

ORDINANCE 2012-379

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES BY CHANGING TITLE 14, CHAPTER 16 TO ADD CHANGES REQUIRED TO THE STORMWATER REQUIREMENTS TO QUALIFY THE TOWN FOR QUALIFIED LOCAL PROGRAM (QLP) STATUS AND TO FIX THE EFFECTIVE DATE AND PENALTY OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN AS FOLLOWS:

SECTION I. That Title 14, Chapter 16 of the Code of Ordinances is changed as follows

1. Index:

a. Change the title of Section 14-1606 as follows:

Current "Grading, vegetation, drainage, and erosion and sedimentation control plans required.

New: "Stormwater Pollution Prevention Plan (SWPPP) Required.

b. Add Section 14-1602A as follows:

14-1602A. Adoption of TDEC Construction General Permit (CGP) Plan Requirements by Reference.

2. Add section 14-1602A as follows:

14-1602A Adoption of TDEC CGP plan requirements by reference. Adoption. The Town adopts the latest edition of the following sections of the TDEC CGP by reference. Accordingly, compliance with the requirements in the CGP sections adopted as indicated below are required. Any conflict with requirements herein and those in the adopted sections of the CGP shall follow the reading which will provide the greatest benefit to water quality and/or result in the greatest removal of pollutants.

a. Adopted requirements are as follows:

(1) Stormwater Pollution Prevention Plan (SWPPP) Requirements. Currently in Chapter 3 of the May 24, 2011 CGP.

(2) Construction and Development Effluent Guidelines. Currently in Chapter 4 of the May 24, 2011 CGP.

(3) Special Conditions, Management Practices, and Other Non-Numeric Limitations. Currently in Chapter 5 of the May 24, 2011 CGP.

(4) Retention, Accessibility and Submission of Records. Currently in Chapter 6 of the May 24, 2011 CGP.

b. These sections are modified as follows:

(1). Whenever in the CGP "the division" is stated change to "the Town".

(2). Section 3.1.2, following the first paragraph, there is a list of three (3) individual qualifications. At the end of the first line insert ", or" which results in the first reading:

- a licensed professional engineer or landscape architect, or;

3. Change the title and first sentence of Section 14-1606 as follows:

Current reading: 14-1606. Grading, vegetation, drainage, and erosion and sedimentation control plans required. A grading, vegetation, drainage, and erosion and sedimentation control plan, for convenience defined in § 14-1603 as a Drainage and Sedimentation Control Plan (DSCP) shall be required for all:

New reading: 14-1606 Stormwater Pollution Prevention Plan (SWPPP) Required. A SWPPP which includes a grading, vegetation, drainage, and erosion and sedimentation control plan, for convenience defined in § 14-1603 as a Drainage and Sedimentation Control Plan (DSCP), shall be required for all:

4. Change section 14-1607 to add the following at the beginning of the section:

14-1607. Plan requirements. The SWPPP will be prepared in six (6) copies as specified in the SWPPP section of the TDEC CGP and submitted to the Building Inspector (see § 14-1615 as changed by Ordinance 12-370 for the established lead times for Planning Commission consideration.). Additionally, include the following information if not required by the CGP.

5. Change Section 14-1607A as follows: In the second sentence change:

Current reading refers to section “**503**” of the current TN CGP.

New reading: refer to section “**504**” of the current TN CGP.

6. Change Section 14-1610 as follows: At the end of the first sentence change “**(for siltation) or as high quality waters.**” to “**(for siltation or habitant alteration) or as exceptional Tennessee waters.**”

7. Change Section 14-1611. Buffers.

a. Delete existing subparagraphs (1) and (2) and replace with the following:

(1) Buffers other than property line buffers will be as stated in Chapters 4 and 5 of the May 24, 2011 CGP.

b. Re-number existing subparagraph (3) as (2).

SECTION II. That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the Town of Mount Carmel, Tennessee requiring it.

