

Village Of Glen Ellyn

Ordinance No. 6145 - VC

**An Ordinance Amending Chapter 7 of Title 4
(Stormwater and Flood Plain Regulations)
of the Village Code of the Village of Glen Ellyn, Illinois,
To Adopt the DuPage County Countywide
Stormwater and Flood Plain Ordinance as Amended April 23, 2013**

**Adopted by the
President and the Board of Trustees
of the Village of Glen Ellyn
DuPage County, Illinois
This 24th Day of June, 2013.**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois, this 25th
day of June, 2013.

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**An Ordinance Amending Chapter 7 of Title 4
(Stormwater and Flood Plain Regulations)
of the Village Code of the Village of Glen Ellyn, Illinois,
To Adopt the DuPage County Countywide
Stormwater and Flood Plain Ordinance as Amended April 23, 2013**

Whereas, pursuant to State Statute, the DuPage County Board on the 24th day of September 1991, passed Ordinance No. SMO.0001.91, the Countywide Stormwater and Flood Plain Ordinance (hereinafter "County Ordinance" and subsequently adopted revisions to said County Ordinance on June 14, 1994, April 23, 1996, November 12, 1997, June 22, 1999, June 13, 2000, March 25, 2003, January 27, 2004, June 8, 2004, March 8, 2005, February 28, 2006, April 8, 2008, April 25, 2012, April 23, 2013; and

Whereas, the DuPage County Stormwater Committee at its regular meeting on March 24, 1992, granted the Village Of Glen Ellyn complete waiver status to administer and enforce the County Ordinance; and

Whereas, as a complete waiver community, the Village Of Glen Ellyn is required to adopt revisions to the County Ordinance so that standards within the County Ordinance remain the minimum standards effective within the Village's territorial jurisdiction; however, the Village may also impose higher standards and may, thus, modify certain standards within the County Ordinance to address issues specific to the Village of Glen Ellyn; and

Whereas, the Corporate Authorities of the Village of Glen Ellyn passed Ordinances Nos. 3877, 3900, 4189, 4460, 4567, 4738, 5408, 5689 and 6053 adopting various provisions of the County Ordinance with amendments;

Now, Therefore be it Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

Section One: The DuPage County Countywide Stormwater and Flood Plain Ordinance as last amended by the DuPage County Board on April 23, 2013, is hereby adopted with certain amendments set forth herein below.

Section Two: Chapter 7 of Title 4 (Stormwater and Flood Plain Regulations) of the Village Code of the Village Of Glen Ellyn is hereby deleted in its entirety and replaced with the following:

4.7.1: SHORT TITLE: This Chapter shall be known and cited as the STORMWATER AND FLOOD PLAIN REGULATIONS OF THE VILLAGE OF GLEN ELLYN.

4.7.2: ADOPTION OF THE DUPAGE COUNTYWIDE STORMWATER AND FLOOD PLAIN ORDINANCE, as last amended by the DuPage County Board on April 23, 2013:

- A. In order to assure that the provisions of existing ordinances of the municipality and those which may be adopted in the future are consistent with and at least as stringent as the DuPage County Stormwater Management Plan and the DuPage Countywide Stormwater and Flood Plain Ordinance (hereafter referred to as Countywide Stormwater Ordinance), the Corporate Authorities do hereby adopt the Countywide Stormwater Ordinance, which is attached hereto and made a part of this Ordinance as Appendix A. These provisions are not adopted by reference, but, rather, are adopted as a specific and integral part of this Ordinance, and are attached hereto. The provisions adopted by this section shall be in full force and effect and shall supersede any other ordinances of the municipality with which they are inconsistent or which are less stringent than the terms of this Ordinance.
- B. The provisions of the DuPage Countywide Stormwater and Flood Plain Ordinance, as last amended by the DuPage County Board on April 23, 2013, 2013, are hereby modified and amended as follows:

1. Amend Section 15-20 by adding the following:

15-20.C Development Plans on Site. Approved plans for grading work shall be maintained at the site throughout the grading work.

