

# **MS4 Annual Report**

**Permit # VAR040135**

## **Stormwater Discharge From Small Municipal Separate Storm Sewer Systems**

**Reporting period:**

**July 1, 2014 thru June 30, 2015**

**REVISED March 8, 2016**



Report submitted by:

**David Ridpath – City Manager**

City of Radford, Virginia

10 Robertson, Street

Radford, VA 24141

P: 540.731.3603

**David.Ridpath@radfordva.gov**

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# 1. Background

The City of Radford was granted coverage under MS4 General Permit Number VAR040135 on August 19, 2014. This permit will expire on June 30, 2018. This Annual Report is required by this permit and will include the status and progress of the BMPs implemented as part of the City's Program Plan. This report covers the period of June 30, 2014 through July 1, 2015.

This MS4 Annual Report is submitted to:

Virginia Department of Environmental Quality  
Shawn Smith  
Principal Environmental Planner  
629 East Main Street  
Richmond, VA 23219

## 1.1 Status of Best Management Practices

The City has made progress on the BMPs in the Program Plan as explained in the report. During the coming plan year, the City will continue the activities as outlined in this Annual Report and the MS4 Program Plan.

## 1.2 Modifications to MS4 Program Plan

- **The City Engineer position is currently vacant. This position was listed in Item 11 in the MS4 Registration. The new duly authorized representative will be Jay Eanes.**
- **The following BMPs are being added to the City's Program Plan:**

### **BMP 3.4 – Outfall Screening**

**The City will develop a procedure for dry weather screening of the MS4 stormwater outfalls.**

**Schedule and Evaluation: The City's MS4 stormwater outfalls will be screened annually and results documented along with any corrective action needed.**

**Responsible Party: City Engineer/City Manager**

**Necessary Documents: Stormwater Ordinance, Illicit Discharge Ordinance**

**Measurable Goals: All outfalls screened annually**

**Items to be included in the Annual Report: A summary of number of outfalls screened during the period, screening results, and details of follow-up actions. Summaries of any investigations of suspected illicit discharges will also be included.**

### 1.3 New MS4 Outfalls

There have been no new MS4 outfalls added to the City.

## 2. MCM 1 & 2: Public Education and Outreach and Public Involvement/Participation

### 2.1 BMP: Pet Waste Management for Public Parks

**General:** The City will continue to raise awareness and enforce current policies requiring pet owners to clean up after their animals while in public parks.

**Achievements:** Radford Department of Parks and Recreation has initiated a Pet Waste Management Program in the three heaviest used public park areas within the City's Park system Bisset Park, Wildwood Park, and the City's dog park known as 'Sparky's Run'.

The Program consists of erecting and maintaining individual pet waste bag dispensers in key locations within each of these parks. The Park's Department maintains the waste bag dispensers and checks them on a regular basis to keep them full of the plastic waste bags. The dispensers also contain signs encouraging the public to collect their pet's waste in the plastic bags available in the dispenser.

To discourage pets running at large....out of the individual control of their owners....the Park's Department maintains a regulation that prohibits pets running at large, requiring all pets to be on a leash while in the parks.

**The City has developed a "Scoop the Poop" brochure specifically targeted to controlling pet waste. The brochure will be made available at a number of locations:**

- **Treasurer’s Office to be handed out when issuing dog tags/pet licenses**
- **Two Veterinarian Offices within the City**
- **Posted on the website under Stormwater**
- **Recreation Center, City Manager’s Office and Library**

Schedule of Activities: The Parks and Rec Department will continue to enforce the current program. The Department will evaluate the effectiveness of the program during the year, adding or relocating the dispensers depending on observations of their use and incorporating public input.

**City staff will continue to make literature available as noted above and also at various City-sponsored events during the year.**

Documentation: The regulation is stated on the Parks and Recreation Department’s webpages. A copy of the City map showing Parks & Recreation facilities, **the pet waste brochure and pictures of relevant signage are** in Appendix A.

## 2.2 BMP: Identifying High Priority Water Quality Issues

General: **The City has identified three water quality issues that are considered high priority and will be addressed by the Plan. These items are:**

- A. **Proper Disposal of Pet Waste – This item was selected to build on the City’s program that attempts to raise awareness of the need for proper disposal of pet waste to avoid release of bacteria into the stormwater system and, in turn, New River.**
- B. **Collection of Yard Waste – This program will educate citizens about proper disposal of yard waste (grass clippings, leaves, etc.) to reduce the amount discarded into the City’s storm drains. In addition, the City will collect yard waste as part of a composting program to develop top soil for City use. These initiatives will help reduce incidents of clogging in the storm network as well as reduce pollutants from fertilizers, herbicides and pesticides from entering the storm network.**

**C. Nutrient Management Education – The City is currently working on literature to be distributed to citizens and educate them about nutrient management for their own property. This program will piggy back off of the City’s internal efforts to develop nutrient management plans for City-owned property. The City’s “Resident’s Guide to a Cleaner Environment” contains this statement: “Avoid the use of fertilizers and do not apply before heavy rainfall. Pesticides are toxic to humans, animals, aquatic insects, and plants. Follow label directions carefully or use alternatives whenever possible.” The literature on Nutrient Management will explain what a Nutrient Management Plan is and why it is important for residents to have a plan for their homes**

**Programs have been in place to deal with some of these issues. However, the City will formalize and strengthen efforts to address each issue. These efforts will include identifying the group having the most impact on each site, continuing to develop relevant outreach materials and develop activities to raise awareness.**

**Achievements: Other than identifying the high priority sites, no formal progress has been achieved on this BMP to date.**

**Schedule of Activities: Public awareness activities and materials will be developed and implemented.**

### **2.3 BMP: Drain Marking Program**

**General:** The City will implement a storm drain marking program. This will involve performing an inventory of the storm drain locations and identifying the drains most easily accessible to the public and that may be vulnerable to illicit dumping. These drains will be considered good candidates for permanent marking.

**Achievements:** Considerable effort was put into mapping of the City’s storm network during this plan year. Activities to date have been centered on compiling as-built and record information from City archives as well as GIS data. **All drains documented in the**

above information have been mapped. Field verification is ongoing.

Due to limited available staff, no storm drains were marked during the previous plan year.

City staff has designed a drain marker for the marking program. A picture of the marker is in Appendix A. Markers are on order from the vendor.

Schedule of Activities: During the coming plan year, **the City will begin field verification of the storm drain locations.** Parallel to this effort, the drain marking program will begin. **It is estimated that approximately one third of the drains will be marked during the remainder of the current plan year.**

## 2.4 BMP: Enhance City Website to Include Stormwater Related Information

**General:** The City's website will be enhanced to make stormwater related information available to the General Public. Included will be links to the relevant sections of the Virginia DEQ and EPA websites. Also included will be links to the City's relevant ordinances and the MS4 Program Plan and annual reports.

**Achievements:** During this plan year, the City's website has had a total re-design with the goal of providing a much more comprehensive source of information for the citizens. As part of this re-design, the City's stormwater program has been included. Information about the MS4 initiatives, permitting, E&S program, etc. is now posted on the website with a link on the home page.

[www.radfordva.gov/stormwater](http://www.radfordva.gov/stormwater)

**Schedule of Activities:** The City implemented the upgraded website upgrade in calendar year 2015. The City will continually update the website to add relevant information.

## 2.5 BMP: Annual Stream Clean-up Events

- General:** The City will sponsor, at least once per year, an event that encourages public participation in cleaning up the streams within the City Limits. Emphasis is placed on removing foreign debris, litter, etc. The event will be publicized through various media in order to have as much participation as possible.
- Achievements:** Historically, the stream clean-up event has been a citizen-led activity with assistance from the City. Unfortunately, the citizen group that had taken the lead on this activity disbanded and the event was not able to be held.
- Schedule of Activities:** **The city is working with the New River Valley Regional Commission to participate in a regional initiative called “Renew the New”. This is a regional event focused on cleaning up the New River. Tentative date is August 27, 2016.**

## 2.6 BMP: Develop Public Outreach Plan

- General:** The City will develop a plan to identify the target audience and develop strategies to reach a minimum of 20% of the target audience annually through public outreach activities. As part of the plan, the goal will be to have a minimum of 4 public participation events annually.
- Achievements:** The City has identified the target audience as the citizen population.
- Schedule of Activities:** **During the remainder of the current plan year, the City’s public relations staff will be utilized to publicize initiatives aimed at educating the citizens about the MS4 program and how they can be involved. The following events have been scheduled:**
- **April is Environmental Awareness Month in the City Specific events are still being scheduled for this year, but typical events are a Household Hazardous Waste Removal Day/Shred-a-thon, many education and information programs at the Radford Public Library and on Radford University’s Campus. Programs range from creating rain barrels, to composting and the Community Garden has a kickoff event with similar information.**

- **April 8-9, 2016: Native American Heritage Festival in Bisset Park**  
This is a city-sponsored event open to the public and will include a Student Day on April 8. The city staff will take the opportunity to have a booth at the festival to promote awareness of the City's stormwater initiatives and hand out literature and educational materials.
- **April 29, 2016: Annual Arbor Day Celebration**  
Plans include a tree planting by Radford High School students and a dedication of the new roundabout on 2<sup>nd</sup> Avenue.
- **August 27, 2016 (tentative): Renew the New**  
This is a regional event being facilitated by the NRV Regional commission focused on cleaning up the New River.

