

Chapter 29

STORMWATER RUNOFF REGULATION AND CONTROL*

* **Cross References:** Buildings and building regulations, Ch. 5; subdivisions, Ch. 23; water, sewer and sewage disposal, Ch. 28.

Art. I. General Purpose and General Requirements, §§ 29-1--29-9

Art. II. Specific Requirements, §§ 29-10--29-29

Art. III. Additional Subdivision and Building Improvement Regulations, §§ 29-30--29-39

Art. IV. Administration, §§ 29-40--29-43

ARTICLE I.

GENERAL PURPOSE AND GENERAL REQUIREMENTS

Sec. 29-1. Purpose.

The purpose of this chapter is to diminish threats to the public health and safety caused by the runoff of excess stormwaters, to reduce the possibilities of hydraulic overloading of the storm sewer system, to reduce economic losses to individuals and the community at large as a result of the runoff of excess stormwaters, and to protect and conserve land and water resources, while at the same time ensuring orderly development. The provisions of this chapter are specifically intended to supplement existing ordinances regulating the following:

- (1) The subdivision, layout, and improvement of lands located within the City of Midland.
- (2) The excavating, filling, and grading of lots and other parcels or areas.
- (3) The construction of buildings, including related parking and other paved areas, and the drainage of the sites on which those structures and their related parking and other paved areas are located.
- (4) The design, construction, and maintenance of stormwater drainage facilities and systems.

(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-2. Definitions.

For the purposes of this chapter the following definitions are adopted:

- (1) *Base flood elevation:* The elevation delineating the flood level having a one percent probability of being equaled or exceeded in any given year (also known as the 100-year flood elevation), as determined from flood insurance rate maps (FIRMs) or the best available information.

- (2) *Channel*: A natural or manmade open watercourse with definite bed and banks which periodically or continuously contains moving water, or which forms a connecting link between two (2) bodies of water.
- (3) *City engineer*: The person formally designated by the city manager as the city engineer or designee.
- (4) *Compensatory storage*: An artificially excavated volume of storage within a floodplain used to balance the loss of natural flood storage capacity when artificial fill or structures are placed within the floodplain.
- (5) *Conduit*: Any channel, pipe, sewer, or culvert used for the conveyance or movement of water, whether open or closed.
- (6) *Control elevation*: Contour lines and points of predetermined elevation used to denote a detention storage area on a plat or site drawing.
- (7) *Design standards for stormwater runoff regulation and control*: Standards on file in the city engineer's office to which all designs, and the resulting stormwater runoff, must conform.
- (8) *Detention facility*: A facility constructed or modified to restrict the flow of stormwater to a prescribed maximum rate, and to concurrently detain the excess waters that accumulate behind the outlet.
- (9) *Detention storage*: The temporary detaining or storage of stormwater in storage basins, on rooftops, in streets, parking lots, school yards, parks, open spaces, or other areas under predetermined and controlled conditions, with the rate of drainage therefrom regulated by appropriately installed devices.
- (10) *Discharge*: The rate of outflow of water from any source.
- (11) *Drainage area*: The area from which water is carried off by a drainage system, i.e., a watershed or catchment area.
- (12) *Excess stormwater runoff*: The volume and rate of flow of stormwater discharged from an urbanized drainage area, which is or will be in excess of that volume and rate which represented or represents the runoff from the property prior to the date of this chapter.
- (13) *Floodplain*: The special flood hazard lands adjoining a watercourse, the surface elevation of which is lower than the base flood elevation and is subject to periodic inundation.
- (14) *Hydrograph*: A graph showing, for a given point on a stream or conduit, the runoff flow rate with respect to time.
- (15) *One hundred-year storm*: A precipitation event of twenty-four-hours' duration, having a one percent chance of occurring in any one year.