15-20.D Final Construction Inspection. When all grading has been completed, and when the installation of all drainage and other required structures have been completed but at least five (5) working day's prior to filing an application for occupancy permit, the permittee shall notify the Planning and Development Department, giving five (5) day's notice, in order to obtain a final inspection thereof.

15-20.E Certification of Compliance. At the time of the request for inspection the permittee shall file a Final Grading (Occupancy) Plan meeting the requirements set forth in the Village of Glen Ellyn Final Grading (Occupancy) Plan Guidelines. This plan shall contain a statement from the developer's professional engineer, who must be registered in the State of Illinois, certifying that the final grading has been completed and complies with the approved site development/engineering plans. In addition for parcels within 250 feet of a regulatory flood plain or a stormwater runoff storage facility a Federal Emergency Management Agency Elevation Certificate shall be submitted with the certificate of compliance.

15-20.F All silt fencing shall be in place before the issuance of a building permit.

2. Amend Section 15-30.A.2 and A.3 to read as follows:

15-30.A.2 The development does not add 1,500 square feet or more of net new impervious area compared to the pre-development conditions, and

15-30.A.3 Does not include 1,500 square feet or more of land disturbing activities.

3. Add Section 15-30.C as follows:

15-30.C Each application for a site development certification shall be made by the owner of property or his authorized agent to the Building Official on a form provided for that purpose. Said application shall be accompanied by a review and inspection fee and such other supporting documentation with any attendant fees that may be required herein.

4. Amend Section 15-40.D to read as follows:

- a. Amend Section 15-40.D.1 to read as follows

15-40.D.1 Development Security in accordance with Section 15-54.B is required for all developments which disturb more than 1,500 square feet of area, or which include construction of a Stormwater Facility (Article IX), or more than 200 feet of Storm Sewer, or a Post Construction Best Management Practice (Article VIII) designed to serve more than 1,500 square feet of net new impervious area.

- b. Amend Section 15-40.D.2 to read as follows:

15-40.D.2. Erosion and Sediment Control Security in accordance with Section 15-54.C is required for any development disturbing more than 1,500 square feet, or which disturbs the bed and banks of a channel draining more than 100-acres, or when an Erosion and Sediment Control Plan is required because of impact to Wetlands or Buffers or flood plain.

5. Add Section 15-47.E as follows:

15-47.E Plans, specifications and reports for all site developments shall be retained either by file in original form or on microfilm by the Department of Planning and Development, Building Division.

6. Add new Section 15-66 to read as follows:

The required VCBMP volume for all projects with a net impervious increase of more than 300 square feet but less than 2,500 square feet shall be calculated as the product of the net new impervious area draining toward the adjoining properties and the rainfall depth generated from a 1.25" rainfall event. No abstractions are taken on the rainfall depth.

7. Add new Section 15-67 to read as follows:

Those developments which are located in or directly tributary to a local depressional area as defined on the Village's Depressional Area Map, which have a net new impervious area of greater than 300 square feet, shall provide compensatory storage volume for the increased volume of runoff generated from the site that is tributary to the depressional area. The required compensatory volume shall be based on a 100 year 24 hour storm event.

8. Amend Section 15- 72.E by adding the following:

1. Inlet and outlet structures for storage facilities should be designed to promote sedimentation and avoid short-circuiting.
2. Wet bottom storage facilities shall:
 - a. Be at least three (3') feet deep, excluding near shore banks and safety ledge. If fish habitat is to be provided they shall be at least ten feet deep over 25 percent of the bottom area to prevent winter freeze out.
 - b. Have side slopes at and above the normal pool elevation not steeper than 5 to 1 (horizontal to vertical) or 4 to 1 for side slopes which are planted with deep rooted vegetation. Aquatic vegetation shall be established around the shoreline of a wet basin to provide protection from shoreline erosion.
 - c. Have a permanent pool volume at normal depth equal to the runoff volume from its watershed for the two-year, 24-hour 5 event for a twenty-four (24) hour duration storm with a fifty percent (50%)

probability of occurrence in any one year as specified by Illinois State Water Survey Bulletin 70 northeast sectional rainfall.

3. Dry bottom storage facilities shall:
 - a. Have a maximum depth of storm water storage not exceeding four (4) feet unless the existing natural ground contours and other conditions lend to a greater storage depth being approved by the Village.

9. Amend Section 15-80.H to read as follows:

The Flood Protection Elevation (FPE) is the BFE plus two feet of freeboard for residential structures and the BFE plus one foot for non-residential structures.

10. Amend Section 15-97.C to read as follows:

Development in the Village of Glen Ellyn, a waiver community, shall participate in the Village's detention variance fee program where: a variance to the site runoff storage requirements of Section 15-72 is granted. Payment into a site runoff storage variance fee program shall be made prior to the issuance of a Stormwater Management Certification as a condition of the variance.

- a. Payment of a site runoff storage variance fee for the varied storage shall be made to the Village and is determined by applying the first applicable criteria as follows:
 1. A fee calculated by multiplying the per acre-foot cost of the closest off-site storage facility times 1.5 times the varied storage where:
 - a. A design concept plan for the facility has been approved by the Village Board containing an estimate of the per acre-foot cost of constructing the storage and including operation and maintenance costs; and
 - b. A formula has been developed to determine that any investment in the facility shall be at least equal to the cost of planning, acquiring the lands, constructing, operating, and maintaining the facility; and

- c. The facility is located in the same watershed planning area as the variance.
- 2. A fee calculated by multiplying \$106,000 times 1.5 times the varied storage.
- b. Funds collected shall be accounted for in a separate stormwater account. Funds shall be used to enhance existing runoff storage facilities and related components, construct off-site facilities and related components, provide maintenance of stormwater facilities, or undertake other development that provides a watershed benefit.
- c. All accounting records shall be made available to the DuPage County Stormwater Committee upon request.

11. Amend Section 15-98.C to read as follows:

Developments in the Village of Glen Ellyn, a waiver community, required to provide Post Construction Best Management Practices (PCBMPs) in Section 15-63 may elect to participate in the Village's BMPs fee-in-lieu program where:

- a. PCBMPs fee-in-lieu payment shall be made to the Village and is determined by applying the criteria as follows:
 - 1. The adopted fee schedule, attached to this ordinance as Schedule B and by this reference incorporated into this ordinance, that identifies reasonable and rational cost to construct and maintain similar PCBMPs for those areas of the development that remain without effective water quality treatment.
- b. Funds collected shall be accounted for in watershed planning area accounts. Funds shall be used in the same watershed planning areas as collected solely to design, construct, and maintain water quality improvements. Funds may not be used to fulfill obligations required by the Ordinance.
- c. All accounting records shall be made available to the DuPage County Stormwater Committee upon request.
- d. All PCBMP fee-in-lieu payments are refunded to the person who paid the fee, or to that person's successor in interest, whenever the Village fails to encumber the fees

collected within ten (10) years of the date on which such fees are collected.

- e. Refunds will be made provided that the person who paid the fee, or that person's successor in interest, files a petition with the Village within one year from the date on which such fees are required to be encumbered.

Section Three: This Ordinance shall be in full force and effect immediately upon its passage, approval and publication in pamphlet form in the manner provided by law.

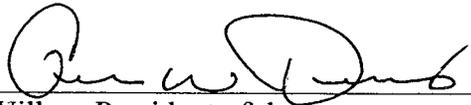
Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this 24th day of June, 2013, on first reading, second reading not being requested.

Ayes: Trustees Clark, Elliott and Freedberg; President Demos

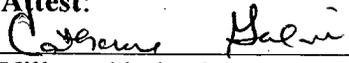
Nays: ϕ

Absent: Trustees Ladene, McKinley and O'Shea

Approved by the Village President of the Village of Glen Ellyn, Illinois, this 24th day of June, 2013.


Village President of the
Village of Glen Ellyn, Illinois

Attest:


Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted this 25th day of June, 2013.)