### 3. MCM 3: Illicit Discharge Detection and Elimination

#### 3.1 BMP: Implement Stormwater Ordinance

General:	The City will implement a Stormwater Ordinance <b>and an Illicit Discharge Ordinance</b> that will prohibit illegal and illicit dumping of non-stormwater discharges. The ordinance, at a minimum, will address detection, identification of source of discharge, mechanisms to eliminate discharges, and tracking. The ordinance will facilitate public reporting of illicit discharges.
Achievements:	<ul style="list-style-type: none"> <li>• Stormwater Ordinance # 1662 was approved and adopted by Radford City Council on October 27, 2014;</li> <li>• Stormwater Fees Resolution adopted by Radford City Council on October 27, 2014;</li> <li>• Administrative Guidance Manual accompanying Ordinance # 1662</li> <li>• <b>Draft Illicit Discharge ordinance written</b></li> </ul>
Schedule of Activities:	<b>A new Illicit Discharge ordinance is being drafted by the city attorney. A draft copy of the ordinance is included in Appendix A. The draft is under review by city staff and will be processed through the City's approval process including public hearing and action by Council. The ordinance is</b>

**expected to be adopted into the City Code by April 30, 2016.**

Documentation: Copies of Stormwater Ordinance #1662 and supporting documents are in Appendix A.

### 3.2 BMP: Protect Sensitive Areas by use of City Code

General: The City has adopted by Ordinance two “overlay districts” (Floodplain Overlay District and Riverfront Corridor Overlay District) within the City Code that protects areas within the floodplain and adjacent to the New River. (Division 15 and 16 of Chapter 120.1: Zoning)

Achievements: No changes to these districts were made during this plan year. City staff has continued to enforce the provisions of these overlay districts.

Schedule of Activities: City staff will continue to enforce the provisions of the overlay districts in the coming plan years.

Documentation: A copy of the overlay map is included in Appendix A.

### 3.3 BMP: Outfall Mapping

General: The City will create and maintain an accurate storm sewer system map and information table and locate and map all MS4 outfalls.

Achievements: Considerable effort was put into mapping of the City’s storm network during the plan year. Activities to date have been centered on compiling as-built and record information from City archives as well as GIS data. An estimated 75% of the system has been mapped to date. A number of outfalls have been identified on the mapping.

Schedule of Activities: During the coming plan year, the City will complete the mapping and begin field verification. As part of the field verification process, the location of the city’s outfalls will also be field verified and relevant information gathered about each.

**The City mapping was used to determine connections to other MS4 areas such as Radford University or VDOT. The City maintains all roads within the corporate limits, so no interconnection exists with the VDOT MS4. However, there is one connection to the Radford University MS4. Notification will be provided to RU within the current plan year.**

Documentation: A copy of the current city storm network map is provided in Appendix A.

### **3.4 BMP: Outfall Screening (New)**

**General :** The City will develop a procedure for dry weather screening of the MS4 stormwater outfalls.

**Achievements:** No outfall screening was accomplished during the reporting period.

**Schedule of Activities:** The City will do the following during the remainder of the current plan year:

- **Develop procedures for performing dry weather screening of the MS4 stormwater outfalls. Procedures will include schedule for screenings, documenting results, and documenting follow-up actions**
- **Identify resources to perform the screenings**
- **Begin screenings in Summer 2016**

## **4. MCM 4: Construction Site Stormwater Runoff Control**

### **4.1 BMP: Erosion and Sediment Control Ordinance**

**General:** Adopt and maintain an ordinance in the City Code that requires compliance with the Virginia Erosion and Sediment Control regulations.

**Achievements:** The City first adopted an Erosion and Sediment Control Ordinance in 1979 and had continued to enforce the provisions of the ordinance since. During this plan year, the City had the following activity:

- Single Family Residences – Agreement In Lieu of Plan – 6 permits, total disturbed area = 6.35 acres
- Land Disturbing Permits – Soil Erosion and Sediment Control Plans – 6 total permits, total disturbed area = 13.53 acres
- Inspections: 15 (estimate)
- Enforcement actions: none during this plan year

Schedule of Activities: During the coming plan year, the City will continue to enforce the provisions of the E&S ordinance and track relevant activity.

## 4.2 BMP: City Staff Training

General: The City staff that is involved in implementing the E&S Control Ordinance will maintain the appropriate VA DEQ certifications.

Achievements: The City Engineer has maintained the required VA DEQ certifications for plan review and inspections.

Schedule of Activities: City staff will continue to maintain required certifications.

# 5. MCM 5: Post Construction Stormwater Management

## 5.1 BMP: Adopt a Stormwater Ordinance to Control Impacts of Runoff

General: The City will implement a Stormwater Ordinance that will address both post-construction stormwater management and illicit discharges. The ordinance, at a minimum, will comply with the Virginia Stormwater Management Program regulations.

Achievements:

- Stormwater Ordinance # 1662 was approved and adopted by Radford City Council on October 27, 2014;
- Stormwater Fees Resolution adopted by Radford City Council on October 27, 2014;
- Administrative Guidance Manual accompanying Ordinance # 1662

**Schedule of Activities:** City staff will continue to enforce the provisions of Stormwater Ordinance # 1662 and monitor effectiveness to determine if improvements to the ordinance are warranted.

**Documentation:** Copies of Stormwater Ordinance #1662 and supporting documents are in Appendix A.

## 5.2 BMP: Stormwater Management Facility Database

**General:** The City will develop and maintain an electronic database (Excel spreadsheet) of all known publicly- and privately-owned stormwater management facilities.

**Achievements:** There are six city-owned facilities including one new facility that came online during this plan year. The locations of these facilities have been identified on the stormwater mapping.

**Schedule of Activities:** During the coming plan year, an Excel spreadsheet will be developed to document each city-owned facility with relevant information about each facility included. The City will begin to document all inspections and enforcement actions for these facilities.

**Documentation:** A copy of the current city storm network map is provided in Appendix A.

## 6. MCM 6: Pollution Prevention/Good Housekeeping

### 6.1 BMP: Employee Training

**General:** The City will implement an employee training program designed to raise awareness within city employees of stormwater management practices as it relates to specific tasks and assignments.

**Achievements:** Due to limited resources, the employee training program has not been developed to date.

**Scheduled Activities:** **The City has procedures and training for its staff. However, awareness of stormwater initiatives and the MS4 program may not be adequately addresses. During the remainder of the**

**current plan year, the City will evaluate its current procedures and revise where necessary. The goal will be to have the procedures updated and training begin by June 30, 2016.**

**In addition, City staff will utilize available VA DEQ training sessions related to Erosion & Sediment Control and Stormwater Management.**

## 6.2 BMP: Controls for Reducing the Discharge of Pollutants from City-owned Facilities and Property

- General:** The City will continue to evaluate its operations and facilities for ways to reduce discharge of pollutants. This evaluation will include identifying potential sources of pollution, identifying and prioritizing problem areas, and determining methods to address and correct the problems. Some of these methods might include employee training, spill prevention plans, SWPPPs, implementing new procedures, etc.
- Achievements:** A list of city-owned operations that will require SWPPPs has been developed. These include:
- Solid Waste/Recycling Drop Center \*
  - Public Works Facility
  - Salt Storage Facility
  - Parks & Recreation Department
  - Water & Electric Departments
- \* The City has decided to relocate the Solid Waste/Recycling Drop Center in the coming year. A SWPPP for the relocated facility will be included in that relocation project.
- Scheduled Activities:** SWPPPs will be developed for the identified facilities in the coming plan year. The goal will be to develop at least 50% of these within the year. Included in this effort will be identifying needed training for city staff.

### 6.3 BMP: Reduce the Amount of Solid Waste from City-owned Facilities by Encouraging Employees to Recycle Waste

General:	The City has an active recycling program that encourages City employees to participate. This program will continue and be evaluated for ways to improve and expand the program.
Achievements:	The City collected over 11,836 tons of solid waste during this plan year. Of that, 4,015 tons (34%) was recycled.
Scheduled Activities:	The City will continue the recycling program and encourage increased participation. The Drop Center is planned to be relocated during the coming year to a more suitable location.
Documentation:	A copy of the report showing solid waste collection and recycling totals is included in Appendix A.

## 6.4 BMP: Nutrient Management Plans

**General:** The City will evaluate its turf and landscaping operations and develop and maintain nutrient management plans (NMP) where needed.

**Achievements:** **The City has identified eleven (11) areas greater than an acre that are fertilized and maintained on a regular basis. These areas and their latitude/longitude are listed in Appendix A. These areas will require Nutrient Management Plans.**

**Scheduled Activities:** **City staff will engage the services of a certified turf management planner to develop NMPs for these areas. The goal will be to have at least 2 (15%) of the plans developed by June 30, 2016 and an additional 3 (40%) in the next Plan Year.**

## 7. Persons Responsible for Coordinating Small MS4 Stormwater Management Program

Under the City of Radford's structure, the City Engineer is responsible for implementing the BMPs associated with the proposed MS4 program plan. **The City Engineer's position is currently vacant. The individual listed below has been identified in the interim.**

**Jay Eanes**  
**10 Robertson Street**  
**Radford, VA 24141**  
**Ph: 540-731-3603**  
**Email: [Jay.Eanes@radfordva.gov](mailto:Jay.Eanes@radfordva.gov)**