- (16) *Owner(s)*: Every person, firm, organization, association or corporation listed on the records in the office of the city assessor as owning the particular property subject to this chapter.
- (17) *Peak flow*: The maximum rate of flow of stormwater at a given point in a channel or conduit resulting from predetermined storm or flood.
- (18) *Proposed development*: Construction operation. Also used to describe proposed construction, reconstruction, and redevelopment.
- (19) *Regulation and control design standards*: Design standards prepared by the engineering department specifically for stormwater management.
- (20) *Retention basin*: A facility, structure or feature with no outlet, designed to retain stormwater over a period of time, with its release and discharge rate occurring over a longer period of time than in a detention facility.
- (21) *Stormwater drainage system*: All means, natural or manmade, used for conducting stormwater to, through, or from a drainage area to the point of final outlet including, but not limited to, any of the following: Open and closed conduits and appurtenant features, canals, channels, ditches, streams, swales, culverts, streets, and pumping stations.
- (22) *Stormwater drainage facility*: Any element in a stormwater drainage system, which is made or improved by man.
- (23) *Stormwater runoff*: The waters derived from precipitation within a tributary drainage area, flowing over the surface of the ground or collected in channels or conduits.
- (24) *Time of concentration*: The elapsed time for stormwater to flow from the most distant point in a drainage area to the outlet or other predetermined point.
- (25) *Two-year storm*: A precipitation event having a fifty (50) percent chance of occurring in any one (1) year.
- (26) *Two-year storm runoff*: The stormwater runoff having a fifty (50) percent probability of occurring in any one (1) year.
- (27) *Unprotected channel*: A channel which receives stormwater discharge and which is not paved, riprapped, or otherwise improved by addition of manmade materials so as to reduce the potential for erosion.
- (28) *Upland area*: Any land whose surface drainage flows toward the area being considered for development.
- (29) *Urbanization*: The development, change, or improvement of any parcel of land consisting of one or more lots for residential, commercial, industrial, institutional, recreational or public utility

purposes.

- (30) *Waterbody*: Any natural or artificial pond, lake, reservoir, or other area, which ordinarily or intermittently contains water and which has a discernable shoreline.
- (31) *Watercourse*: Any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, swale, or wash in which water flows in a definite direction, either continuously or intermittently, and which has a definite channel, bed, or banks.
- (32) *Wet bottom detention basin*: A basin designed to retain a permanent pool of stormwater after having provided its planned detention of runoff during a storm event.

(Ord. No. 1084, § 1, 3-11-85; Ord. No. 1450, § 1, 5-17-99; Ord. No. 1507, § 1, 6-25-01)

Sec. 29-3. Stormwater permit.

(a) Before initiating any new construction, development, redevelopment or land use change regulated by this chapter, an applicant shall be required to obtain a stormwater permit to be issued by the city engineer or his or her designee that indicates that the development plans submitted by the applicant have met the requirements of this chapter and the city's stormwater regulation and control design standards. An applicant shall be required to pay the stormwater permit fee, as specified in chapter 21, prior to the issuance of said permit.

(b) A stormwater permit shall be valid for a period of one hundred eighty (180) days from the date of issuance or until such time that the requirements of this chapter and the design standards are no longer met, whichever occurs first. In the event that the stormwater permit has expired and a stormwater certificate has not been issued, the city engineer may renew the permit for an additional one hundred eighty (180) day period if the requirements of this chapter and the design standards continue to be met.

(Ord. No. 1450, § 1, 5-17-99)

Sec. 29-3.1. Stormwater certificate.

(1) *Stormwater certificate*. Notwithstanding the requirements of subsections 29-3.1(2) and 29-3.1(4), a stormwater certificate shall be valid for a period of three (3) years from June 15th of the year of issuance and shall be renewed upon expiration for an additional three-year period. Notwithstanding the requirements of subsection 29-3.1(4), a stormwater certificate fee, the amount of which shall be specified in chapter 21, shall be paid prior to issuance of all certificates except for those certificates issued for new facilities. The city engineer shall inspect each stormwater facility before issuing or renewing a certificate to insure that the facility complies with the requirements of this chapter and the stormwater regulation and control design standards. The city engineer may require the owner of the facility to submit additional information. The chief building official shall not issue a permanent certificate of occupancy until such time that a stormwater certificate has been issued. Upon approval of the city engineer, the chief building official may issue a temporary certificate of occupancy prior to the issuance of a stormwater certificate.

(2) *New facilities*. Upon completion of the new construction, development, redevelopment or land use change for which the stormwater permit was issued, the property owner or representative shall contact the city engineer to schedule a final inspection of the stormwater facility. Upon determination by the city engineer

that the facility complies with all requirements of this chapter and the stormwater regulation and control design standards, a stormwater certificate shall be issued at no additional cost.

(3) *Certified facilities.* No later than two (2) months prior to the expiration of a stormwater certificate, the city engineer shall notify the owner of the facility of the requirement to renew the certificate and to inspect the facility. The owner of the facility shall renew the certificate no later than the calendar month in which the certificate expires. In the event that the certificate is not renewed and becomes delinquent, additional fees shall be assessed as specified in chapter 21.