SECTION III. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with the provisions herein. The violation of any section of this chapter shall be punishable by a penalty pursuant to Tennessee law, and more particularly part 11 relating to stormwater management of Tennessee Code Annotated, title 68, chapter 221, § 68-221-1106(a), of not less than fifty dollars (\$50.00) or more than five thousand dollars (\$5,000.00) per day for each day of violation. Each day of violation may constitute a separate violation. This penalty may be determined by application of the enforcement response plan as defined in subsection (2) of Title 14 Section 1637--§14-1637(2)

Approved by the Planning Commission: July 10, 2012


Gary Lawson, Mayor

ATTEST:

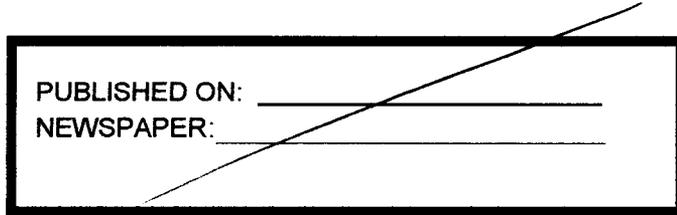

Marian Sandidge, Recorder

FIRST READING	AYES	NAYS	OTHER
ALDERMAN EUGENE CHRISTIAN		✓	
ALDERMAN LEANN DEBORD	✓		
ALDERMAN FRANCIS FROST		✓	
ALDERMAN KATHY ROBERTS			absent
ALDERMAN THOMAS WHEELER	✓		
VICE-MAYOR CARL WOLFE		✓	
MAYOR GARY LAWSON	✓		
TOTALS	3	3	1

PASSED FIRST READING failed 7-24-2012

SECOND READING	AYES	NAYS	OTHER
ALDERMAN EUGENE CHRISTIAN			
ALDERMAN LEANN DEBORD			
ALDERMAN FRANCIS FROST			
ALDERMAN KATHY ROBERTS			
ALDERMAN THOMAS WHEELER			
VICE-MAYOR CARL WOLFE			
MAYOR GARY LAWSON			
TOTALS			

PASSED SECOND READING _____


PUBLISHED ON: _____
NEWSPAPER: _____

Memorandum to: BMA
From: Building Inspector
SUBJECT: Proposed Ordinance 379
July 11, 2012

1. Proposed ordinance 379 which contains the changes to the stormwater section of the municipal code needed to implement qualified local program (QLP) status is attached. These are the same as the information you were provided prior to the joint workshop July 10th.

2. After the joint workshop, the Planning Commission voted to recommend the proposed changes for adoption. The issue of funding was discussed by the Planning Commission and they decided to wait on direction from you.

3. Adoption of ordinance 379 will be all we need to do as far regulatory changes known at this time. However, as the trial progresses other changes may be needed—we will work with TDEC to keep these at a minimum.

4. Questions/comments? 612-8119.


Vince Pishner



Town of Mount Carmel

Tuesday, August 14, 2012 8:15 AM

From: "Marian Sandidge" <mariansandidge@yahoo.com>

To: "Nancy Gibson" <nancy.gibson@tennessee.edu>

 1 File (764KB)



Ordinanc...

Nancy,

Please find attached Ordinance 12-378 amending last years budget which was passed at the 7/24/12 BMA meeting and Ordinance 12-379 which failed at the 7/24/12 BMA meeting.