## 8. Certification Statement

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Printed Name: David Ridpath

Title: City Manager

Signature: \_\_\_\_\_

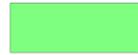


Date: 2-12-16

## APPENDIX A

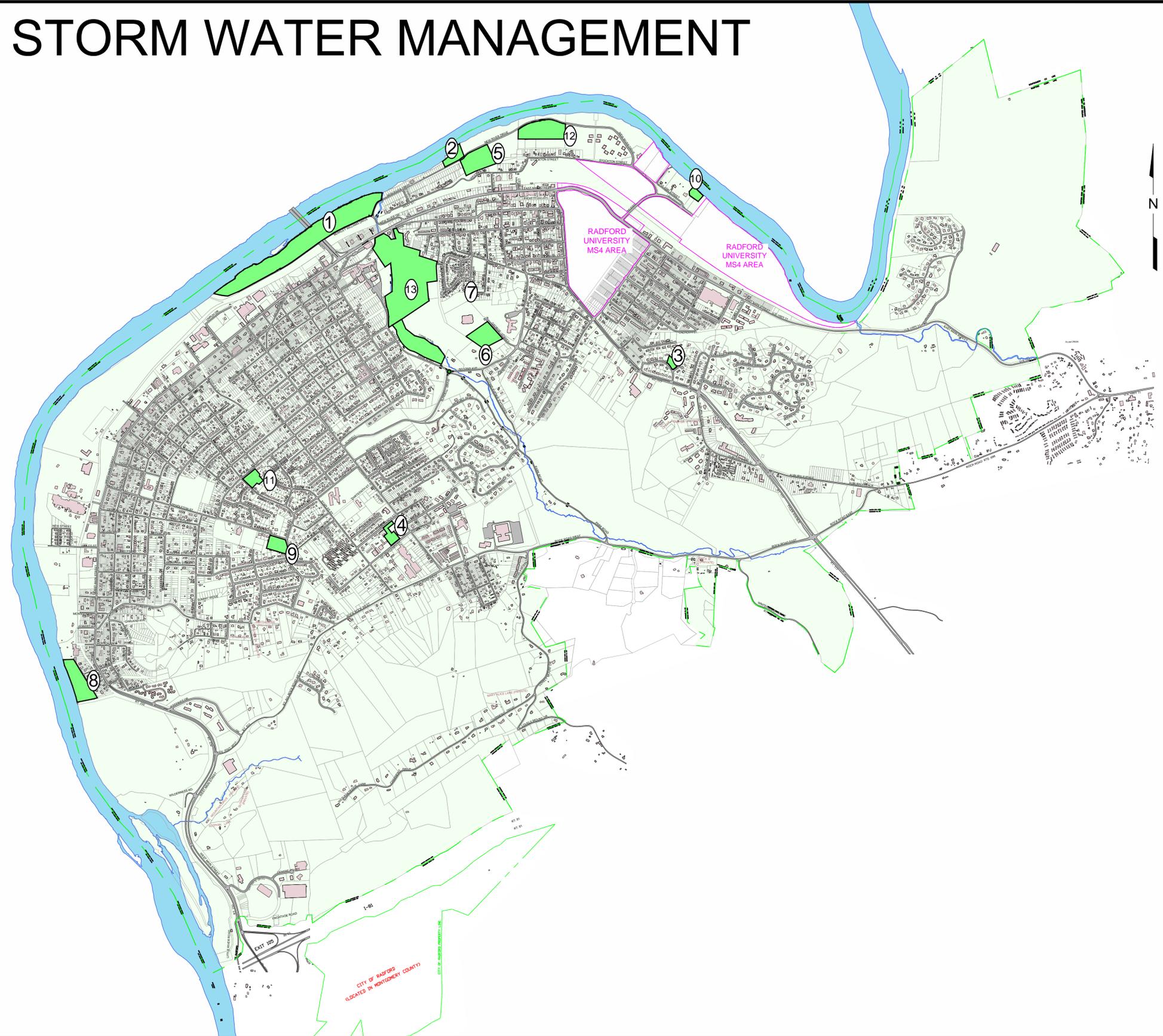
- Parks and Recreational Facilities Map
- Stormwater Ordinance #1662
- Zoning & Flood District Map
- Storm Water Management Map
- Recycling Report
- VSMP Annual Report Form
- **“Scoop the Poop” Brochure**
- **Pet Signage**
- **Drain Marker**
- **IDDE Ordinance**
- **Turf Management Areas**

# CITY OF RADFORD STORM WATER MANAGEMENT



## PARKS & RECREATIONAL FACILITIES

- ① BISSET PARK
- ② DUDLEY'S LANDING
- ③ HAVEN HEIGHTS PARK
- ④ JOHN DOBBINS PARK & JAMES OAKLEY FIELD
- ⑤ NEW RIVER SPORTS COMPLEX
- ⑥ RADFORD MUNICIPAL BASEBALL FIELD
- ⑦ RADFORD RECREATION CENTER
- ⑧ RIVERVIEW PARK
- ⑨ SISSON PARK & JOE HODGE FIELD
- ⑩ SPARKY'S RUN DOG PARK
- ⑪ SUNSET PARK
- ⑫ VETERAN'S FIELD
- ⑬ WILDWOOD PARK



DISCLAIMER: The information contained on this page is NOT to be construed or used as a "legal description". map information is believed to be accurate, but accuracy is not guaranteed. Any errors or omissions should be reported to the City Engineer's Office. In no event will the City of Radford be liable for any damages, including loss of profits, business interruptions, loss of business information or other pecuniary loss that might arise from the use of this map or the information it contains.



CITY OF RADFORD, VIRGINIA  
10 ROBERTSON STREET  
RADFORD, VIRGINIA  
CITY ENGINEER'S OFFICE

DESIGNED BY: J. JEANES  
DRAWN BY: J. JEANES  
CHECKED BY: J. HURT  
DATE: 24 SEP 15

REVISIONS:

CITY OF RADFORD  
PARKS & RECREATIONAL FACILITIES  
STORM WATER MANAGEMENT



1 SHEET  
OF 1

**ORDINANCE NO. 1662**

**STORMWATER MANAGEMENT ORDINANCE  
CITY OF RADFORD, VIRGINIA**

BE IT ORDAINED by the City Council of the City of Radford, Virginia that a new Chapter 32, entitled, "Stormwater Management", is hereby adopted and added to the Radford City Code of Ordinances, and this Stormwater Management Ordinance is hereby adopted to be effective in the City of Radford, Virginia as of July 1, 2014, as follows:

**CHAPTER 32  
STORMWATER MANAGEMENT**

**Section 32-1. Purpose and Authority; Title.**

(a) Pursuant to § 62.1-44.15:27 of the Code of Virginia, the City of Radford, Virginia hereby establishes a Virginia Stormwater Management Program (VSMP) for land disturbing activities and adopts the applicable Regulations that specify standards and specifications for VSMPs promulgated by the State Water Control Board (State Board) for the purposes as set out in this Section of this Chapter.

(b) This Chapter is adopted as part of an initiative to establish and integrate the City of Radford's Code of Ordinances, Chapter 31- Erosion and Sediment Control; flood insurance, and flood plain management requirements into a unified stormwater program. The unified stormwater program is intended to facilitate the submission and approval of plans, issuance of permits, payment of fees, and coordination of inspections and enforcement activities into a more convenient and efficient manner for both the City of Radford and those responsible for compliances with these programs.

(c) The purpose of this Chapter is to ensure the general health, safety, and welfare of the citizens of the City of Radford, Virginia, and protect the quality and quantity of state waters from the potential harm of unmanaged stormwater, including protection from a land disturbing activity causing unreasonable degradation of properties, water quality, stream channels, and other natural resources, and to establish procedures whereby stormwater requirements related to water quality and quantity shall be administered and enforced.

(d) This Chapter is adopted pursuant to §62.1-44.15:24 et seq. of Chapter 3.1 of Title 62.1 of the Code of Virginia.

(e) This Chapter shall be known and may be cited as the "Stormwater Management Ordinance of the City of Radford, Virginia", or as the "Stormwater Management Ordinance",

**Section 32-2. Definitions.**

In addition to the definitions set forth in 9VAC25-870-10 of the Virginia Stormwater Management Regulations, as amended, and in Chapter 3.1 of Title 62.1 of the Code of Virginia, and any amendments thereunto, which are expressly adopted herein and incorporated herein by

reference and made a part hereof, the following words and terms as used in this Chapter have the following meanings unless otherwise specified herein. Where definitions differ, those incorporated herein shall have precedence.

*“Act”* means the Virginia Stormwater Management Act, Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia.

*“Administrative Guidance Manual”* means the City of Radford Administrative Guidance Manual, which is a documentation of policies and procedures for documentation and calculations verifying compliance with the water quality and quantity requirements, review and approval of Stormwater Pollution Prevention Plans and Stormwater Management Plans, site inspections, obtaining and releasing bonds, reporting and recordkeeping, and compliance strategies for reviews, enforcement, and long-term maintenance and inspection programs.

*“Administrator”* means the Virginia Stormwater Management Program (VSMP) authority for the City of Radford staff person or department responsible for administering the VSMP on behalf of the City. Or the duly authorized agent or designee of the Administrator. The Administrator for the City is the City Engineer.

*“Agreement in lieu of a stormwater management plan”* means a contract between the VSMP authority and the owner or permittee that specifies methods that shall be implemented to comply with the requirements of a VSMP for the construction of a single-family residence; such contract may be executed by the VSMP authority in lieu of a stormwater management plan.

*“Applicant”* means any person submitting an application for a permit or requesting issuance of a permit under this Chapter.

*“Best Management Practice”* or *“BMP”* means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

*“Board”* means the Virginia State Water Control Board.

*“Building Code of Appeals Board”* means the Building Code of Appeals Board of the City.

*“Channel”* means a natural or manmade waterway. Means a natural or manmade waterway

*“City”* means the City of Radford, Virginia.

*“City Council”* means the City Council of the City of Radford, Virginia.

*“Clean Water Act”* or *“CWA”* means the Federal Clean Water Act (33 U.S.C §1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution

Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

*“Common plan of development or sale”* means a contiguous area where separate and distinct construction activities may be taking place at different times on different schedules. For the purpose of this Ordinance, the term shall not include individual lots within existing residential, commercial or industrial site plans and subdivision plans that were platted prior to July 1, 2004, and which are considered separate land-disturbing activities.

*“Comprehensive stormwater management facility”* or *“comprehensive facility”* means a facility or series of facilities designed to control stormwater runoff from a specific watershed, although only portions of the watershed may experience development.

