

ORDINANCE NO. 0-546-13

To Create Chapter 12, Floods,  
Article III Stormwater Run-off Management Ordinance  
of the City Code of Ordinances of the City of Jacksonville, Alabama

BE IT ORDAINED by the City Council of the City of Jacksonville, Alabama,  
as follows:

**SECTION 1.**

Chapter 12, Floods; Article III, Stormwater Run-off Management Ordinance is hereby  
created to read as follows:

"An ordinance to provide regulations designed to lessen or avoid hazards to persons or property  
caused by increased stormwater run-off.

Section (A)

These regulations shall hereafter be known, cited and referred to as the "Stormwater  
Run-off Management Regulations" of the City of Jacksonville, Alabama.

Section (B) Applicability

Any person, firm, corporation or business proposing to construct buildings or develop  
land within the City of Jacksonville shall apply to the Planning Commission for approval of a  
"Stormwater Management Plan". Prior to approval by the Planning Commission for sites one  
(1) acre and above (or such requirements as adopted by Alabama Department of Environmental  
Management Agency hereby known as ADEM) the developer shall furnish proof of obtaining an  
ADEM stormwater discharge permit and shall be responsible for maintaining said stormwater  
Best Management Practices until the completion of the project. All other sites shall have a  
"Stormwater Management Plan" approved only by the Planning Commission. No land shall be  
developed except upon approval of such plan.

The following shall be excluded from this section:

- 1) Minor land-disturbing activities such as home gardens, home landscaping, repairs, or  
related activities.
- 2) Construction of single family residences when they are constructed by or under contract  
with the owner for his own occupancy.
- 3) Agricultural practices or construction of farm buildings, when conducted in compliance  
with all applicable Best Management Practices.
- 4) Private and commercial forestry activities, when conducted in compliance with all  
applicable Best Management Practices.
- 5) Construction or maintenance projects, or both, undertaken or financed in whole or in  
part, or both by:

- a) The Alabama Department of Transportation
- b) Any county or municipality of the state
- c) Soil Conservation Service
- d) United States Department of Agriculture
- e) Public utility under the regulatory jurisdiction of the Public Service Commission

#### Section (C) Design Criteria

The stormwater run-off calculations shall be based on a 25 year storm frequency; however, if property or drainage structure is located in a 100 year flood plain then the calculations shall be based on a 100 year storm frequency.

The post-construction run-off shall be less than or equal to pre-construction run-off based on the required design storm frequency.

The content of the "Stormwater Management Plan" shall consist of measures that will safely convey run-off to a stable outlet using storm drain piping, diversions, ditches or swales, retention structures or similar conservation measures. These measures shall minimize flooding and damage to downstream facilities resulting from increased post-construction run-off from the site. The plan shall also provide provisions to minimize erosion from the construction activities by the use of silt fencing, hay bales, check dams, sediment ponds, etc. These measures for conveyance of run-off and erosion control shall be operational prior to the start of construction.

#### Section (D) Method of Determining Run-off

Developments where the area contributing run-off is twenty-five (25) acres or less shall be designed using the Rational Method of Calculating run-off. Developments where the area contributing run-off is greater than twenty-five (25) acres but less than or equal to two hundred (200) acres shall be designed using either the Rational Method of Calculating run-off or other methods as approved by the Planning Commission. For developments where the area contributing run-off is two hundred (200) acres or more, the applicant shall use state regression equations or submit a method of evaluation for the calculation of run-off to the Planning Commission for review and approval. All such development proposals shall be prepared by a licensed professional engineer.

#### Section (E) Review of Plan

The Planning Commission may request assistance from other qualified experts in evaluating the applicant's proposed measures to comply with these requirements."

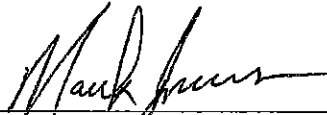
#### **SECTION 2.**

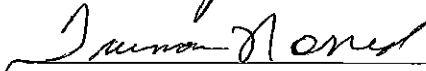
If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable,

**SECTION 3.**

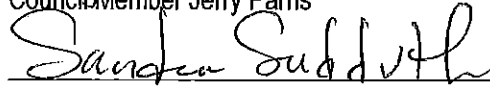
This ordinance shall become effective upon its adoption and publication as required by law.

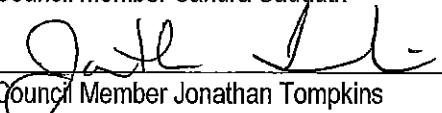
**PASSED AND ADOPTED** this the 11th day of February, 2013.


  
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Council President Mark Jones

  
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Council Member Truman Norred

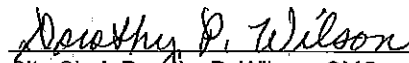
  
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Council Member Jerry Parris

  
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Council Member Sandra Sudduth

  
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Council Member Jonathan Tompkins

  
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Approved by Mayor Johnny L. Smith

ATTEST:

  
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City Clerk Dorothy P. Wilson, CMC