

ORDINANCE 15-02

STORMWATER MANAGEMENT ORDINANCE

**AN ORDINANCE REGULATING STORMWATER MANAGEMENT FOR  
CONSTRUCTION AND POST CONSTRUCTION STORMWATER RUNOFF**

**THE CITY COUNCIL OF THE CITY OF DILWORTH HEREBY RESOLVES:**

Purpose. This Ordinance sets forth uniform requirements for storm water management systems within the City of Dilworth. In the event of any conflict between the provisions of this Ordinance or other regulations adopted by the City of Dilworth, Clay County, State or Federal authorities, the more restrictive standard prevails.

The objectives of this Ordinance are as follows:

1. To promote, preserve, and enhance the natural resources within the City of Dilworth from adverse or undesirable impacts occasioned by development or other activities;
2. To protect and promote the health, safety, and welfare of the people and property through effective storm water quantity and quality management practices.
3. To regulate land development activity, land disturbing activityLand Disturbing Activity, or other activities that may have an adverse and/or potentially irreversible impact on storm water quantity, water quality and/or environmentally sensitive lands and to encourage compatibility between such uses;
4. To establish detailed review standards and procedures for land development activities throughout the City of Dilworth, thereby achieving a balance between urban growth and development and the protection of water quality; and
5. To provide for adequate storm water system analysis and design as necessary to protect public and private property, water quality and existing natural resources.

This Ordinance applies in the City of Dilworth, Minnesota and to persons outside the City who are, by contract or agreement with the City, users of the City storm water management system. Except as otherwise provided herein, the City shall administer, implement, and enforce the provisions of this Ordinance.

**DEFINITIONS AND APPREVIATIONS**

**“Best Management Practices (BMPs)”** means the most effective and practicable means of **erosion prevention** and **sediment control**, and water quality management practices that are the most effective and practicable means of to control, prevent, and minimize degradation of **surface water**, including avoidance of impacts, construction-phasing, minimizing the length of time soil areas are exposed, prohibitions, pollution prevention through good housekeeping, and other management practices published by state or designated area-wide planning agencies.

Individual BMPs found in this permit are described in the current versions of Protecting Water Quality in Urban Areas, MPCA and The Minnesota Stormwater Manual, MPCA. BMPs must be adapted to the site and can be adopted from other sources. However, they must be similar in purpose and at least as effective and stringent as MPCA's BMPs. (Other sources include manufacturers specifications, Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices, U.S. Environmental Protection Agency 1992, and Erosion Control Design Manual, Minnesota Department of Transportation, et al, 1993).

**“Construction Activity”** includes **construction activity** as defined in 40 CFR § 122.26(b)(14)(x) and small construction activity as defined in 40 CFR § 122.26(b)(15) and **construction activity** as defined by Minn.

R. 7090.0080, subp. 4. 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 **stormwater** 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 activity** does not include a disturbance to the land of less than five (5) acres for the purpose of routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.

**“Dewatering”** means the removal of surface or ground water to dry and/or solidify a construction site to enable **construction activity**. Dewatering may require a Minnesota Department of Natural Resources water appropriation permit and, if dewatering water is contaminated, discharge of such water may require an individual MPCA **NPDES/SDS** permit.

**“Energy Dissipation”** means methods employed at pipe outlets to prevent erosion caused by the rapid discharge of water scouring soils. Examples include, but are not limited to: concrete aprons, riprap, splash pads, and gabions that are designed to prevent erosion.

**“Erosion Prevention”** means measures employed to prevent erosion. Examples include but not limited to: soil **stabilization** practices, limited grading, mulch, **temporary erosion protection** or **permanent cover**, and construction phasing.