*“Comprehensive stormwater management plan”* means a plan which may be integrated with other land use plans or regulations that specifies how the water quality components, or quantity components, or both, of stormwater are to be managed on the basis of an entire watershed or a portion thereof. The plan may also provide for the remediation of erosion, flooding, and water quality and quantity problems caused by prior development.

*“Control measure”* means any best management practice or stormwater facility, or other method used to minimize the discharge of pollutants to state waters.

*“Department”* means the Department of Environmental Quality.

*“Director”* means the Director of the Department of Environmental Quality.

*“Development”* means land disturbance and the resulting landform associated with the construction of residential, commercial, industrial, institutional, recreation, transportation or utility facilities or structures or the clearing of land for non-agricultural or non-silvicultural purposes.

*“Erosion and Sediment control plan”* means a plan to control soil erosion and prevent sediment from leaving the construction site.

*“Flooding”* means a volume of water that is too great to be confined within the banks or walls of the stream, water body, or conveyance system and that overflows onto adjacent lands, thereby causing or threatening damage.

*“General permit”* means the state permit titled, GENERAL PERMIT FOR DISCHARGES OF STORMWATER FROM CONSTRUCTION ACTIVITIES found in Part XIV (9VA25-880-1 et seq.) of the Regulations authorizing a category of discharges under the CWA and the Act within a geographical area of the Commonwealth of Virginia.

*“Land disturbance”* or *“land-disturbing activity”* means a man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading, or

excavation except that the term shall not include those exemptions specified in Section 32-9 of this Chapter.

*“Layout”* means a conceptual drawing sufficient to provide for the specified stormwater management facilities required at the time of approval.

*“Local stormwater management program”* or *“local program”* means a statement of the various methods adopted pursuant to the Act, and implemented by the City to manage the runoff from land disturbing activities and shall include an ordinance with provisions to require the control of after development stormwater runoff rate of flow, water quality, the proper maintenance of stormwater management facilities, and minimum administrative procedures consistent with this Chapter.

*“Maintenance agreement”* means a legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management facilities.

*“Minor modification”* means an amendment to an existing general permit before its expiration not requiring extensive review and evaluation including, but not limited to, changes in Environmental Protection Agency (EPA) promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor general permit modification or amendment does not substantially alter general permit conditions, substantially increase or decrease the amount of surface water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

*“Municipal separate storm sewer”* means a conveyance or system of conveyances otherwise known as a municipal separate storm sewer system or “MS4”, including roads with drainage systems, municipal streets, cat basins, curbs, gutters, ditches, man-made channels, or storm drains:

- (a) Owned or operated by a federal, state, city, town, county, district, association, or other public body, created by or pursuant to state law, including the City, having jurisdiction or delegated authority for erosion and sediment control and stormwater management, or a designated and approved management agency under § 208 of the CWA that discharges to surface waters;
- (b) Designed or used for collecting or conveying stormwater;
- (c) That is not a combined sewer; and
- (d) That is not part of a publicly owned treatment works.

*“Municipal Separate Storm Sewer System Management Program”* means a management program covering the duration of a state permit for a municipal separate storm sewer system, including the City, that includes a comprehensive planning process that involves public

participation and intergovernmental coordination, to reduce the discharge of pollutants to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the CWA and regulations, and this Chapter and the attendant Regulations, using management practices, control techniques, and system design and engineering methods, and such other provisions that are appropriate.

*“Nonpoint source pollution”* means pollution such as sediment, nitrogen, phosphorus, hydrocarbons, heavy metals, and toxics whose sources cannot be pinpointed but rather are washed from the land surface in a diffuse manner by stormwater runoff.

*“Off-site facility”* means a stormwater management measure located outside the subject property boundary described in the permit application for land development activity.

*“On-site facility”* means a stormwater management measure located within the subject property boundary described in the permit application for land development activity.

*“Operator”* means the owner or operator of any facility or activity subject to regulation under this Chapter.

*“Peak flow rate”* means the maximum instantaneous flow from a prescribed design storm at a particular location.

*“Permit”* or *“VSMP Authority Permit”* means an approval to conduct a land-disturbing activity issued by the Administrator for the initiation of a land-disturbing activity, in accordance with this Chapter, and which may only be issued after evidence of general permit coverage, if such statement is required, has been provided by the Department, where applicable.

*“Permittee”* means the person to which the permit or state permit is issued.

*“Person”* means any individual, corporation, partnership, firm, association, state, municipality, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town or other political subdivision of the Commonwealth of Virginia, a state, governmental body, including federal, state, or local entity as applicable, any interstate body or any other legal entity.

*“Pollution Prevention Plan”* or *“PPP”* means a document(s) that is prepared in accordance with good engineering practices and that details the design, installation, implementation and maintenance of effective pollution prevention measures to minimize the discharge of pollutants.

*“Post-development”* refers to conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or tract of land.

*“Pre-development”* refers to the conditions that exist at the time that plans for the land development of a tract of land are submitted to the VSMP authority. Where phased development or plan approval occurs (preliminary grading, demolition of existing structures, road and utilities,

etc.), the existing conditions at the time prior to the first item being submitted shall establish predevelopment conditions.

*“Redevelopment”* means the process of developing land that is or has been previously developed.

*“Regulations”* mean the Virginia Stormwater Management Program (VSMP) Regulations (9VAC25-870-10, et seq., as amended).

*“Runoff”* or *“stormwater runoff”* means that portion of precipitation that is discharged across the land surface or through conveyances to one or more waterways.

*“Runoff volume”* means the volume of water that runs off the land development project from a prescribed storm event.

*“Site”* means the land or water area where any facility or land-disturbing activity is physically located or conducted, including adjacent land used or preserved in connection with the facility or land-disturbing activity.

*“State”* means the Commonwealth of Virginia.

*“State Board”* means the State Water Control Board of the Commonwealth of Virginia.

*“State permit”* means an approval to conduct a land-disturbing activity issued by the State Board in the form of a state stormwater individual permit or coverage issued under a state general permit, if such permit is required, or an approval issued by the Board for stormwater discharges from an MS4. Under these state permits, the Commonwealth of Virginia imposes and enforces requirements pursuant to the Federal Clean Water Act and regulations, and the Virginia Stormwater Management Act and the attendant Regulations.

*“State Water Control Law”* means Chapter 3.1 (§ 62.1-44.2 et seq.) of Title 62.1 of the Code of Virginia.

*“State waters”* means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth of Virginia or within its jurisdiction, including wetlands.

*“Stop work order”* means an order issued which requires that all construction activity on a site be stopped.

*“Stormwater”* means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

*“Stormwater management facility”* means a device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release, or the velocity of flow.

*“Stormwater management”* means the use of structural or non-structural practices that are designed to reduce stormwater runoff pollutant loads, discharge volumes, and /or peak flow discharge rates.

*“Stormwater management plan”* means a document(s) containing material describing methods for complying with the requirements of a Virginia Stormwater Management Program (VSMP).

*“Stormwater Pollution Prevention Plan”* or *“SWPPP”* means a document(s) that is prepared in accordance with good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from the construction site, and otherwise meets the requirements of this Chapter. In addition, the document(s) shall identify and require the implementation of control measures, and shall include, but not be limited to the inclusion of, or the incorporation by reference of, an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan.

*“Subdivision”* means and has the same definition as set forth in the Subdivision Ordinance of the City of Radford, as defined in Chapter 95, Subdivision of Land, in the Radford City Code of Ordinances.

*“Total Maximum Daily Load”* or *“TMDL”* means the sum of the individual wasteload allocations for point sources, load allocations for nonpoint sources, natural background loading and a margin of safety. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. The TMDL process provides for point versus nonpoint source trade-offs.

*“Virginia Stormwater Management Act”* or *“Act”* means Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia, and which is incorporated herein by reference into this Chapter, and made a part hereof.

*“Virginia Stormwater BMP Clearinghouse website”* means a website that contains detailed design standards and specifications for control measures that may be used in Virginia to comply with the requirements of the Virginia Stormwater Management Act and associated regulations.

*“Virginia Stormwater Management Handbook”* means the policy, criteria and pertinent information that provides general guidance for compliance with the Act and the associated regulations and is developed by the Department, or any revisions thereunto for the Virginia Stormwater Management Program or VSMP, including specifications and standards of the Act and the Regulations of the Virginia Stormwater Management Handbook ( “Handbook”) for the proper implementation of the requirements of this Chapter, the Act and the Regulations. All references to the Handbook shall mean the most current edition and amendments of the Department. The Handbook includes a list of acceptable stormwater treatment practices, including the specific design criteria for each stormwater management practice. Stormwater

treatment practices that are designed and constructed in accordance with the design and sizing criteria will be presumed to meet the minimum water quality performance standards.

*“Virginia Stormwater Management Program”* or *“VSMP”* means the program established by the City to manage the quality and quantity of runoff resulting from land-disturbing activities in accordance with state law, and which has been approved by the State Board.

*“Virginia Stormwater Management Program authority”* or *“VSMP authority”* means the City of Radford.

*“Water quality volume”* means the volume equal to the first one-half inch of runoff multiplied by the impervious surface of the land development project.

*“Watershed”* means a defined land area drained by a river or stream, karst system, or system of connecting rivers or streams such that all surface water within the area flows through a single outlet. In karst areas, the karst feature to which water drains may be considered the single outlet for the watershed.

### **Section 32-3. Stormwater Permit Requirements; Exemptions.**

(a) Except as provided herein, no person may engage in any land-disturbing activity until a VSMP authority permit has been issued by the Administrator in accordance with the provisions off this Chapter.