(4) *Existing facilities.* The city engineer shall provide written notification of the stormwater certificate requirements to all known owners of stormwater facilities regulated by this chapter and in existence as of the effective date of the ordinance from which this section derives. All existing facilities shall be formally certified by November 1, 2001. Initial certifications for existing facilities will not be assessed a fee. The terms and fees for stormwater certificates issued for existing facilities shall be as follows:

- a. Stormwater certificates issued for one-third (1/3) of these facilities, as determined by the city engineer, shall be renewed by June 15, 2002 and shall be renewable every three (3) years thereafter. Certificates for these facilities will be placed in Group 1. The fee for said certificate renewal shall be assessed pursuant to section 21-151 of this Code.
- b. Stormwater certificates issued for one-third (1/3) of these facilities, as determined by the city engineer, shall be renewed by June 15, 2003 and shall be renewable every three (3) years thereafter. Certificates for these facilities will be placed in Group 2. The fee for said certificate renewal shall be assessed pursuant to section 21-151 of this Code.
- c. Stormwater certificates issued for one-third (1/3) of these facilities, as determined by the city engineer, shall be renewed by June 15, 2004 and will be renewable every three (3) years thereafter. Certificates for these facilities will be placed in Group 3. The fee for said certificate renewal shall be assessed pursuant to section 21-151 of this Code.

All new certificates and certificate renewals shall become effective June 15 of the year of issuance for each Group. All certificates will be placed in Groups 1, 2, or 3 as determined by the city engineer. The information obtained during this process shall be recorded in the registry established pursuant to section 29-44. (Ord. No. 1450, § 2, 5-17-99; Ord. No. 1507, § 1, 6-25-01)

Sec. 29-4. Other requirements.

In addition to meeting the requirements of section 29-3 and the more specific requirements of article II of this chapter and before starting any activity regulated by this chapter, an applicant shall comply with the requirements set forth in all other related ordinances and state statutes and regulations. (Ord. No. 1084, § 1, 3-11-85; Ord. No. 1507, § 1, 6-25-01)

Secs. 29-5--29-9. Reserved.

ARTICLE II.

SPECIFIC REQUIREMENTS

Sec. 29-10. General.

Excess stormwater runoff shall be detained in connection with any new construction, development, redevelopment or land use change occurring within the City of Midland in accordance with the requirements set forth in this Chapter 29. Notwithstanding the foregoing, exceptions to this requirement are as follows:

- (1) The construction of any single-family or two-family dwelling on any parcel of one acre or less in size.
- (2) A determination by the city engineer that the excess runoff from the proposed construction, development, redevelopment or land use change will be insufficient to adversely effect the carrying capacity of the receiving body or watercourse. In this connection and should the city engineer's determination of insufficient adverse effect be sought, the developer shall make available to the city engineer such hydraulic or hydraulic computations as will support the requested exception.

(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-11. Affidavit of disclosure of property interest.

At the time the owner of any development files a development plan with the city, he or she shall execute and file an "Affidavit of Disclosure of Property Interest" with the City of Midland which will set forth facts sufficient to enable the city engineer to determine whether the provisions of this chapter shall apply to the property proposed for development. The affidavit shall specifically describe whatever the affiant's interest may be in any joining or contiguous property. For purposes of this section, the ownership interest of an owner's spouse or lineal ascendants or descendants shall be attributed to him or her. In addition, if an owner is more than a five (5) percent partner, stockholder, beneficiary of a trust or estate, or equity owner in any other form of organization, such ownership interest shall likewise be attributed to said owner.

(Ord. No. 1084, § 1, 3-11-85; Ord. No. 1450, § 3, 5-17-99)

Sec. 29-12. Discharge rate.

The peak discharge rate after full development resulting from the proposed development shall not exceed 0.2 cubic feet per second per acre (c.f.s.).

(Ord. No. 1084, § 1, 3-11-85; Ord. No. 1450, § 3, 5-17-99)

Sec. 29-13. Flood elevation.

There shall be no detrimental effect on the flood elevation of the floodway during a 100-year storm upstream or downstream of the proposed development area as a result of the proposed development.

(Ord. No. 1084, § 1, 3-11-85; Ord. No. 1450, § 3, 5-17-99)

Sec. 29-14. Allowable detention facilities.

