

New City Stormwater Ordinance Changes Building Permit Requirements

An Ordinance to Prevent Storm Water Pollution

The Worthington City Council adopted a new ordinance in August 2007 to prevent storm water pollution. The purpose of the ordinance is “to control, reduce, and to the extent possible, eliminate storm water pollution along with soil erosion and sedimentation within the City.”

The ordinance prohibits the disposal of trash, organic matter, and soil in a way that may pollute water entering the City’s storm sewer system. It prohibits the intentional discharge of anything but storm water to the storm sewer system and sets up good housekeeping provisions to keep people from dumping or storing pollutants in areas susceptible to runoff.

The ordinance also requires landowners and contractors to follow watershed district rules on many small construction sites or state storm water permit requirements on sites where activity occurs which disturbs one or more acres of land. The ordinance further sets up procedures for inspections of construction sites and ways to ensure compliance with permit requirements.

State storm water permits and watershed district rules have been in effect for several years and many developers and contractors are accustomed to following them. The ordinance does not make a big change in how construction sites are managed. The ordinance does, however, require property owners, or their agents, to submit either a storm water pollution prevention plan or a small construction site erosion control plan before building permits are issued.

Worthington’s ordinance can be viewed on the Web at: www.ci.worthington.mn.us/ftp/stormord.pdf.



What’s a Land Disturbing Activity?

The storm water protection ordinance requires erosion control on sites where land disturbing activities occur. A land disturbing activity is defined as “any land change that may result in soil erosion from water or wind and the movement of sediments into or upon waters or lands within the City’s jurisdiction, including construction, clearing and grubbing, grading, excavating, transporting and filling land.” The definition excludes home gardens and small landscaping projects or repairs, activities involving movement of less than 200 cubic yards of soil and disturbing less than 10,000 square feet, activities to produce crops and emergency work to protect property and public safety.

New Building and Development Permit Requirements

Worthington's new storm water ordinance requires landowners, contractors or developers to submit a storm water pollution prevention plan or small construction site erosion control plan when applying for a development permit or a building permit for land disturbing activities. The ordinance also requires the owner of the site, or the owner's representative, to submit a copy of the appropriate watershed district permit application to the City before conducting a land disturbing activity. The City permit application will be considered incomplete without a copy of the watershed district permit application and one of these plans. The type of plan needed depends on the size of the project.

Small Site Erosion Control Plans

A small site erosion control plan is required for land disturbing activities where 200 cubic yards or more of soil is moved or 10,000 square feet or more is disturbed. Small site erosion control plans must, at a minimum, meet the requirements of the rules of the Heron Lake or Okabena-Ocheda Watershed District. The City Engineer may review these plans.

The Heron Lake and Okabena-Ocheda watershed district's storm water rules can be found on the Web at: www.okabenaokedawd.org/append.pdf.

Storm Water Pollution Prevention Plans

Coverage under a National Pollutant Discharge Elimination System (NPDES) permit is required by the Minnesota Pollution Control Agency (MPCA) before conducting land disturbing activities of one or more acres. To comply with NPDES rules, the owner, or a representative of the owner, must create a storm water pollution prevention plan (SWPPP). The SWPPP must at least meet the requirements and provisions of the NPDES storm water permit for construction activities rules. These rules can be found on the MPCA website at: <http://www.pca.state.mn.us/water/stormwater/stormwater-c.html>

Worthington's ordinance requires that a storm water pollution prevention plan (SWPPP) be submitted when applying for a development or building permit. The SWPPP will be reviewed by the City Engineer.

Attention Landowners, Contractors and Developers!

Worthington's storm water ordinance requires property owners, or their agents, to submit either a storm water pollution prevention plan or a small construction site erosion control plan for land disturbing activities before building permits are issued. A copy of a Heron Lake or Okabena-Ocheda watershed district permit application is also required.

A city building or development permit application will be considered incomplete without this information.

Where to Find More Information

Minnesota Pollution Control Agency

Construction Stormwater Permit - Technical Summary of Minnesota's NPDES Permit factsheet:

www.pca.state.mn.us/publications/wq-strm2-05.pdf

Minnesota's Construction Stormwater Permit – A General Summary factsheet:

www.pca.state.mn.us/publications/wq-strm2-03.pdf

Heron Lake Watershed District

Permit application form:

http://www.hlwdonline.org/Application_for_Permit.pdf

Okabena-Ocheda Watershed District

Permit application form:

www.okabenaokedawd.org/apform.pdf