have no expiration.
2. Permits may be temporarily suspended by request of the permittee if the project is expected to be inactive for a long duration. The permit will be activated again by request of the permittee.
3. Permit fees are based on the size of the project as follows:
 - a. \$75 All sites greater than one (1) acre but less than five (5) acres
 - b. \$150 All sites greater than five (5) acres
 - c. \$25 All sites that are less than one (1) acre but qualify as a special construction project or are part of a larger common plan of development

ARTICLE V

URBAN STORMWATER QUALITY AND POLLUTION CONTROL

5.1 Illicit Discharges

1. **Illegal Dumping/Disposal** - No person shall throw, deposit, place, leave, maintain or keep any refuse, rubbish, garbage or any other discarded or abandoned objects in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or drainage structure, business place, or upon any public or private plot of land in the county except in containers, recycling bags or other established waste disposal facility.
2. **Storm Sewer Care** - No person shall intentionally dispose of any soil or landscape debris into any part of the county storm sewer system which includes water bodies, inlets, streets, alleys, roads, open ditches, catch basins, or any other portion of the stormwater conveyance system.
3. **Illicit discharges** - No person shall cause or allow to be caused any illicit discharge into the county's storm sewer system. Only clean rain water is permitted to discharge into the system with the following exceptions:
 - a) Firefighting activities
 - b) Fire hydrant flushing
 - c) Water used to wash vehicles (where detergents or other chemicals are not used) or control dust in accordance with Part II. A.I.2 of ADEQ permit #ARR150000
 - d) Potable water sources including uncontaminated waterline flushing
 - e) Landscape irrigation
 - f) Routine external building wash down which does not use detergents or chemicals
 - g) Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spill materials have been removed) and where detergents or other chemicals are not used
 - h) Uncontaminated air conditioning, compressor condensate
 - i) Uncontaminated springs, excavation dewatering and groundwater
 - j) Foundation or footing drains where flows are not contaminated with process material such as solvents
 - k) Swimming pool discharge where chlorine has been allowed to evaporate for 3-4 days prior to draining

ARTICLE VI
ENFORCEMENT AUTHORITY

6.1 Stormwater Inspectors and other authorized county officials shall hereby be given the authority and responsibility to enforce this stormwater quality ordinance. If violations of this ordinance are discovered it is the duty and responsibility of the county official to take necessary actions as authorized by this ordinance to eliminate the violation and regain compliance or report the violation to the appropriate county department. The official shall notify the violator either verbally for minor violations or in writing for more serious violations as determined by the county authority and Article VII of this ordinance.

ARTICLE VII
VIOLATIONS AND PENALTIES

7.1 It shall be unlawful for any person to violate any provisions set forth by this ordinance. If a violation of this ordinance is discovered the following penalties and procedures should be utilized by the county's authorized official to eliminate the violation and regain compliance with this ordinance. Depending on the severity of the violation the county official has discretion in determining the level of penalty to be applied and is not obligated to follow the penalty procedure in the order below.

1. Verbal Warning - A verbal warning may be given in the event that the violation is deemed minor in nature and poses no immediate harm to health or the environment. Verbal warning will include a deadline to eliminate violation and regain compliance with this ordinance.
2. Notice of Violation (NOV) - If compliance is not achieved through verbal warning or the authorized official deems the violation to be serious in nature a Notice of Violation (NOV) shall be sent through certified mail to the owner/operator of the commercial or residential development and to the cognoscente official responsible for stormwater compliance at the project site. The NOV shall list the violation and corrective action necessary to bring the project back into compliance with this ordinance. The NOV shall also include a deadline to eliminate the violation which shall be at the discretion of the authorized official, but shall not exceed seven (7) days.
3. Stop Work Order - If compliance is not achieved through verbal warning or a NOV or if the authorized official deems the violation to be an immediate threat to health or the environment a Stop Work Order shall be issued. All activity at the project site will cease except for activity necessary to regain compliance with this ordinance. A Stop Work Order shall be issued if a project commences without the appropriate permits issued by ADEQ or Saline County. Once the property is brought back into compliance the county authorized official will perform a follow up inspection to ensure compliance prior to lifting the Stop Work Order.
4. Citation to appear at Saline County District Court

ARTICLE VIII


EMERGENCY CLAUSE. There now exists in Saline County an immediate and pressing need to establish a stormwater ordinance for Saline County. Therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and effect upon and after its date of passage.

DATE: AUGUST 18, 2015

APPROVED: _____


JEFF FAREY
SALINE COUNTY JUDGE

ATTEST: _____


DOUG CURTIS
SALINE COUNTY CLERK

SPONSOR: J. R. WALTERS, JP DISTRICT #12