The increased stormwater runoff resulting from the proposed development shall be detained by

providing for appropriate storage as required by this chapter and the city's stormwater regulation and control design standards. In no case shall the design maximum water elevation of a detention facility be less than one foot below the lowest ground elevation adjacent to, or opening into, an existing or future structure.

Where streets are used for temporary storage of stormwater runoff, all manholes for sanitary sewers shall be of a type that prevents the infiltration of the ponded water.

Where streets are used for temporary storage of stormwater runoff, in no case shall the maximum design depth exceed eighteen (18) inches.

(Ord. No. 1084, § 1, 3-11-85; Ord. No. 1450, § 3, 5-17-99)

Sec. 29-15. Sizing of detention storage and outlet.

(1) The drainage area used in computation will be the total area tributary to the detention storage outlet.

(2) The developer shall be required to submit detailed hydrologic and hydraulic calculations to show that the requirements of this Chapter will be met. A unit hydrograph method of analysis shall be used for detailed hydrologic computations. Computations shall be site specific and shall account for conditions such as soil type, vegetative cover, impervious areas, existing drainage patterns, flood plain areas and wetlands. Detention storage shall be calculated to account for runoff resulting from a five-inch rainfall received during a twenty-four-hour period. The discharge rate shall be limited to 0.2 cubic feet per second per acre of drainage area.

(Ord. No. 1084, § 1, 3-11-85; Ord. No. 1450, § 3, 5-17-99)

Sec. 29-16. Discharge velocity.

The discharge velocity from detention facilities shall not exceed three (3) feet per second unless it is determined by the city engineer that greater velocities will not be harmful to the receiving channel. Where the engineer's determination is requested, the developer shall make available to the engineer such hydraulic or hydrologic computations as will adequately support the course of action being requested.

(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-17. Emergency spillway.

Emergency spillways shall be provided to permit the safe passage of runoff generated from rainfall events in excess of the 100-year rainfall event.

(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-18. Freeboard.

Detention storage areas shall have adequate capacity to contain the storage volume of tributary stormwater runoff with at least one foot of freeboard above the water surface during the 100-year rainfall event. Top of spillway elevations shall be one foot below the freeboard elevation.

(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-19. Joint development of control systems.

Stormwater control systems may be planned in coordination by two (2) or more property owners as long as the potential for damage from stormwater is not increased at intervening locations.
(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-20. Early installation of control systems.

Stormwater control measures shall be installed as soon as possible during the course of site development and a schedule of construction for this purpose shall be submitted by the owner(s)/developer(s) prior to construction in the City of Midland.

(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-21. Detention facilities in floodplains.

If detention storage is provided within a floodplain, only the net increase in storage volume above that which naturally existed on the floodplain shall be attributed to the development. Net increases in storage volume below the base flood elevation at the location will not be attributed to the development unless compensatory storage is also provided.

(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-22. Flows from upland areas.

The total drainage area must be used in calculating the allowable release rate. The required storage volume will be based on the project area only, with extraneous flows from upland areas being bypassed or discharged via overflow spillways or other devices. Where storm sewers are required they shall be of such size as will provide sufficient capacity to receive the flow generated by a ten-year storm from upland areas. As to the latter and regardless of whether it has occurred in fact, such upland areas shall be deemed to have fully developed for all purposes of this requirement.

(Ord. No. 1084, § 1, 3-11-85; Ord. No. 1450, § 3, 5-17-99)

Secs. 29-23--29-25. Reserved.

Editors Note: Ord. No. 1450, § 4, adopted May 17, 1999, repealed §§ 29-23--29-25 which pertained to simplified method no. 1 and simplified method no. 2 and derived from Ord. No. 1084, § 1, adopted March 11, 1985.

Secs. 29-26--29-29. Reserved.

ARTICLE III.

ADDITIONAL SUBDIVISION AND BUILDING IMPROVEMENT REGULATIONS

Sec. 29-30. Preliminary plat requirements.

Information indicating the manner in which the provisions of this chapter are to be met shall be submitted with all preliminary plats. While final engineering plans and specifications are not required, sufficient information shall be provided to enable the city engineer to determine whether the proposed storm runoff controls will be in conformance with design standards for public improvements in the City of Midland.

(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-31. Requirements for final plats, site plan reviews as per Article XXV of the Zoning Ordinance, and final plan submissions.

