

Item # 10B

**City of Carson City  
Agenda Report**

**Date Submitted:** 09/26/ 2006

**Agenda Date Requested:** 10/05/2006

**Time Requested:** 5 minutes

**To:** Mayor and Board of Supervisors

**From:** Public Works Department, Development Engineering

**Subject Title:** Action to introduce, on second reading, Bill No.123, an ordinance amending the Carson City Municipal Code Title 12, Water, Sewerage, and Drainage by adding a new section titled Chapter 12.18 Erosion & Sediment Control. This new section contains Chapters 12.18.010 Definitions; 12.18.020 Applicability; 12.18.030 Exceptions to Applicability; 12.18.040 Permits and Fees; 12.18.050 Failure to Complete the Work; 12.18.060 Denial of Permit; 12.18.070 Responsibility of Permittee; 12.18.080 General Requirements; 12.18.090 Inspection of Sites Under Permits; 12.18.100 Maintenance Requirements; 12.18.110 Notification of Needed Maintenance ; 12.18.120 Acts Resulting in Violation of Federal Clean Water Act; 12.18.130 Enforcement and 12.18.130 Request for Hearing.

**Staff Summary:** This new section to the Carson City Municipal Code fulfills the State and Federal requirements under the City's Storm Water (NPDES) Phase II Permit. This Code amendment will address the application and enforcement of erosion and sediment control during construction and for continued maintenance on all property. The new chapter adds definitions of terms; states that any person who undertakes any earth disturbance is subject to this ordinance; lists the conditions where there may be exceptions; states there are no new fees or permits to apply this ordinance; states the action the City will take when the condition of a city permit is not fulfilled; states the conditions when a city permit will not be issued; states the responsibility not to cause damage or put other property in danger; lists the requirements of engaging in earth disturbance for temporary and permanent erosion control facilities; states the action the city engineer will take to enforce the ordinance; states the responsibility to maintain permanent sediment and erosion control facilities after construction; states the procedure of notification; states that violators are subject to civil and criminal penalties; gives the city engineer the ability to enforce this ordinance; gives the process to request a hearing and other matters properly related thereto. This new section has been reviewed and presented to the public, engineers and contractor's over the past year. In July 2005, notices were published requesting comments on the new division. Documents were available at City Hall, the library and the permit center as well as through the city's web site by emailed link. Workshops were held in November 2005 and again in May of 2006 to review the requirements and take input. In July 2006, a brochure addressing maintenance of private storm drain system was mailed to all property owners within the city.

**Type of Action Requested:**

- Resolution
- Ordinance, first reading
- Formal Action/Motion
- Other (Specify)

**Does This Action Require A Business Impact Statement:**  Yes  No

**Recommended Board Action:** I move to introduce, on second reading, Bill No.123, an ordinance amending the Carson City Municipal Code Title 12, Water, Sewerage, and Drainage by adding a new section titled Chapter 12.18 Erosion & Sediment Control. This new section contains Chapters 12.18.010 Definitions; 12.18.020 Applicability; 12.18.030 Exceptions to Applicability;