**“Infeasible”** means not technologically possible or not economically practicable and achievable in light of the best industry practices. Page 13 of 14 October 2013 | wq-strm4-59q

**“Initiated immediately”** means taking an action to commence **stabilization** as soon as practicable, but no later than the end of the work day, following the day when the earth-disturbing activities have temporarily or permanently ceased, if the **Permittee(s)** know that construction work on that portion of the site will be temporarily ceased for 14 or more additional calendar days or 7 calendar days where Appendix A.C.1.a applies. The following activities can be taken to initiate **stabilization**:

1. Prepping the soil for vegetative or non-vegetative **stabilization**
2. Applying mulch or other non-vegetative product to the exposed soil area
3. Seeding or planting the exposed area
4. Starting any of the activities in # 1 – 3 on a portion of the area to be **stabilized**, but not on the entire area and
5. Finalizing arrangements to have **stabilization** product fully installed in compliance with the applicable deadline for completing **stabilization**

“**Permanent Cover**” means surface types that will prevent soil failure under erosive conditions. Examples include: gravel, asphalt, concrete, rip rap, roof tops, perennial cover, or other landscaped material that will permanently arrest soil erosion. A uniform perennial vegetative cover ( i.e. evenly distributed, without large bare areas) with a density of 70 percent of the native background vegetative cover for the area must be established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures. **Permanent cover** does not include the practices listed under **temporary erosion protection**.

“**Project(s)**” means all **construction activity** that is planned and/or conducted under a particular permit. The **project** will occur on the site or sites described in the permit application, and in the associated plans, specifications and contract documents.

“**Public Waters**” means all water basins and watercourses that are described in Minn. Stat. § 103G.005 subd. 15.

“**Natural Buffer**” means an area of undisturbed cover surrounding surface waters within which construction activities are restricted. Natural buffer includes the vegetation, exposed rock, or barren ground that exists prior to commencement of earth-disturbing activities.

“**Normal Wetted Perimeter**” means the area of a conveyance, such as a ditch, channel, or pipe that is in contact with water during flow events that are expected to occur from a two-year 24-hour storm event.

“**Permittee**” means any owner or operator of a construction site that is providing information to the City of Dilworth in order to prove that their stormwater BMP design for during and post construction activities adequately addresses all requirements of this Ordinance.

“**Stabilize, Stabilized, Stabilization**” means the exposed ground surface has been covered by appropriate materials such as mulch, staked sod, riprap, erosion control blanket, mats or other material that prevents erosion from occurring. Grass, agricultural crop or other seeding alone is not **stabilization**. Mulch materials must achieve approximately 90 percent ground coverage (typically 2 ton/acre).

“**Sediment Control**” means 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, bio rolls, rock logs, compost logs, storm drain inlet protection, and temporary or permanent sedimentation basins. A floating silt curtain placed in the water is

not a **sediment control BMP** to satisfy perimeter control requirements, except as provided for in the sediment control part.

**“Steep Slopes”** means slopes that are 1:3 (V:H) (33.3 percent) or steeper in grade.

**“Stormwater”** is defined under Minn. R. 7077.0105, subp. 41(b), and includes precipitation runoff, **stormwater** runoff, snowmelt runoff, and any other surface runoff and drainage.

**“Surface Water or Waters”** means all streams, lakes, ponds, marshes, **wetlands**, reservoirs, springs, rivers, drainage systems, waterways, watercourses, and irrigation systems whether natural or artificial, public or private, except that **surface waters** do not include treatment basins or ponds that were constructed from upland development.

**“Temporary erosion protection”** means methods employed to prevent erosion during construction activities. Examples of **temporary erosion protection** include, but are not limited to: straw, wood fiber blanket, wood chips, vegetation, mulch, and rolled erosion control products.

**“Waters of the State”** (as defined in Minn. Stat. § 115.01, subd. 22) means 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.

## **Section 1 – Construction Site Stormwater Runoff Control**

### A. Construction Site Stormwater Runoff Control

Permittees must develop a construction site stormwater runoff control program that reduces pollutants in stormwater from construction activity. The Permittee must develop a Stormwater Pollution Prevention Plan (SWPPP) for the construction site that is at least as stringent as the MPCA’s current General permit Authorization to Discharge Stormwater Associated with Construction Activity under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP). A copy of the Permittees permit coverage must be provided prior to any construction activity taking place on sites that disturb more than 1 acre of land.

The Permittee shall take into consideration with their design sections of the CGP that qualify as erosion and sediment controls or waste controls, as follows:

1. Stormwater Discharge Design Requirements consisting of the following:
  - a. Stormwater Pollution Prevention Plan for during construction
  - b. Temporary sediment basins when ten acres or more drain to a common location.
  - c. Record Retention
  - d. Training Requirements

2. Construction Activity Requirements consisting of the following:
  - a. Stormwater pollution Prevention Plan Implementation
  - b. Erosion Prevention Practices
  - c. Sediment Control Practices
  - d. Dewatering and Basin Draining
  - e. Inspections and Maintenance
  - f. Pollution Prevention Management Measures
  - g. Final Stabilization

## B. Violations and Suspensions

### 1. Reports of Violations

- a. The City shall document the reporting of a violation in writing. Such violations may be obtained via a site inspection or a public complaint followed by a site inspection. At a minimum the complaint file shall contain the name and address of the owner, date, time and nature of the violation as well as other information as deemed necessary to document site conditions, including photos and personal conversation records. In the case of a public complaint the file shall also, if voluntarily provided, contain the name address and phone number of the individual filing the complaint. In addition the complaint file shall contain records documenting subsequent site inspections, compliance actions and a memo outlining the determination of the City and any enforcement action taken and/or any applicable noncompliance fees levied.

### 2. Emergency Suspension

- a. The City may for cause order the suspension of all construction on site when the City determines that an actual or threatened discharge presents or may present an imminent or substantial danger to the health or welfare of persons downstream, or substantial danger to the environment. If a suspension occurs, all work in the area shall cease immediately. If any person is notified of such suspension and then fails to comply voluntarily with the suspension order, the City shall commence whatever steps are necessary to obtain compliance. The City may reinstate the construction activities on site upon proof of compliance with all plan or applicable permit conditions.
- b. The City may also order the immediate suspension of all work if a person or entity is conducting an activity for which another governing entity's permit is needed without first obtaining the appropriate permit or City approval. The suspension shall remain in effect until the required permit(s) and/or City approval are obtained. Whenever the City orders the suspension of work on a site, pursuant to the emergency provisions of this section, the City shall serve notice on the contractor, land owner, Developer or the Developer's designated representative personally, via email, or by registered or certified mail. Any

person or entity served notice has the right to an informal hearing before the City upon request made in writing and filed with the City.

3. Non-Emergency Suspension

- a. The City may order the suspension of all construction on site for a non-emergency cause, including but not limited to:
  - i. Violation of any terms or conditions of the applicable plan or permit;
  - ii. False statements on any required reports and applications;
  - iii. Obtaining a plan or state permit by misrepresentation or failure to disclose fully all relevant facts; or
  - iv. Any other violation of this Ordinance or related Ordinance.

4. Hearing

- a. If a person requests a hearing to contest the order of the City, a notice of hearing must be served on the person appealing the order, specifying the time and place of a hearing to be held regarding the order of the City, and directing the person appealing to show cause why the order of the City should not be upheld. Unless the City has suspended the project and/or permit or ordered work to stop pursuant, any order stopping all work shall be stayed until after the hearing. The notice must be served personally or by registered or certified mail at least five (5) days before the hearing. The evidence submitted at the hearing shall be considered by the City who shall then uphold, modify or rescind the order of the City. An appeal of the decision may be taken to the District Court according to law. Provided, that if the City upholds the order stopping work, such work suspension shall not be stayed as a result of the appeal to the District Court.

5. Legal Action

- a. The discharge of deposited or eroded materials onto public rights-of-way or public storm sewer systems within the City of Dilworth shall be considered an offense and may result in an order to remove such materials. Removal of such materials shall be at the Landowners or Developers expense based on the properties from which they originated. The Landowner and/or Developer shall have three (3) days after receiving the notice to remove these materials. If such materials are not removed, others may remove them under the City's direction and any associated costs shall be the responsibility of the Landowner and/or Developer and, if unpaid within 90 days, may be recommended for assessment action by the City Council against property of the violator.

If any person commences any Land Disturbing Activities which result in increased Storm Water quantity or Storm Water quality degradation into the City's Storm Water Management System contrary to the provisions of this Ordinance, federal or state requirements or any order of the City, the City Attorney may commence action for appropriate legal and/or equitable relief including administrative or criminal penalties.