Information indicating the manner in which the provisions of this chapter are to be met shall be submitted with all final plat submissions, site plan submissions in accord with Article XXV of the Zoning Ordinance, or any other plan for improvements which falls under the requirements of section 29-10. All computations, plans and specifications shall be prepared and sealed by a professional engineer registered in the State of Michigan.

(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-32. Drainage and detention design requirements.

All subdivisions and other proposed improvements which are subject to the provisions of section 29-10 shall incorporate such design features as are required in this chapter. Variation from these requirements shall require the approval of the city council whose action shall be conditioned upon the following:

- (1) That petition be submitted describing in detail the rationale for the proposed design change.
- (2) That there are special circumstances or conditions affecting the property under consideration such that strict compliance with the provisions of this chapter would deprive the applicant of the reasonable use of his land.
- (3) That the variance is necessary for the preservation and enjoyment of a substantial property right of the proprietor.
- (4) That the granting of the variance will not be detrimental to the public health, safety or welfare or injurious to other property in the territory in which said property is located.
- (5) That an affirmative recommendation be received from the city engineer supporting such variance. In the event that the city engineer does not submit an affirmative recommendation, that a recommendation be received from the sewer board of appeals as authorized by section 29-42 of this chapter.

(Ord. No. 1084, § 1, 3-11-85; Ord. No. 1507, § 1, 6-25-01)

Sec. 29-33. Detention storage.

Designs for detention storage and related appurtenances shall be submitted to the city engineer for approval and shall incorporate features that facilitate their inspection and maintenance. The city engineer shall, in the case of a proposed subdivision, make a determination as to those control elevations that shall be entered on the final plat or make a determination as to the necessity for deed restrictions on any particular lot in said subdivision requiring the preservation of mandatory drainage facilities. Where a nonsubdivided parcel of land is proposed for development, the city engineer shall make a determination as to the need for covenants to maintain responsibility for mandatory drainage facilities. All of said facilities shall be designed and constructed in accordance with City of Midland design standards for stormwater runoff regulation and control, shall be

located in easements dedicated to the public when required by the city engineer and shall be subject to continuing inspection during the construction period in the same manner as any other public improvement regulated under chapter 23 of this Code of Ordinances.

(Ord. No. 1084 § 1, 3-11-85; Ord. No. 1450, § 5, 5-17-99)

Sec. 29-34. Public facilities.

Upon submittal of a design for detention storage, the city engineer shall determine whether a proposed facility or a portion thereof should become part of the public drainage system. If, in the opinion of the city engineer, it is in the best interest of the city that a facility or a portion thereof become part of the public drainage system, the city engineer shall forward this recommendation to the city council. A facility must be accepted by the city council to become the property of the City of Midland and thereafter deemed part of the public drainage system.

(Ord. No. 1084, § 1, 3-11-85; Ord. No. 1450, § 5, 5-17-99)

Sec. 29-35. Safety features.

Designs of detention facilities shall incorporate safety features, particularly at inlets, outlets, on steep slopes, and at any attractive nuisances. These features shall include, but not be limited to, fencing, hand rails, lighting, steps, grills, signs, and other protective or warning devices so as to restrict access.

(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-36. Inspection authorized; access.

The city engineer and his or her designee are hereby authorized to inspect, examine and survey all detention facilities, retention basins or other stormwater facilities regulated by this chapter. For the purpose of making such inspections and to perform any duty imposed by this chapter, the city engineer and his or her designee are hereby authorized to enter all such stormwater facilities at all reasonable times. The owner of the stormwater facility shall give the city engineer and his or her designee free access to such facility for the purpose of inspection, examination and survey.

(Ord. No. 1450, § 6, 5-17-99)

Sec. 29-37. Warrant.

(a) In a non-emergency situation where the owner of the stormwater facility demands a warrant for inspection of a stormwater facility, the city engineer shall obtain a warrant from a court of competent jurisdiction. The city attorney shall prepare the warrant, stating the address of the facility to be inspected, the nature of the inspection and the reasons for the inspection. It shall be appropriate and sufficient to set forth the basis for inspection established in this chapter. The warrant shall also state that it is being issued pursuant to this chapter.

(b) In the event of an emergency no warrant shall be required.

(Ord. No. 1450, § 6, 5-17-99)

Sec. 29-38. Frequency of inspections.

