

Chapter Six **Stormwater Management**

(1) Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing in watersheds within this jurisdiction. This ordinance seeks to meet that purpose through minimizing increases in stormwater quality, increasing stormwater quality and provide guidelines of minimum stormwater requirements for developers and property owners;

(2) Applicability

This ordinance shall be applicable to all projects causing an increase in stormwater runoff quality by the addition of impervious surfaces, unless eligible for an exemption or granted a variance by the City of Folkston under the specifications of this Code. This Code also applies to land development activities that are smaller than the minimum applicability criteria if such activities are part of a larger common plan of development that meets the following applicability criteria, even though multiple separate and distinct land development activities may take place at different times on different schedules.

To prevent the adverse impacts of stormwater runoff, the City of Folkston has developed a set of performance standards that must be met at new development and redevelopment sites. These standards apply to any construction activity disturbing 1.0 acres or more and to construction activity disturbing less than 1.0 acres that increases the amount of impervious area by 25 percent.

The following activities may be exempt from these stormwater performance criteria:

- a. Any logging and agricultural activity which is consistent with an approved soil conservation plan or a timber management plan prepared or approved by the State of Georgia or other applicable regulatory authority, as applicable;
- b. Single family structures if the lot is not part of a common development; Additions or modifications to existing single family structures;
- c. Developments that do not disturb more than 1.0 acres of land and do not increase the amount of impervious surface area by at least 25 percent, provided the developments are not part of a larger common development plan. Documentation must be provided by the developer or his qualified representative as determined by the City of Folkston;
- d. Repairs to any stormwater treatment practice deemed necessary by and/or approved by the City of Folkston.

When a site development plan is submitted that qualifies as a redevelopment project as defined in Section 2 of this Code, decisions on permitting and on-site stormwater requirements shall be governed by this Section. These stormwater requirements are dependent on the amount of increase in stormwater runoff created by the redevelopment and its impact on water quality. Final authorization of all redevelopment projects will be determined after a review by the City of Folkston or its designee.

(3) Compatibility with Other Permit and Code Requirements

This section is not intended to interfere with, abrogate, or annul any other section of the Code, rule or regulation, statute, or other provision of law. The requirements of this section should be considered minimum requirements, and where any provision of this Section imposes restrictions different from those imposed by any other section of this Code, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

(4) Permit Required

No land owner or operator shall receive any of the permits required without first meeting the requirements of this Code prior to commencing the proposed activity.

(5) Application Requirements

Unless specifically excluded by this Code, any landowner or operator desiring a stormwater management permit for a land disturbance activity shall submit to the City of Folkston a permit application on the form provided for that purpose.

(6) Application Review Fees

The fee for review of any land development application shall be based on the amount of land contained within the entire tract of land on which the new development or redevelopment is to be constructed. The submittal shall include two (2) copies of plans and two (2) sets of computations.

b. Application Fees:

A fee shall be charged for review of each application, according to the following schedule:

Table 6-1: Fee Schedule for Stormwater Management Review

PROJECT AREA	FEE
Less than 1 acre	\$200.00
1 acre to 4 acres	\$250.00
Over 4 acres to 10 acres	\$300.00

Over 10 acres	\$300.00 plus \$1.00 for each additional acre
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c. Review:

The City of Folkston will review plans and computations for compliance with this Ordinance. A decision will be made within 45 days from time of submittal. If disapproved the plans and a notice of disapproval will be provided to applicant. A resubmittal may be made within thirty days without additional fees. If approved one copy of the approved documents will be retained and another will be provided to the applicant as the working construction drawing.

(7) Inspection

The City of Folkston or their authorized representative or any other authorized representative shall make inspections as necessary to determine if construction and maintenance conforms to the plans, studies and other related ordinances.

(8) Violation

If, through inspection, it is determined that construction or maintenance does not comply with the plans or the developer has not complied with other requirements of this Code, a written notice to comply shall be served upon the developer. The notice shall set forth the deficiencies and actions necessary to comply with the plans or other requirements of this ordinance, and shall state the time, not to exceed thirty (30) days, within which such actions must be completed.

If the developer fails to comply within the stated time, he will be deemed in violation of this ordinance, and a stop work order may be issued.

(9) Enforcement

The City of Folkston, or its designee, may upon any owner/developer being deemed in violation, cause enforcement and penalty provisions to be enacted as described in this Code.

(11) General Performance Criteria for Stormwater Management

Unless judged by the City of Folkston to be exempt or granted a waiver, the following performance criteria shall be addressed for stormwater management of all sites:

- a. All site designs shall establish stormwater management practices to control the peak flow rates of stormwater discharge associated with specified design storms and reduce the generation of stormwater. These practices should seek to utilize pervious areas for stormwater treatment and to infiltrate stormwater runoff from driveways, sidewalks, rooftops, parking lots, and landscaped areas to the maximum extent practical to provide treatment for both water quality and quantity.

b. The proposed improvements shall, if possible, promote infiltration through the use of structural and non-structural methods. The proposed improvements shall, if possible, mimic the post development site annual groundwater recharge rates to the pre-development site annual groundwater recharge rate.

(12) Basic Stormwater Management Design Criteria

a. Minimum Control Requirements

Unless the City of Folkston grants the applicant a waiver or the applicant is exempt from the requirements, this Ordinance shall control the release of stormwater runoff. All new developments or redevelopments shall provide controlled release of stormwater runoff generated by the 2-year, 5-year, 10-year, and 25-year 24-hour frequency storm events. The peak release rate of stormwater runoff from a new development or redevelopment shall not exceed the peak stormwater runoff rate of the pre-developed site for all storm intensities listed above. All stormwater controls shall safely pass the 50 through 100-year storms.

b. Site Design Feasibility and Conveyance

The Storm water management plan shall be designed based on the Georgia Stormwater Manual minimum standards 1, 2, 8, 9, and 10.

e. Non-Structural Stormwater Practices

The use of non-structural stormwater practices is encouraged in order to minimize the reliance on structural practices.

(13) Engineering Requirements – Design Standards

The hydrology report shall be provided based on sound, acceptable engineering practices and shall be computer generated through software using either TR-55 or rational method.

(14) Requirements of Engineering Drawings

The plans shall be comprised of topographic data in 1' intervals with enough information to determine drainage basins, spot grade elevations, HGL in pipe and gutter spread. Gutter spread calculations on roadways to be dedicated to the City shall meet the latest applicable GDOT requirements.

e. Drainage Basins

1. Wet detention basins shall have a permanent pool depth of not less than four feet to reduce bottom vegetation growth.
2. Dry basins must be designed with access to allow for efficient maintenance of the basin bottom and side slopes.
3. An overall map of the drainage area of study with total acreage.
4. The calculations shall clearly show how the times of concentrations were determined.
5. V-notched Weir, rectangular Weir or Orifice outlets are recommended to achieve detention storage.

6. Design data for storage volume and detention outlet requirements shall be submitted and approved.

f. Details

The engineering drawings shall contain construction details of the drop inlets, catch basins, junction boxes, headwalls, spillways, outlet control structures, basin dam, etc.

g. Flood Plain

The site plan shall exhibit the limits and flood elevation (if published by FEMA) of the 100-year flood plain.

h. Engineers Seal

All required plans, computations, studies, etc. shall have the seal and signature of the design engineer, who shall be a professional engineer registered to practice in the State of Georgia.

(15) Final Stormwater Management Plan Requirements

After review of the stormwater management concept plan, and modifications to the plan as deemed necessary by the City of Folkston, a final stormwater management plan must be submitted for approval. The final stormwater management plan, in addition to the information from the concept plan, shall include all of the information required in the final stormwater management plan. This includes:

c. Calculations

Hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in this Ordinance. Such calculations shall include (i) description of the design storm frequency, intensity and duration, (ii) time of concentration, (iii) Soil Curve Numbers or runoff coefficients, (iv) peak runoff rates and total runoff volumes for each watershed area, (v) infiltration rates, where applicable, (vi) culvert capacities, (vii) flow velocities, (viii) data on the increase in rate and volume of runoff for the design storms, and (ix) documentation of sources for all computation methods and field test results.

e. Maintenance Easements

The applicant must ensure access to all stormwater treatment practices at the site for the purpose of inspection and repair by securing all the maintenance easements needed on a permanent basis. These easements will be recorded with the plan and will remain in effect even with transfer of title to the property.

f. Erosion and Sediment Control Plans for Construction of Stormwater Management Measures

The applicant must prepare an erosion and sediment control plan in accordance with the City of Folkston Soil Erosion and Sedimentation Control ordinance.

g. Other Environmental Permits

The applicant shall assure that all other applicable environmental permits have been acquired for the site prior to approval of the final stormwater design plan.

(16) As-Built Plans

All applicants are required to submit actual as-built plans for any stormwater management practices located on-site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be certified by a professional engineer registered in the State of Georgia. A final inspection by the City of Folkston is required before the release of any performance securities can occur and before a Certificate of Occupancy is issued by the City of Folkston.

(17) Right of Entry for Inspection

When any new drainage control facility is installed on private property, or when any new connection is made between private property and a public drainage control system, the property owner shall grant to the City of Folkston the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this Ordinance is occurring or has occurred, and to enter when necessary for abatement of a public nuisance or correction of a violation of this Ordinance.

(18) Failure to Maintain Practices

It shall be the responsibility of the owner to maintain all stormwater controls to include piping, vegetation, control structures, and all other facilities, structural or non-structural, such that the stormwater management system functions as designed.

If a responsible party fails or refuses to meet the requirements of the maintenance covenant, the City of Folkston, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the stormwater management facility becomes a danger to public safety or public health, the City of Folkston shall notify the party responsible for maintenance of the stormwater management facility in writing. Upon receipt of that notice, the reasonable person shall have ten (10) days to correct, repair and/or repair of the facility in an approved manner. After proper notice, the City of Folkston may assess the owner(s) of the facility for the cost of repair work and any penalties, and the cost of the work shall be a lien on the property, or prorated against the beneficial users of the property, and may be placed on the tax bill and collected as ordinary taxes by the county.

(19) Violations

Any development activity that is commenced or is conducted contrary to this Code may be restrained by injunction or otherwise abated in a manner provided by law.

(20) Notice of Violation

When the City of Folkston determines that an activity is not being carried out in accordance with the requirements of this Code, it shall issue a written notice of violation to the owner of the property. The

notice of violation shall describe the violations and associated penalties. A statement that the determination of violation may be appealed to the municipality by filing a written notice of appeal within fifteen (15) days of service of notice of violation.

(21) Stop Work Orders

Persons receiving a notice of violation will be required to halt all construction activities. This stop work order will be in effect until the City of Folkston confirms that the development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a notice of violation in a timely manner can result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this Code.

(22) Civil Penalties

In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this Code shall be punished a fine of not less than \$500.00 or by imprisonment for a period not to exceed five (5) days, or both such fine and imprisonment. Such persons shall be guilty of a separate offense for each day during which the violation occurs or continues.

(23) Restoration of Lands

Any violator may be required to restore land to its undisturbed condition. In the event that the restoration is not undertaken within a reasonable time after notice, the City of Folkston may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

(24) Holds on Occupation Certificates

Occupation Certificates will not be granted until corrections to all stormwater practices have been made and accepted by the City of Folkston.

(25) Criminal Penalties

Any person who violates any provision of this Ordinance, or any permit condition or limitation established pursuant to this Code, or who negligently or intentionally fails or refuses to comply with any final or emergency order of the Director issued as provided in this Ordinance shall be liable for a civil penalty not to exceed \$2,500.00 per day. For the purpose of enforcing the provisions of this Ordinance, notwithstanding any provisions in any City charter to the contrary, municipal courts shall be authorized to impose penalties not to exceed \$2,500.00 for each violation. Notwithstanding any limitation of law as to penalties which can be assessed for violations of county ordinances, any magistrate court or any other court of competent jurisdiction trying cases brought as violations of this Ordinance under county ordinances approved under this Code shall be authorized to impose penalties for such violations not to exceed \$2,500.00 for each violation. Each day during which violation or failure or refusal to comply continues shall be a separate violation.