### C. Enforcement, Penalties and Noncompliance Fees

1. Enforcement, Penalty and Noncompliance Fees. Any person who is found to have violated an order of the City made in accordance with this Ordinance, or who has failed to comply with any provision of this Ordinance and the orders, rules, approvals, regulations and permits issued hereunder, is guilty of an offense. Each day on which a violation occurs or continues to exist shall be deemed a separate and distinct offense. All land use and building permits may be suspended until the Permittee has corrected the violation. A schedule for noncompliance and re-inspection fees, which may be imposed for violation of this Ordinance, shall be approved by the City Council.
2. Any person violating any of the provisions of this Ordinance or who initiates an activity which causes a deposit, obstruction, or damage or other impairment to the City's stormwater system is liable to the City for any expense, loss, or damage caused by the violation or the discharge. The City may bill the person violating this Ordinance the costs for any cleaning, repair or replacement work caused by the violation of storm water discharge, and if unpaid within ninety (90) days may result in assessment of such costs against the violator's property.
3. In addition to the civil penalties provided herein, the City may recover reasonable attorney's fees, court costs, court reporter's fees, and other expenses of litigation by appropriate action against the person found to have violated this Ordinance or the orders, rules, approvals, regulations and permits issued hereunder.
4. Falsifying Information. Any person who knowingly makes any false statements, representations, or certification in any applicable record, report, plan, permit or other document filed or required to be maintained pursuant to this Ordinance, or who knowingly falsifies, tampers with, or knowingly renders inaccurate any monitoring devices or method required under this Ordinance, shall be guilty of an offense.
5. Penalties. Any person violating any provision of this Ordinance, in addition to other sanctions set forth above, may be charged with a criminal misdemeanor, and if convicted may be penalized in accordance with the provisions of the law.
6. Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

## **Section 2 – Post Construction Stormwater Treatment Requirements**

### A. Post Construction Stormwater Treatment Requirements

Permittees must develop a post construction stormwater management system that is at least as stringent as the current post construction stormwater management permit conditions (Minimum Control Measure 5) as required by the General Stormwater Small

Municipal Separate Storm Sewer Systems (MS4) Permit issued to the City of Dilworth by the Minnesota Pollution Control Agency (MPCA).

The Permittee shall take into consideration with their design sections of the City of Dilworth's current MS4 permit as follows:

1. Post Construction Stormwater Management

- a. Prior to start of any construction activity, permittee shall develop and implement a Post-Construction Stormwater Management program that utilizes any combination of BMPs necessary to meet the following conditions on the site of a construction activity to the Maximum Extent Practicable (MEP):
  - i. For new development projects – no net increase from pre-project conditions (on an annual average basis) of:
    - Stormwater discharge Volume, unless precluded by the stormwater management limitations outlined in Section b listed below
    - Stormwater discharges of Total Suspended Solids (TSS)
    - Stormwater discharges of Total Phosphorus (TP)
  - ii. For redevelopment projects – a net reduction from pre-project conditions (on an annual average basis) of:
    - Stormwater discharge Volume, unless precluded by the stormwater management limitations outlined in Section b listed below
    - Stormwater discharges of TSS
    - Stormwater discharges of TP
- b. The use of infiltration as a stormwater treatment method is prohibited in the following areas:
  - i. Where industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the Agency
  - ii. Where vehicle fueling and maintenance occur
  - iii. With less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils
  - iv. Where high levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater
- c. The use of infiltration as stormwater treatment method will be restricted without a detailed engineering review, to achieve no post construction net increase in volume, TSS or TP when the infiltration device will receive discharges from, or be constructed in:
  - i. Areas of predominately Hydrologic Soil Group D (clay) soils
  - ii. Areas within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13



The restrictions above do not preclude proposers of construction activity from infiltrating stormwater. Rather, the restrictions simply require that a higher level of design and review is needed.

The permittee may have a lesser volume reduction requirement than required Section 2.1.a (i) and (ii) above if the project meets one of the prohibitions or restrictions listed above and if the owner or operator of the construction activity implements to the Maximum Extent Practicable (MEP) other volume reduction techniques such as evapotranspiration, reuse/harvesting, conservation design, green roofs, etc. on site. If other volume reduction techniques are not used, documentation must be provided on why that decision was made.

- d. For linear projects where the lack of right-of-way precludes the installation of volume control practices that meet the conditions for post-construction stormwater management listed above, the permittee may be allowed an exception. This exception will only be allowed if it is proven that a reasonable attempt was made to obtain right-of-way during the project planning process.
- e. Exceptions for stormwater discharge volume
  - i. The permittee may be allowed lesser volume control on the site of the original construction only under the following circumstances:
    - The owner and/or operator of a construction activity is precluded from infiltrating stormwater through a designed system due to any of the infiltration related limitations described above, and
    - The owner and/or operator of the construction activity implements, to the MEP, volume reduction techniques, other than infiltration, (e.g., evapotranspiration, reuse/harvesting, conservation design, green roofs, etc.) on the site of the original construction activity that reduces stormwater discharge volume, but may not meet the conditions for post-construction stormwater management in Section 2.A.1.a (i) and (ii) above.
- f. Mitigation
  - i. Where TSS and TP has not been addressed on the site of the original construction activity, Permittee may mitigate project areas in the following order of preference:
    - Locations that yield benefits to the same receiving water that receives runoff from the original construction activity.
    - Locations within the same Minnesota Department of Natural Resource (DNR) catchment area as the original construction activity.
    - Locations in the next adjacent DNR catchment area up-stream
    - Locations anywhere within the City of Dilworth's jurisdiction.

- ii. Mitigation projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP. This can include permanent stormwater ponding.
  - iii. Routine maintenance of structural stormwater BMPs already required by this permit cannot be used to meet mitigation requirements of this part.
  - iv. Mitigation projects shall be completed within 24 months after the start of the original construction activity.
  - v. The City of Dilworth shall determine, and document, who will be responsible for long-term maintenance on all mitigation projects of this part.
  - vi. If the City of Dilworth receives payment from the owner and/or operator of a construction activity for mitigation purposes in lieu of the owner or operator of that construction activity meeting the conditions for post-construction stormwater management called out in this ordinance, the City of Dilworth shall apply any such payment received to a public stormwater project, and all projects must be in compliance with this section f of this ordinance.
- g. Wet Sedimentation Basins as a Method of Mitigation
- It is recognized that the vast majority of the City of Dilworth has Class D soils unsuitable for infiltration. If Permittee provides supporting documents that this is the case for the construction site and chooses to proceed with the installation of a wet sedimentation basin as a means of mitigation, the following requirements shall be met.
- i. For new development projects in currently undeveloped areas
    - Wet sedimentation basins shall be constructed as required by the current MPCA CGP Permit with the additional requirement that live storage in wet sedimentation basins shall be of sufficient size to retain the 100 year rain event for the watershed area and shall release stormwater runoff at a rate required by the current MPCA CGP Permit.
  - ii. For currently developed areas or re-development areas
    - Wet sedimentation basins shall be constructed as required by the current MPCA CGP Permit.
  - iii. Permittee shall submit to the City design calculations showing that the above criteria has been met for the construction site.
- h. Long-term maintenance of structural stormwater BMPs
- i. Where BMP's are to remain in place post construction as part of the post-construction stormwater management, Permittee shall comply with the following:
    - All BMPs shall be designed to minimize the need for maintenance, to provide easy vehicle (typically eight (8) feet or wider) and personnel access for maintenance purposes, and to be structurally sound. All BMPs shall have a plan of operation and maintenance

that assures continued effective removal of pollutants carried in storm water runoff. The City or City Engineer may inspect all public and private BMPs at any time. Inspection records will be kept on file at the City's Office. It shall be the responsibility of the Permittee to obtain any necessary easements or other property interests to allow access to the BMPs for inspection and maintenance purposes. The City of Dilworth shall retain enforcement powers for assuring adequate operation and maintenance activities through approval conditions, penalties, noncompliance orders and fees.

- In the event that a structural stormwater BMP becomes less effective, new or improved structural stormwater BMPs must be implemented to ensure the conditions for post-construction stormwater management in Section 2.1.a (i) and (ii) of this ordinance.

i. Site Plan Review

- i. Prior to any construction activities taking place, Permittee shall provide to the City of Dilworth two sets of legible copies of the site plan prepared to a scale appropriate to the site of the project and suitable for performing the review. The site plan shall include post-construction stormwater management BMPs.

Site plan approval issued under this Ordinance runs with the land and is a condition of plat or development approval. Any Landowner or subsequent Landowner of any parcel within the plat or development area must comply with the plan or any approval, condition, revision or modification of the Plan. Failure to comply with this Plan shall constitute a violation and subject the Permittee, Developer, and/or Landowner to enforcement provisions, penalties and any applicable noncompliance fees.

2. It is unlawful to initiate any land development activity, Land Disturbing Activity, or other activities which may result in an increase in storm water quantities, degradation of storm water quality, or restriction of flow in any storm sewer system, open ditch or natural channel, storm water easement, water body, or wetland outlet within the jurisdiction of the City, without having first complied with the terms of this Ordinance.
3. A processing and approval fee may be adopted by the City Council. This fee shall accompany all applications for site plan review and approval.
4. Approval of any plan submitted under the provisions of this Ordinance shall expire one year after the date of approval unless construction has commenced in accordance with the plan. However, if prior to the expiration of approval, the Applicant makes a written request to the City for an extension of time to commence construction setting

forth the reasons for the requested extension, the City may grant one (1) extension of not greater than one year. The City shall make a decision on the extension within thirty (30) days of receipt. Any plan may be revised following the same procedure for an original approval. The City may waive all or part of any applicable application fees if the revision is minor. Any denied or expired application may be resubmitted with additional information addressing the concerns contained within the denial or the reason why the original plan was allowed to expire. The resubmitted application shall be subject to all applicable fees and review time lines as if it were a new application.

5. It shall be the Applicant's responsibility to obtain any required permits from other governmental agencies having any jurisdictional authority over the work to be performed. Typically, such agencies include, but are not limited to the Buffalo-Red River Watershed District, Clay County, the Minnesota Department of Natural Resources, the Minnesota Department of Transportation, the Minnesota Pollution Control Agency, the State Historical Preservation Office, the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, Federal Emergency Management Agency, the Minnesota Department of Health and others. The City may choose to obtain some of the required permits. The Applicant will be notified which permits are to be obtained by the City.
6. Other than those outlined in the SWPPP or as required in section 2-01, any hydrologic models and/or design methodologies used to determine runoff conditions and to analyze storm water management structures and facilities, shall be approved in advance by the City or City Engineer. All Storm Water Management Plans, drawings, specifications, and computations for storm water management facilities submitted for review shall contain a validated seal and shall be signed by a Professional Engineer registered in the State of Minnesota. The requirement of having a Professional Engineer sign the documents may be waived by the City.
7. The City for just cause upon 30-day notice may modify any City Approval that was made regarding any Storm Water Management Plan proposed by the Permittee. Just cause shall include but not be limited to:
  - a. Promulgation of new federal, state or local regulatory requirements;
  - b. Changes in the requirements of this Ordinance;
  - c. Changes in the process used by the Permittee or changes in discharge rate, volume, or character; and
  - d. Changes in the design or capability of receiving storm water systems.
8. Upon completion of all required construction activities, the Permittee shall submit to the City record drawings to document any changes or material modifications to the original plan concept. The record drawings shall show the final configuration for all improvements as constructed. A Professional Engineer registered in the State of Minnesota shall certify the record drawings. If no significant or material changes occurred between the approved plan and final construction, the record drawings need not be submitted to the City. The Permittee, however, is responsible to retain copies

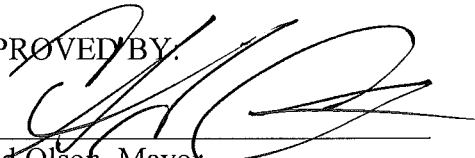
of said drawings and provide them to the City upon request. Failure to provide these drawings upon written request constitutes a violation of this Ordinance.

This Ordinance shall act as a repeal to Ordinance 5-03.

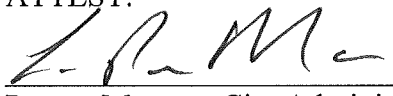
This Ordinance shall take effect upon publication in the City's official newspaper.

PASSED by the City Council of the City of Dilworth this 9<sup>th</sup> day of February, 2015.

APPROVED BY:

  
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Chad Olson, Mayor

ATTEST:

  
\_\_\_\_\_  
Peyton Mastera, City Administrator