(b) Notwithstanding any other provisions of this Chapter, the following activities are exempt, unless otherwise required by federal law:

- (1) Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of Title 45.1 of the Code of Virginia;
- (2) Clearing of lands specifically for agricultural purposes and the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations, or as additionally set forth by the State Board in regulations, including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§10.1-1100 et seq.) of Title 10.1 of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in subsection B of §10.1-1163 of Article 9 of Chapter 11 of Title 10.1 of the Code of Virginia;

- (3) Single-family residences separately built and disturbing less than one (1) acre and not part of a larger common plan of development or sale, including additions or modifications to existing single-family detached residential structures;
- (4) Land disturbing activities that disturb less than one (1) acre of land that are not part of a larger common plan of development or sale that is one (1) acre or greater of disturbance;
- (5) Discharges to a sanitary sewer or a combined sewer system;
- (6) Activities under a State or federal reclamation program to return an abandoned property to an agricultural or open land use;
- (7) Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this Subsection; and
- (8) Conducting land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the Administrator shall be advised of the disturbance within 7 days of commencing the land-disturbing activity and compliance with the administrative requirements of subsection (a) is required within 30 days of commencing the land-disturbing activity.

**Section 32-4. Stormwater Management Program Established; Submission and Approval of Plans; Prohibitions.**

(a) Pursuant to §64.1-44.15:27 of the Code of Virginia, the City of Radford, Virginia hereby establishes a Virginia Stormwater Management Program (VSMP) for land-disturbing activities and adopts the applicable Regulations that specify standards and specifications for VSMP's promulgated by the State Board for the purposes set out in Section 32-1 of this Chapter. The City Council hereby designates the City Engineer as the Administrator of the Virginia Stormwater Management Program (VSMP) for the City.

(b) No VSMP authority permit shall be issued by the Administrator, until the following items have been submitted to and approved by the Administrator as prescribed herein:

- (1) A permit application that includes a general permit registration statement; if such statement is required (Code of Virginia 62.1-44.15:28 A 8);
- (2) An erosion and sediment control plan approved in accordance with the City's Code of Ordinances, Chapter 31- Erosion and Sediment Control;

(3) A stormwater management plan or an agreement in lieu of stormwater management plan that meets the requirements of Section 32-6 of this Chapter.

(c) No VSMP authority permit shall be issued until evidence of general permit coverage is obtained, where it is required.

(d) No VSMP authority permit shall be issued until the fees required to be paid pursuant to Section 32-15 of this Chapter are received, and a reasonable performance bond if required pursuant to Section 32-16 of this Chapter has been submitted.

(e) No VSMP authority permit shall be issued unless and until the permit application and attendant materials and supporting documentation demonstrate that all land clearing, construction, disturbance, land development and drainage will be done according to the approved permit.

(f) No grading, building or other local permit shall be issued for a property unless a VSMP authority permit has been issued by the Administrator.

#### **Section 32-5. Stormwater Pollution Prevention Plan; Contents of Plan**

(a) The Stormwater Pollution Prevention Plan (SWPPP) shall include the content specified by Section 9VAC25-870-54, including, but not limited to, an approved erosion and sediment control plan, an approved stormwater management plan, pollution prevention plan and additional control measures necessary to address a TMDL, and must also comply with the requirements and general information set forth in Section 9VAC25-880-70, Section II [Stormwater Pollution Prevention Plan] of the general permit.

(b) The SWPPP shall be amended by the operator whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to state waters which is not addressed by the existing SWPPP.

(c) The SWPPP must be maintained by the operator at a central location onsite. If an onsite location is unavailable, notice of the SWPPP's location must be posted near the main entrance at the construction site. Operators shall make the SWPPP available for public review in accordance with Section 9VAC25-880-70, Section II [Stormwater Pollution Prevention Plan], Section II of the general permit, either electronically or in hard copy.

#### **Sec. 32-6. Stormwater Management Plan; Contents of Plan.**

(a) A Stormwater Management Plan, required in Section 32-1 of this Chapter shall apply the stormwater management technical criteria set forth in Section 32-9 of this Chapter and in the Regulations to the entire land-disturbing activity to ensure stormwater management plans for residential, commercial or industrial subdivisions shall govern the development of individual parcels, including those under subsequent owners. Individual lots in new residential, commercial or industrial developments shall not be considered separate land disturbing activities. A

Stormwater Management Plan shall consider all sources of surface runoff and all sources of subsurface and groundwater flows converted to subsurface runoff, and shall include the following information:

- (1) Information on the type and location of stormwater discharges; information on the features to which stormwater is being discharged including surface waters or karst features, if present, and the pre-development and post-development drainage areas;
- (2) Contact information including the name, address, telephone number of the owner, tax reference number and parcel number of the property or properties affected;
- (3) A narrative that includes a description of current site conditions and final site conditions;
- (4) A general description of the proposed stormwater management facilities and the mechanism through which the facilities will be operated and maintained after construction is complete and a certification that states the stormwater management meets the requirements set forth in the VSMP Permit Regulations (9VAC25-870-55), the Handbook, and the Administrative Guidance Manual;
- (5) Information on the proposed stormwater management facilities, including:
  - (i) The type of facilities;
  - (ii) Location, including geographic coordinates;
  - (iii) Acres treated;
  - (iv) The surface waters or karst features, if present, into which the facility will discharge.
- (6) Hydrologic and hydraulic computations, including runoff characteristics;
- (7) Documentation and calculations verifying compliance with the water quality and quantity requirements of the Regulations and Section 32-9 of this Chapter, the Handbook, and the Administrative Guidance Manual; and
- (8) Map or maps of the site that depicts the topography of the site and includes:
  - (i) All contributing drainage areas;
  - (ii) Existing streams, ponds, culverts, ditches, wetlands, other water bodies, and floodplains;

- (iii) Soil types, geologic formations if karst features are present in the area, forest cover, and other vegetative areas;
- (iv) Current land use including existing structures, roads, and locations of known utilities and easements;
- (v) Sufficient information on adjoining parcels to assess the impacts of stormwater from the site on these parcels;
- (vi) Limits of clearing and grading, and the proposed drainage patterns on the site;
- (vii) Proposed buildings, roads, parking areas, utilities, and stormwater management facilities; and
- (viii) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, including but not limited to planned locations of utilities, roads, and easements.

(b) If an operator intends to meet the water quality and/or quantity requirements set forth in Section 32-9 of this Chapter through the use of off-site compliance options, where applicable, then a letter of availability from the off-site provider must be included. Approved off-site options must achieve the necessary nutrient reductions prior to the commencement of the Applicant's land-disturbing activity except as otherwise allowed by §62.1-44.15:35 of the Code of Virginia.

(c) Elements of the stormwater management plans that include activities regulated under Chapter 4 (§54.1-400 et seq.) of Title 54.1 of the Code of Virginia shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia pursuant to Article 1 (§54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.

(1) If an Agreement in lieu of a stormwater management plan is executed, a stormwater pollution prevention plan is still required; however, the Administrator may waive the requirement of the plan to be signed and sealed by a professional engineer, architect, surveyor or landscape architect registered in the Commonwealth of Virginia pursuant to Article 1 (§54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.

(d) A construction record drawing for permanent stormwater management facilities shall be submitted to the Administrator. The construction record drawing shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia, certifying that the stormwater management facilities have been constructed in accordance with the approved plan.

(1) If an Agreement in lieu of a stormwater management plan is executed, a construction recorded drawing is still required; however, the Administrator

may waive the certification by a professional engineer, architect, surveyor or landscape architect registered in the Commonwealth of Virginia pursuant to Article 1 (§54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.

**Section 32-7. Pollution Prevention Plan; Contents of Plans.**

(a) A Pollution Prevention Plan, as required and in compliance with 9VAC25870-56, shall be developed, implemented, and updated as necessary and must detail the design, installation, implementation, and maintenance of effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained as required by 9VAC25-870-56 to:

- (1) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
- (2) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater; and
- (3) Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

(b) The Pollution Prevention Plan, required by 9VAC25-870-56, shall include effective best management practices to prohibit the following discharges:

- (1) Wastewater from washout of concrete, unless managed by an appropriate control;
- (2) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
- (3) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
- (4) Soaps or solvents used in vehicle and equipment washing.

(c) Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls.

**Section 32-8. Review of Stormwater Management Plan.**

(a) The Administrator or any duly authorized agent of the Administrator shall review

stormwater management plans and shall approve or disapprove a stormwater management plan according to the following:

- (1) The Administrator shall determine the completeness of a plan in accordance with Section 32-6 of this Chapter, and shall notify the Applicant, in writing, of such determination, within 15 calendar days of receipt. If the plan is deemed to be incomplete, the above written notification shall contain the reasons the plan is deemed incomplete;
  - (2) The Administrator shall have an additional 60 calendar days from the date of the communication of completeness to review the plan, except that if a determination of completeness is not made within the time prescribed in Subdivision (1), then the plan shall be deemed complete and the Administrator shall have 60 calendar days from the date of submission to review the plan;
  - (3) For plans not approved by the Administrator, all comments shall be addressed by the Applicant within 180 calendar days. Plans that are not resubmitted within this time period will be subject to a new application fee;
  - (4) The Administrator shall review any plan that has been previously disapproved, within 60 calendar days of the date of resubmission;
  - (5) During the review period, the plan shall be approved or disapproved, and the decision communicated in writing to the person responsible for the land-disturbing activity or their designated agent. If the plan is not approved, the reasons for not approving the plan shall be provided in writing. Approval or denial shall be based on the plan's compliance with the requirements of this Chapter, the Handbook, and the Administrative Guidance Manual;
  - (6) If a plan meeting all requirements of this Chapter is submitted and no action is taken within the time provided above in Subdivision (2) for review, the plan shall be deemed approved; and
- (b) Approved stormwater management plans may be modified as follows:
- (1) Modifications to an approved stormwater management plan shall be allowed only after review and written approval by the Administrator. The Administrator shall have 60 calendar days to respond in writing either approving or disapproving such request.
  - (2) The Administrator may require that an approved stormwater management plan be amended, within a time prescribed by the Administrator, to address any deficiencies noted during inspection.
- (c) The Administrator shall require the submission of a construction record drawing

for permanent stormwater management facilities. The Administrator may elect not to require construction record drawings for stormwater management facilities for which recorded maintenance agreements are not required pursuant to Section 32-10 (b).