Thank you,

Marian Sandidge, City Recorder

Town of Mount Carmel

#1024551

KINGSPORT TIMES-NEWS

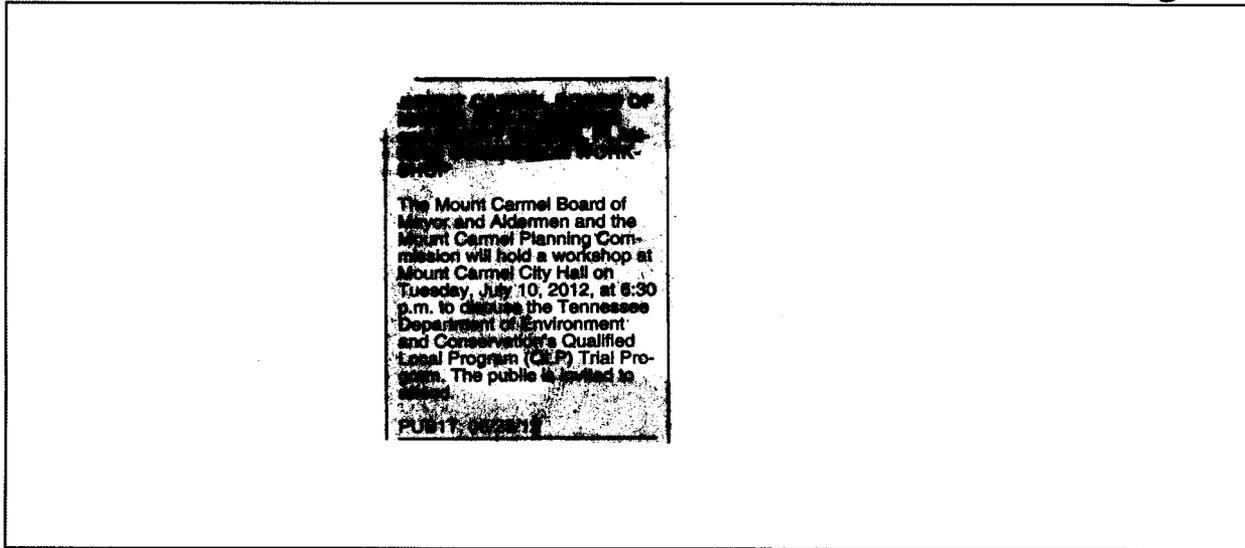
PUBLICATION CERTIFICATE

Kingsport, TN July 5, 2012

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 6-28-12, and appearing 1 consecutive weeks/times, as per order of _____

Town of Mount Carmel

Signed Carolyn Vaughn

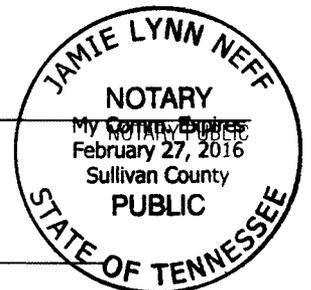


STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 5th day of July 2012, Carolyn Vaughn

of the Kingsport Times-News and in due form of law made oath that the foregoing statement was true to the best of my knowledge and belief.

Jamie Lynn Neff



My commission expires February 27, 2016

Order Confirmation

<u>Ad Order Number</u> 0001024551	<u>Customer</u> TOWN OF MOUNT CARMEL	<u>Payor Customer</u> TOWN OF MOUNT CARMEL
<u>Sales Rep.</u> sedwards	<u>Customer Account</u> 59632	<u>Payor Account</u> 59632
<u>Order Taker</u> sedwards	<u>Customer Address</u> P O BOX 1421, , MT CARMEL TN 37645 USA	<u>Payor Address</u> P O BOX 1421, , MT CARMEL TN 37645 USA
<u>Ordered By</u>	<u>Customer Phone</u> 615-357-7311	<u>Payor Phone</u> 615-357-7311
<u>Order Source</u>	<u>Customer Fax</u>	<u>Customer EMail</u>
<u>PO Number</u>		

MOUNT CARMEL BOARD OF MAYOR AND ALDERMEN and MOUNT CARMEL PLANNING COMMISSION WORKSHOP

The Mount Carmel Board of Mayor and Aldermen and the Mount Carmel Planning Commission will hold a workshop at Mount Carmel City Hall on Tuesday, July 10, 2012, at 6:30 p.m. to discuss the Tennessee Department of Environment and Conservation's Qualified Local Program (QLP) Trial Program. The public is invited to attend.

PUB1T: 06/28/12

<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>	<u>Payment Method</u>
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Invoice Text:

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<u>Net Amount</u> \$30.10	<u>Tax Amount</u> \$0.00	<u>Total Amount</u> \$30.10
		<u>Payment Amt</u> \$0.00
		<u>Amount Due</u> \$30.10

<u>Ad Number</u> 0001024551-01	<u>Ad Type</u> LL Legal Liner	<u>Ad Size</u> 1.0 X 20 Li	<u>Pick Up Number</u>
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<u>External Ad #</u>	<u>Ad Attributes</u>
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<u>Run Dates</u>		
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timesnews.net::	Legals	8
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