The city engineer shall cause an inspection of each stormwater facility to be made prior to the issuance of a stormwater certificate. The city engineer is authorized to make more frequent inspections as he or she may deem necessary.

(Ord. No. 1450, § 6, 5-17-99)

Sec. 29-39. Deficiencies; corrections.

If, during the city engineer's inspection of a stormwater facility, deficiencies in the facility or conditions creating nuisances are found, the owner shall be required to make the necessary corrections to the facility within a reasonable amount of time; provided, however, such period of time shall not exceed sixty (60) days. The owner shall be notified in writing of the existence of the violation. The notice shall be delivered by certified mail and shall state the date of the inspection, the nature of the violation and the time within which the necessary corrections must be made. The cost of making all corrections shall be the responsibility of the property owner. If, after sixty (60) days, the facility remains deficient, the city engineer shall initiate enforcement actions for compliance with the ordinance from which this section derives.

(Ord. No. 1450, § 6, 5-17-99; Ord. No. 1507, § 1, 6-25-01)

ARTICLE IV.

ADMINISTRATION

Sec. 29-40. Responsibility.

The administration and enforcement of this chapter shall be the responsibility of the City of Midland's designated city engineer.

(Ord. No. 1084, § 1, 3-11-85; Ord. No. 1450, § 7, 5-17-99)

Sec. 29-41. Interpretation.

In the interpretation and application of this chapter, the provisions expressed herein shall be held to be the minimum requirements and shall be liberally construed in favor of the City of Midland.

(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-42. Appeals.

The sewer board of appeals as constituted in Article III, Division 2 of Chapter 28 of the Code of Ordinances is hereby designated as the appeals board for disputes arising from the application of this Chapter. The duty of the appeals board shall be to hear appeals and to make recommendation to the city council where it is alleged by an appellant that there is error in any other, requirement, decision, grant or refusal made by the city engineer in the enforcement of the provisions of this Chapter. Where an appeal has been submitted for decision by the appeals board, the board shall meet to consider said appeal as soon as is reasonably possible. Unless both parties agree to an extension, the board shall forward its recommendation to the city council within sixty (60) days of receiving the appeal. If for some reason the board cannot reach a decision with respect to a recommendation within sixty (60) days then the appeal may be submitted to the city council by either party for the city council's decision without a recommendation of the appeals board. Prior to deliberating and rendering a decision on a recommendation from the sewer board of appeals or a direct appeal under the circumstances

described in the preceding sentence, notice that the matter will be on the agenda at a meeting of the city council shall be given by means of a display advertisement in a newspaper of general circulation at least one week before the meeting.

(Ord. No. 1084, § 1, 3-11-85)

Sec. 29-43. Penalties for violation.

(1) *General.* Any person, firm, organization, association or corporation violating any provision of this chapter, including violating any variance granted under the authority of this chapter, shall be deemed responsible for a municipal civil infraction. Each and every day or portion thereof that any violation of any provisions of this chapter is committed, continued or permitted shall be a separate offense. Upon conviction of such violation, such person, firm, organization, association or corporation shall be punished as provided in chapter 34 and fined according to chapter 21 of this Code of Ordinances. The imposition of one municipal civil infraction fine for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time.

(2) *Additional corrective actions.* Any building or structure constructed in violation of the provisions of this chapter or any use carried on in violation of this chapter is hereby declared to be a nuisance per se, with any court of competent jurisdiction having the authority to determine that the owner or developer is guilty of maintaining a nuisance per se and to order such nuisance abated. In this connection, the city attorney is hereby authorized to institute any appropriate action or proceeding in any appropriate court to prevent, restrain, correct or abate any violation of this chapter.

(Ord. No. 1084, § 1, 3-11-85; Ord. No. 1450, § 7, 5-17-99)

Sec. 29-44. Registry.

A registry of all detention facilities, retention basins and other stormwater facilities regulated by this chapter shall be maintained by the city engineer. At a minimum the registry shall include the following information: the name(s), addresses and telephone numbers of all owner(s) of each facility; the location of each facility; the date the facility was completed; the dates of all inspections of the facility; the date(s) a stormwater permit was issued or renewed, if applicable; the date(s) a stormwater certificate was issued; the dates and amounts of fees remitted; and a listing of all violations, if any, the corrective action ordered and the dates the corrections are completed. The city engineer may maintain any additional information deemed necessary.

(Ord. No. 1450, § 8, 5-17-99)