**Section 32-9. Technical Criteria for Regulated Land Disturbing Activities.**

(a) To protect the quality and quantity of state water from the potential harm of unmanaged stormwater runoff resulting from land-disturbing activities, the City hereby adopts the technical criteria for regulating land-disturbing activities set forth in Part II B of the Regulations, as amended, expressly to include the requirements of 9VAC25-870-62 thru 99 and 9VAC25-870-48 [Grandfathering] of the Regulations, including 9VAC25-870-62 [Applicability]; 9VAC25-870-63 [Water Quality Design Criteria Requirements]; 9VAC25-870-65 [Water Quality Compliance]; 9VAC25-870-66 [Water Quantity Requirements]; 9VAC25-870-69 [Offsite Compliance Options]; 9VAC25-870-72 [Design storms and hydrologic methods]; 9VAC25-870-74 [Stormwater Harvesting]; 9VAC24-870-76 [Linear Development Project]; 9VAC25-870-85 [Stormwater Management Impoundment Structures or Facilities]; and 9VAC25-870-92 [Comprehensive Stormwater Management Plans]; 9VAC25-870-93 [Definitions]; 9VAC25-870-94 [Applicability]; 9VAC25-870-95 [General Requirements]; 9VAC25-870-96 [Water Quantity]; 9VAC25-870-97 [Stream Channel Erosion]; 9VAC25-870-98 [Flooding]; and 9VAC25-870-99 [Regional Watershed-Wide Stormwater Management Plans], which shall apply to all land disturbing activities regulated pursuant to this Chapter and the Regulations, except as expressly set forth in this Section as provided for in 9VAC25-870-48 [Grandfathering].

(b) Any land-disturbing activity shall be considered grandfathered by the VSMP Authority and shall be subject to the Part II C (VAC25-870-93 et seq.) technical criteria of the VSMP Regulation and this Chapter provided:

- (1) A proffered or conditional zoning plan, zoning with a plan of development, preliminary or final subdivision plat, preliminary or final site plan, or any document determined by the City to be equivalent thereto (i) was approved by the City prior to July 1, 2012, (ii) provided a layout as defined in 9VAC25-870-10, (iii) will comply with the Part II C technical criteria of this Chapter, and (iv) has not been subsequently modified or amended in any manner resulting in an increase in the amount of phosphorus leaving each point of discharge, and such that there is no increase in the volume or rate of runoff;
- (2) A state permit has not been issued prior to July 1, 2014; and
- (3) Land disturbance did not commence prior to July 1, 2014.

(c) Locality, state, and federal projects shall be considered grandfathered by the VSMP authority and shall be subject to the Part II C technical criteria of the Regulations and this Chapter provided:

(1) There has been an obligation of locality, state or federal funding, in whole or in part, prior to July 1, 2012, or the Department has approved a stormwater management plan prior to July 1, 2012;

(2) A state permit has not been issued prior to July 1, 2014; and

(3) Land disturbance did not commence prior to July 1, 2014.

(d) Land disturbing activities grandfathered under subsections (b) and (c) of this Section, shall remain subject to the Part II C technical criteria of the VSMP Regulation for one additional state permit cycle. After such time, portions of the project not under construction shall become subject to any new technical criteria adopted by the Board.

(e) In cases where governmental bonding or public debt financing has been issued for a project prior to July 1, 2012, such project shall be subject to the technical criteria of Part II C.

(f) Nothing in this Section shall preclude an operator from constructing to a more stringent standard at his discretion.

(g) The Administrator may grant exceptions to the technical requirements of Part II B and Part II C, of the Regulations, provided that (i) the exception is the minimum necessary to afford relief, (ii) reasonable and appropriate conditions are imposed so that the intent of the Act, the Regulations, and this Chapter are preserved, (iii) granting the exception will not confer any special privileges that are denied in other similar circumstances, and (iv) exception requests are not based upon conditions or circumstances that are self-imposed or self created. Economic hardship alone is not sufficient reason to grant an exception from the requirements of this Chapter

(1) Exceptions to the requirement that the land-disturbing activity obtain required VSMP authority permit shall not be given by the Administrator, nor shall the Administrator approve the use of a BMP not found on the Virginia Stormwater BMP Clearinghouse Website, or any other control measure duly approved by the Director.

(2) Exceptions to requirements for phosphorus reductions shall not be allowed unless offsite options otherwise permitted pursuant to 9VAC25-870-69 have been considered and found not available.

#### **Section 32-10. Long-Term Maintenance of Permanent Stormwater Facilities.**

(a) The Administrator shall require the provision of long-term responsibility for and maintenance of Stormwater management facilities and other techniques specified to manage the quality and quantity of runoff. Such requirements shall be set forth in an instrument recorded in the local land records prior to general permit termination, if such a permit is required, or earlier as required by the Administrator and shall at a minimum:

- (1) Be submitted to the Administrator for review and approval prior to the approval of the stormwater management plan;
- (2) Be stated to run with the land;
- (3) Provide for all necessary access to the property for purposes of maintenance and regulatory inspections;
- (4) Provide for inspections and maintenance and the submission of inspection and maintenance reports to the Administrator; and
- (5) Be enforceable by all appropriate governmental parties.

(b) At the discretion of the Administrator, such recorded instruments need not be required for stormwater management facilities designed to treat stormwater runoff primarily from an individual residential lot on which they are located, provided it is demonstrated to the satisfaction of the Administrator that future maintenance of such facilities will be addressed through an enforceable mechanism at the discretion of the Administrator.

(c) If a recorded instrument is not required pursuant to Section 32-10(b), the Administrator shall develop a strategy for addressing maintenance of stormwater management facilities designed to treat stormwater runoff primarily from an individual residential lot on which they are located. Such a strategy may include periodic inspections, homeowner outreach and education, or other method targeted at promoting the long-term maintenance of such facilities. Such facilities shall not be subject to the requirement for an inspection to be conducted by the Administrator or any duly authorized agent of the Administrator.

#### **Section 32-11. Monitoring and Inspections.**

(a) The Administrator or any duly authorized agent of the Administrator shall inspect the land-disturbing activity during construction for:

- (1) Compliance with the approved erosion and sediment control plan;
- (2) Compliance with the approved stormwater management plan;
- (3) Development, updating, and implementation of a pollution prevention plan; and
- (4) Development and implementation of any additional control measures necessary to address a TMDL.

(b) The Administrator has the right, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this Ordinance. In the event the Administrator, or his agent shall be denied access to property, the Administrator may present sworn testimony

to a magistrate or court of competent jurisdiction and if such sworn testimony establishes probable cause that a violation of this ordinance has occurred, request that the magistrate or court grant the Administrator an inspection warrant to enable the director of utilities or his agent to enter the property for the purpose of determining whether a violation of this ordinance exists. The Administrator shall make a reasonable effort to obtain consent from the owner or occupant of the subject property prior to seeking the issuance of an inspection warrant under this section. It shall be a violation of this section for any person to deny the Administrator access to any property after the director of utilities or his agent has obtained an inspection warrant from a magistrate or a court of competent jurisdiction for the inspection of such property. Nothing herein shall be construed to authorize Administrator to enter or inspect the interior portions of any dwelling or structure situated on such property unless that inspection is deemed to be reasonably necessary and directly related to verifying the presence and character of a stormwater control mitigation system or control measure that the owner of the property claims to be installed therein.

- (c) In accordance with a performance bond, the Administrator may also enter any establishment or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions which are required by the permit conditions associated with a land-disturbing activity when a permittee, after proper notice, has failed to take acceptable action within the time specified.
- (d) Pursuant to § 62.1-44-15:40 of the Code of Virginia, the Administrator may require every VSMP authority permit applicant or permittee, or any such person subject to VSMP authority permit requirements under this Ordinance, to furnish when requested such application materials, plans, specifications, and other pertinent information as may be necessary to determine the effect of his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of this Ordinance. Refer to § 62.1-44.15:40 regarding protection of specified confidential information.
- (e) Post-construction inspections of stormwater management facilities required by the provisions of this Ordinance and the recorded maintenance agreement shall be conducted by the Owner and at the Owner's cost pursuant to the City of Radford's adopted and State Board approved inspection program, and shall occur within the minimum frequencies shown in Table 1-11-1 following approval of the final construction record report for each stormwater facility.

**Table 32-11-1**

<b>BMP Classification</b>	<b>BMP Type</b>	<b>Minimum Inspection Schedule</b>	<b>Notes</b>	
1	Rooftop Disconnection	Every 5 Years	Owner shall inspect and provide documentation as per the requirements found on the Virginia Stormwater BMP Clearinghouse Website and the Administrative Guidance Manual for BMPs within classification 2, 3, and 4. The City of Radford shall inspect all BMPs every 5 years.	
1	Sheetflow to Vegetated Filter or Conserved Open Space	Every 5 Years		
1	Grass Channel	Every 5 Years		
1	Soil Amendments	Every 5 Years		
2	Permeable Pavement	Annually		
2	Infiltration	Annually		
2	Bioretention	Annually		
2	Dry Swale	Annually		
2	Wet Swale	Annually		
2	Filtering Practice	Annually		
2	Constructed Wetland	Annually		
2	Wet Pond	Annually		
2	Extended Detention	Annually		
3	Vegetated Roof	Twice per year (Spring/Fall)		
3	Rainwater Harvesting	Twice per year (Spring/Fall)		
4	Manufactured/ Other BMP	Yearly or per manufacturer recommendations, whichever is more frequent.		Owner shall inspect and provide documentation according to manufacturer's guidelines and the Administrative Guidance Manual.

- (f) The owner shall furnish to the Administrator an inspection report for BMPs within classifications 2, 3, and 4 as provided in Table 1-11-11 prepared by a qualified inspector within the timeframe listed in Table 1-11-1. This report shall include, but not be limited to, the items listed in Table 1-11-1, current photographs of the BMP, and a summary of the current BMP condition and any recommendations for improvements, if necessary.
- (g) Qualified inspection personnel include professional engineer, architect, landscape architect, or land surveyor registered in the Commonwealth of Virginia or project

inspector for SWM or combined administrator for SWM who have met the certification requirements of 9VAC25-850-50.

- (h) Post-construction inspections of stormwater management facilities required by the provisions of this Ordinance shall be conducted by the Administrator pursuant to the City of Radford's adopted and State Board approved inspection program, and shall occur, at a minimum, at least once every five (5) years.

#### **Section 32-12. Hearings.**

- (a) Any permit Applicant or Permittee, or Person subject to the requirements of this Chapter, aggrieved by any action of the City taken without a formal hearing, or by inaction of the City, may demand in writing a formal hearing by the City, provided a petition requesting such hearing is filed with the Administrator within thirty (30) days after the Administrator gives written notice of such action.
- (b) The hearing held under this Section shall be conducted by the Building Code Board of Appeals for the City, at a regular or special meeting of the Building Code Board of Appeals, or by at least one member of the Building Code Board of Appeals designated by the Building Code Board of Appeals to conduct such hearings on behalf of the Building Code Board of Appeals at any other time and place authorized by the Building Code Board of Appeals. The hearings shall comply with the requirements of § 62.1-44.26A-C of the Code of Virginia.
- (c) A verbatim record of the proceedings of such hearing shall be taken, at the requester's expense, and filed with the Building code Board of Appeals for the City by the permit applicant or permittee. Depositions may be taken and read as in actions at law.
- (d) The Building Code Board of Appeals, or its designated member, as the case may be, shall have power to issue subpoenas and subpoenas duces tecum, and at the request of any party shall issue such subpoenas. The failure of a witness without legal excuse to appear or to testify or to produce documents shall be acted upon by the Building Code Board of Appeals, or its designated member, whose action may include the procurement of an order of enforcement from the Circuit Court of the City of Radford.

#### **Section 32.13. Appeals.**

(a) Pursuant to § 62.1-44.15:56, decisions made by the Building Code Board of Appeals pursuant to this Chapter may be appealed to the Circuit Court of the City of Radford, provided any such appeal is filed with the Circuit Court within thirty (30) days from the date of any written decision adversely affecting the rights, duties, or privileges of the person engaging in or proposing to engage in land disturbing activities.

#### **Section 32-14. Enforcement.**

- (a) If the Administrator determines that there is a failure to comply with the VSMP

authority permit conditions or determines there is an unauthorized discharge, notice shall be served upon the permittee or person responsible for carrying out the permit conditions by any of the following: verbal warnings and inspection reports, notices of corrective action, consent special orders, and notices to comply. Written notices shall be served by registered or certified mail to the address specified in the permit application or by delivery at the site of the development activities to the agent or employee supervising such activities.

- (1) The notice shall specify the measures needed to comply with the permit conditions and shall specify the time within which such measures shall be completed. Upon failure to comply within the time specified, a stop work order may be issued in accordance with Subsection (b) or the permit may be revoked by the Administrator.
- (2) If a permittee fails to comply with a notice issued in accordance with this Section within the time specified, the Administrator may issue an order requiring the owner, permittee, person responsible for carrying out an approved plan, the Person conducting the land disturbing activities without an approved plan or required permit to cease all land disturbing until the violation of the permit has ceased, or an approved plan and required permits are obtained, and specific corrective measures are have been completed.

Such orders shall be issued in accordance with the City's procedures. Such orders shall become effective upon service on the person by certified mail, return receipt requested, sent to the address specified in the land records of the City, or by personal delivery by an agent of the Administrator. However, if the Administrator finds that any such violation is grossly affecting or presents an imminent and substantial danger of causing harmful erosion of lands or sediment deposition in waters within the watershed of the Commonwealth of Virginia or otherwise substantially impacting water quality, it may issue, without advance notice or hearing, an emergency order directing such Person to cease immediately all land disturbing activities on the site and shall provide an opportunity for a hearing, after reasonable notice as to the time and place thereof, to such Person, to affirm, modify, amend, or cancel such emergency order. If a Person who has been issued an order is not complying with the terms thereof, the Administrator may institute a proceeding for an injunction, mandamus, or other appropriate remedy in accordance with subsection 32-14(c).

- (a) In addition to any other remedy provided by this Chapter, if the Administrator determines that there is a failure to comply with the provisions of this Chapter, the Administrator may initiate such informal and/or formal administrative enforcement procedures in a manner authorized by this Chapter, the City of Radford Code of Ordinances, and any applicable City policies or procedures. Such measures include, but are not limited to:
  - (b) Any person violating or failing, neglecting, or refusing to obey any rule, regulation, ordinance, order, approved standard or specification, or any permit condition issued by the Administrator or any other part of this Chapter may be compelled in a proceeding instituted in the Circuit Court of the City of Radford to obey the same and to comply therewith by injunction, mandamus or other appropriate remedy.

(c) Any person who violates any provision of this Chapter or who fails, neglects, or refuses to comply with any order of the Administrator or the City, shall be subject to a civil penalty not to exceed \$32,500.00 for each violation within the discretion of the court. Each day of violation of each requirement shall constitute a separate offense.

(1) Violations for which a penalty may be imposed under this Subsection shall include but not be limited to the following:

- (i) No state permit registration;
- (ii) No Stormwater Pollution Prevention Plan (SWPPP);
- (iii) Incomplete Stormwater Pollution Prevention Plan (SWPPP);
- (iv) Stormwater Pollution Plan (SWPPP) not available for review;
- (v) No approved erosion and sediment control plan;
- (vi) Failure to install Stormwater BMPs or erosion and sediment controls;
- (vii) Stormwater BMPs or erosion and sediment controls improperly installed or maintained;
- (viii) Operational deficiencies;
- (ix) Failure to conduct required inspections;
- (x) Incomplete, improper, or missed inspections; and

(2) The Administrator may issue a summons for collection of the civil penalty and the action may be prosecuted in the appropriate court.

(3) In imposing a civil penalty pursuant to this Section, the court may consider the degree of harm caused by the violation and also the economic benefit to the violator from noncompliance; and

(4) Any civil penalties assessed by a court as a result of a summons issued by the City shall be paid into the treasury of the City to be used for the purpose of minimizing, preventing, managing, or mitigating pollution of the waters of the locality and abating environmental pollution therein in such manner as the court may, by order, direct.

(d) Notwithstanding any other civil or equitable remedy provided by this Section or by law, any person who willfully or negligently violates any provision of this Chapter, any order of the Administrator, any condition of a permit, or any order of a court shall, be guilty of

a misdemeanor punishable by confinement in jail for not more than 12 months or a fine of not less than \$2,500.00 nor more than \$32,500.00 or both.

- (e) Holds on occupation permits. Occupation permits and/or inspection shall not be granted until corrections to all stormwater practices have been made in accordance with the approved plans, notice of violation, stop work order, or permit requirements, and accepted by the City.

#### **Section 32-16. Fees.**

- (a) Fees to cover costs associated with implementation of a VSMP related to land disturbing activities and issuance of general permit coverage and VSMP authority permits shall be imposed in accordance with the appropriate fee schedule established, updated and revised from time to time by the City Council by resolution and as provided in the Administrative Guidance Manual. VSMP costs include City costs associated with stormwater management plan review, VSMP registration statement review, permit issuance, state coverage verification, inspection, reporting, and compliance activities associated with land-disturbing activities, as well as state program oversight costs.
- (b) Fees for providing coverage under the General Permit for Discharges of Stormwater from construction activities shall be imposed in accordance with the appropriate fee schedule established, as provided in the Administrative Guidance Manual, updated and revised from time to time by the City Council by resolution. Fifty percent (50%) of the total fee shall be paid by the applicant at the time that a stormwater management plan, or agreement in lieu of a stormwater management plan, is submitted for review. The remaining total fee is to be paid by the applicant prior to issuance of coverage under the General Permit for Discharges of Stormwater from Construction Activities.
- (c) When a site or sites has been purchased for development within a previously permitted common plan of development or sale, the applicant shall be subject to fees in accordance with the disturbed acreage of their site or sites according to the fee schedule established, revised and updated from time to time by the City Council by resolution, as provided in the Administrative Guidance Manual.
- (d) Fees for the modification or transfer of registration statements from the general permit issued by the State Board shall be imposed in accordance with the fee schedule established, revised and updated from time to time by the City Council by resolution, as provided in the Administrative Guidance Manual. If the permit modifications result in changes to stormwater management plans that require additional review by the City, such reviews shall be subject to the fee schedule established by the City Council, as amended. The fee assessed shall be based on the total disturbed acreage of the site. In addition to the general permit modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the initial permit fee paid and the permit fee that would have applied for

the total disturbed acreage in accordance with the fee schedule established, revised and updated from time to time by the City Council by resolution.

