


MEMORANDUM

June 4, 2013

TO: Board of Mayor and Aldermen

FROM: Eric S. Stuckey, City Administrator 
David Parker, P.E., CIP Executive/City Engineer
Paul Holzen, P.E., Director of Engineering
Crystal Piper, Stormwater Management Coordinator

SUBJECT: Consideration of Ordinance 2013-26 an ordinance amending the City of Franklin Municipal Code, Title 23 – Stormwater Management Ordinance, Chapter 1 Section 106 – Objectives and Policy for the purpose of revising the effective date for green infrastructure runoff reduction requirements.

Purpose

The purpose of this memorandum is to recommend approval of Ordinance 2013-26 an ordinance amending the City of Franklin Municipal Code, Title 23 – Stormwater Management Ordinance, Chapter 1 Section 106 – Objectives and Policy for the purpose of revising the effective date for green infrastructure runoff reduction requirements.

Background

Federal and state governments are requiring certain cities and towns to comply with mandates for minimizing stormwater runoff. Franklin is one of those cities. Stormwater management is required by the Environmental Protection Agency under the Clean Water Act of 1972. Franklin has a Phase II Municipal Separate Storm Sewer System (MS4) permit, which allows Franklin to discharge stormwater from its drainage system into nearby rivers and streams. The MS4 permit issued on August 31, 2010, requires the City of Franklin to update its ordinances and other regulatory mechanisms for permanent stormwater management including green infrastructure best management practices (BMPs) to comply with permit requirement 4.2.5 within 48 months of coverage under this permit.

In an effort to comply with the City's MS4 permit requirement, the City's existing stormwater ordinance (4.2.5, FMC § 23-106(3)) states, "*Green Infrastructure – Runoff Reduction Requirements shall be effective for all Development and Redevelopment under the jurisdiction of Title 23 Chapter 1 of the Franklin Municipal Code submitted for plan review on or after July 1, 2013.*"

The City is currently working with AMEC Environment & Infrastructure, Inc., to update the City's Stormwater Management Best Management Practices (BMP) Manual to provide design guidance and standard details, and provide training in order to facilitate site design that complies with the Runoff Reduction Requirements (COF Contract # 2013-0051). The anticipated completion date of the BMP Manual Update is September 2013. In order to provide proper training and education to the design and development community, City Staff recommends extending the effective date to January 1, 2014. This revised date is six months prior to the state requirement of July 1, 2014.



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Financial Impact

No direct financial impact.

Recommendation

Staff recommends approval of Ordinance 2013-26; entitled “An Ordinance Amending the City of Franklin Municipal Code, Title 23 – Stormwater Management Ordinance, Chapter 1 Section 106 - Objectives and Policy, for the purpose of revising the effective date for Green Infrastructure Runoff Reduction Requirements.”

ORDINANCE 2013-26

TO BE ENTITLED: “AN ORDINANCE AMENDING THE CITY OF FRANKLIN MUNICIPAL CODE, TITLE 23 – STORMWATER MANAGEMENT ORDINANCE, CHAPTER 1 SECTION 106 – OBJECTIVES AND POLICY FOR THE PURPOSE OF REVISING THE EFFECTIVE DATE FOR GREEN INFRASTRUCTURE RUNOFF REDUCTION REQUIREMENTS.”

WHEREAS, for the purpose of promoting the public health, safety, comfort, convenience, and general welfare of the people of Franklin, Tennessee the Board of Mayor and Aldermen is authorized to prescribe regulations and standards that encourage and advance the quality of life within the City; and

WHEREAS, in the legislative judgment of the Board of Mayor and Aldermen the Board has found that ordinances and policies that regulate land use, guide the maintenance of the City’s infrastructure, and deliver essential services must be dynamic and modified from time to time to reflect changes in best practices, model codes, land and labor costs, and safety standards necessary to preserve and promote the private and public interest; and

WHEREAS, the Board of Mayor and Aldermen has decided to revise the implementation date of Green Infrastructure/ Runoff Reduction Requirements in order to provide adequate time for the development of design guidelines.

NOW, THEREFORE:

SECTION I: BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that Title 23 of the City of Franklin Municipal code is hereby amended by revising the effective date of Chapter 1 Section 106(3) to read as follows:

(3) Green Infrastructure – Runoff Reduction Requirements. This section shall be effective for all Development and Redevelopment under the jurisdiction of this Title submitted for plan review on or after ~~July 1, 2013~~ January 1, 2014.

SECTION IV. BE IT FINALLY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that this Ordinance shall take effect from and after its passage on first and final reading, the health, safety, and welfare of the citizens requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

BY: _____

BY: _____

ERIC S. STUCKEY

Dr. Ken Moore

City Administrator/Recorder

Mayor

PASSED FIRST READING:

PASSED SECOND READING:
