

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 02-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON AMENDING BMC 17.08 TO ADOPT NEW UPDATED VERSION #5 OF THE CITY'S DESIGN GUIDELINES AND PUBLIC WORKS STANDARDS TO INCORPORATE LOW IMPACT DEVELOPMENT (LID) REQUIREMENTS PURSUANT TO THE CITY'S PHASE II STORMWATER NPDES PERMIT ISSUED BY WASHINGTON STATE DEPARTMENT OF ECOLOGY .

WHEREAS, the Federal Environmental Protection Agency's Phase II regulations went into effect in early 2003 and apply to all regulated small municipal separate storm sewer systems; and

WHEREAS, on January 17, 2007 Washington State Department of Ecology (DOE) issued two Phase II Municipal Stormwater Permits, one for western Washington and one for eastern Washington. The Phase II Permit for western Washington covers at least 80 cities and five counties; and

WHEREAS, DOE determined that the City of Buckley was to be included under this Stormwater Phase II NPDES Permit coverage; and

WHEREAS, DOE first issued the Western Washington Phase II Permit in 2007 and modified it in 2009. DOE reissued it unmodified on August 1, 2012 to be effective through July 31, 2013. At the same time, Ecology also reissued an updated 2013 to 2018 permit on August 1; and

WHEREAS, the newly reissued Phase II Permit requires that each municipality meet the requirements of their NPDES Permit. Each municipality's permit for discharging stormwater is designed to reduce the discharge of pollutants, protect water quality, and meet the requirements of the Clean Water Act; and

WHEREAS, the newly reissued Phase II Permits require stormwater managers to develop a new "revised" *Stormwater Management Plan (SWMP)* that is a "forward only" looking document that describes what the City will do (not what was done in the past) during the next permit phase; and

WHEREAS, the Phase II Municipal Permits require that permittees develop—and annually update—a Stormwater Management Program (SWMP) document to submit

with the annual report; and

WHEREAS, in compliance with the DOE Phase II NPDES Stormwater Permit requirement the City Council adopted Ordinance No. 09-16, March 22, 2016, establishing the newly revised 2016 Stormwater Management Program; and

WHEREAS, Task CTRL 9 – 13 of the Stormwater Management Program requires that the City review, identify, adopt and implement codes, rules, standards, and revisions to our existing standards which incorporate LID principles and LID BMPs; and

WHEREAS, per City Council direction, City staff and City engineers have reviewed all of the City’s development codes, standards and regulations and identified changes that incorporate LID principles and LID BMPs to comply with the Phase II NPDES; and

WHEREAS, code language needing revision was identified in BMC Titles 12, 13, 14 and 19 of the Buckley Municipal Code and the City’s Design Guidelines and Public Works Standards; and

WHEREAS, due to ongoing review and incorporating additional changes to the various titles, each section will be presented for amendment separately; and

WHEREAS, during this review staff identified the need to develop and propose additional changes to the City’s Design Guidelines and Public Works Standards to update construction standards and specifications to reflect current practices; and

WHEREAS, the City’s Utilities and Transportation Committee reviewed all of the changes to the City’s Design Guidelines and Public Works Standards and recommended that the City adopt these changes; and

WHEREAS, the City Council desires to amend BMC 17.08.010 to incorporate the LID principles and LID BMPs to comply with the Phase II NPDES requirements;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Chapter 17.08.010 of the Buckley Municipal Code entitled “General requirements and covenants” is hereby amended to read as follows;

17.08.010 General requirements and covenants.

The general design and construction requirements for the city shall be those contained in the city “Development Guidelines and Public Works Standards, Rev. 5” prepared by the city and Gray and Osborne, Inc., dated December 19, 2016, attached to the ordinance codified in this section and incorporated therein as Exhibit A.

Section 2. Severability. If any portion of this ordinance is found or rendered invalid or ineffective, all remaining provisions shall remain in full force and effect.

Section 3. This Ordinance shall be in full force and effect five days from and after its passage, approval and publication as provided by law.

Introduced, passed, and approved this 24th day of January, 2017.



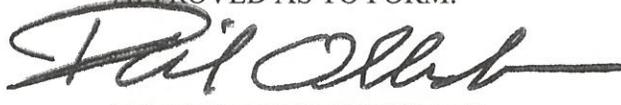
Mayor Pat Johnson

ATTEST:



Joanne Starr, City Clerk

APPROVED AS TO FORM:



Phil Olbrechts, City Attorney

PUBLISHED: February 1, 2017

EFFECTIVE: February 6, 2017