- (e) General permit maintenance fees: Annual permit maintenance fees required by 9VAC25-870-830 shall be imposed in accordance with the fee schedule established, revised and updated from time to time by the City Council by resolution, including fees imposed on expired general permits that have been administratively continued. These fees are provided in the Administrative Guidance Manual. With respect to the general permit, these fees shall apply until the permit coverage is terminated. General permit coverage maintenance fees, for permits issued in a previous calendar year, shall be paid by April 1<sup>st</sup> of each year that it is in effect. No permit will be reissued or automatically continued without payment of the required fee. General permit coverage maintenance fees shall be applied until a Notice of Termination is effective.
- (f) Persons whose coverage under the general permit has been revoked shall apply to the Department for an Individual Permit for Discharges of Stormwater from Construction activities.
- (g) No permit application fees will be assessed to:
  - (1) Applicants who request a permit for a detached single-family home construction within or outside of common plan of development or sale with a land-disturbing activity less than five (5) acres.
  - (2) Permittees who request minor modifications to permits as defined in Section 32- 2 of this Chapter. Permit modifications at the request of the permittee resulting in changes to stormwater management plans that require additional review by the Administrator shall not be exempt pursuant to this section.
  - (3) Permittees whose permits are modified or amended at the initiative of the Department or Administrator, excluding errors in the requisition statement identified by the Administrator or errors related to the acreage of the site.
- (h) All incomplete payments will be deemed as nonpayment, and the Applicant shall be notified of any incomplete payments. Interest may be charged for late payments at the underpayment rate set forth in § 58.1-15 of the Code of Virginia, and is calculated on a monthly basis at the applicable periodic rate. A ten percent (10%) late payment fee shall be charged to any delinquent (over 90 days past due) account. The City shall be entitled to all remedies available under the Code of Virginia in collecting any past due amount.

#### **Section 32-17. Performance Bond.**

Prior to issuance of any permit, the Applicant shall be required to submit a reasonable performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement acceptable to the Administrator and the City Attorney, to ensure that

measures could be taken by the City at the Applicant's expense should Applicant fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of him by the permit conditions as a result of the Applicants land disturbing activity. If the City takes such action upon such failure by the Applicant, the City may collect from the Applicant for the difference should the amount of the reasonable cost of such action exceed the amount of the security held, if any. Within 60 days of the completion of the requirements of the permit conditions, such bond, cash escrow, letter of credit or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the Applicant or terminated.

*EFFECTIVE DATE OF THIS ORDINANCE:* October 27, 2014

First Reading: June 9, 2014

Motion: Mr. Nicholson  
Second: Mr. Marshall

Recorded Vote: Dr. Harshberger: Yes  
Mr. Marshall: Yes  
Mr. Nicholson: Yes  
Mr. Cox: Yes  
Mayor Brown: Yes

Second Reading: October 27, 2014

Motion: Mr. Nicholson  
Second: Mr. Marshall

Recorded Vote: Dr. Harshberger: Absent  
Mr. Marshall: Yes  
Mr. Nicholson: Yes  
Mr. Turk: Yes  
Mayor Brown: Yes

ATTEST: Melissa A. Skelton  
Melissa A. Skelton, City Clerk



**RESOLUTION  
AMENDMENT TO F.Y. 2015 CITY RATES/FEES**

WHEREAS, the Code of Ordinances of the City of Radford, Virginia provides the basis for determination of various fees and rates, and

WHEREAS, Radford City Council sets fees and rates for all services, for each fiscal year, and

WHEREAS, the Council adopted the F.Y 2015 City Rates/Fees on April 14, 2014, and

WHEREAS, the State of Virginia has established a Virginia Stormwater Management Program and that requires localities to collect fees for land disturbing permits, and

WHEREAS, the Resolution establishing the Rates/Fees requires an amendment to include these new storm water fees, and

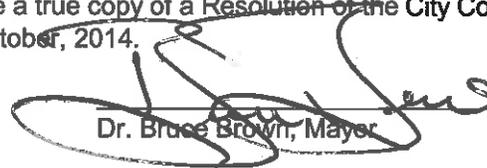
WHEREAS, the fees are establish as follows:

<b>Storm Water Fees    Attachment VII</b>	
<b>Fee Type</b>	<b>Fee Amount</b>
General/ Stormwater Management - Small (less than 1 acre)	\$81
General/ Stormwater Management - Small (equal to or greater than 1 acre and less than 5 acres)	\$756
General/ Stormwater Management - Large (equal to or greater than 5 acres and less than 10 acres)	\$952
General/ Stormwater Management - Large (equal to or greater than 10 acres and less than 50 acres)	\$1,260
General/ Stormwater Management - Large (equal to or greater than 50 acres and less than 100 acres)	\$1,708
General/ Stormwater Management - Large (equal to or greater than 100 acres)	\$2,688
Permit Modification and/or Transfer Fee	\$0
Annual Permit Maintenance Fee	\$0

Now, Therefore let it be resolved that the foregoing resolution be adopted on the 27th day of October, 2014 by the following vote:

Mr. Marshall:	Yes	Mr. Turk	Yes
Mr. Nicholson	Yes	Mayor Brown	Yes

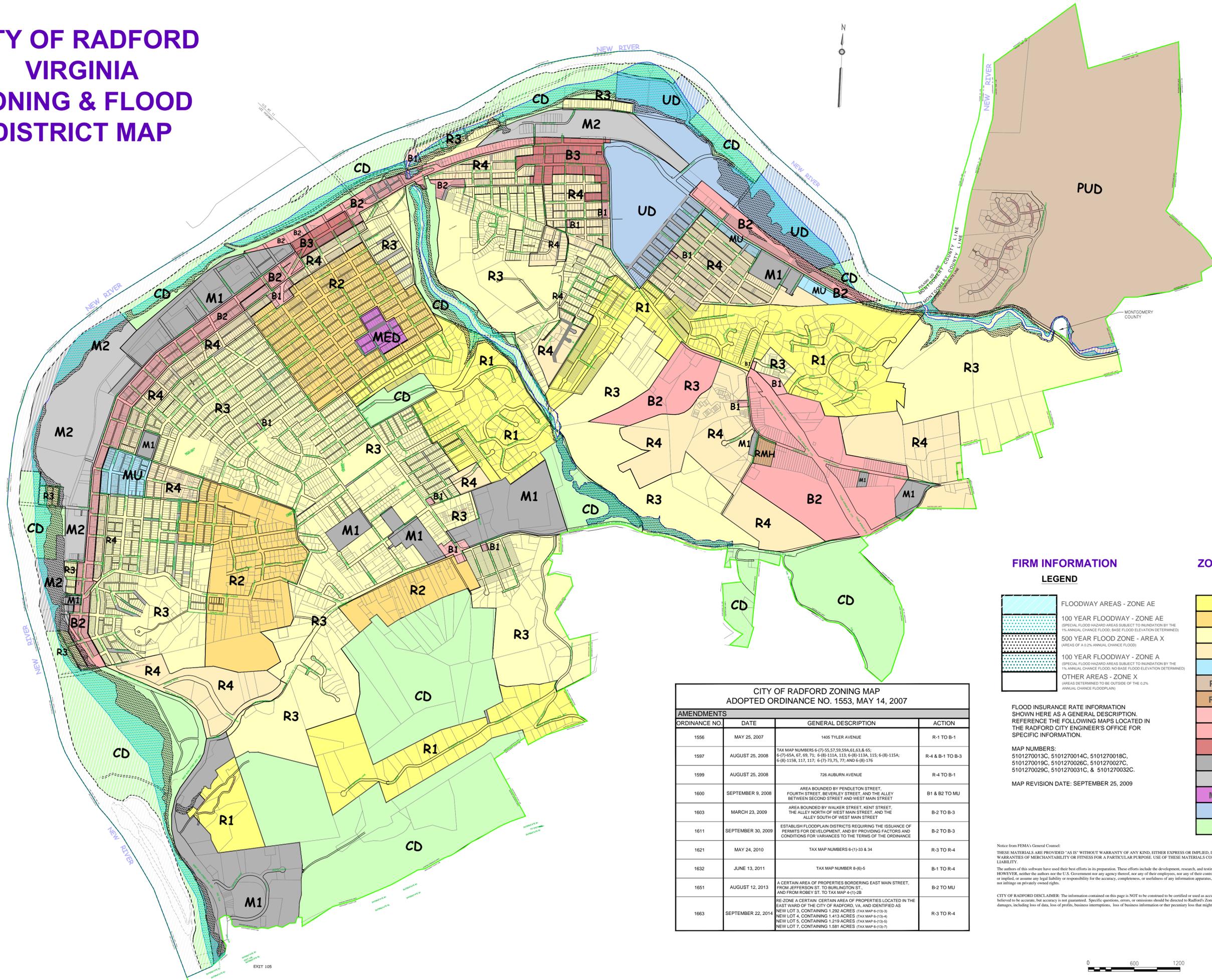
The foregoing resolution is certified to be a true copy of a Resolution of the City Council of the City of Radford, Virginia, approved on the 27th day of October, 2014.

  
Dr. Bruce Brown, Mayor

ATTEST:   
Melissa A. Skelton, City Clerk



# CITY OF RADFORD VIRGINIA ZONING & FLOOD DISTRICT MAP



### FIRM INFORMATION LEGEND

	FLOODWAY AREAS - ZONE AE
	100 YEAR FLOODWAY - ZONE AE (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD; BASE FLOOD ELEVATION DETERMINED)
	500 YEAR FLOOD ZONE - AREA X (AREAS OF A 0.2% ANNUAL CHANCE FLOOD)
	100 YEAR FLOODWAY - ZONE A (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD; NO BASE FLOOD ELEVATION DETERMINED)
	OTHER AREAS - ZONE X (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN)

### ZONING DISTRICTS LEGEND

	<b>R1</b>	RESIDENTIAL 1
	<b>R2</b>	RESIDENTIAL 2
	<b>R3</b>	RESIDENTIAL 3
	<b>R4</b>	MULTIPLE DWELLING 1
	<b>MU</b>	MIXED USE
	<b>PUD</b>	PLANNED UNIT DEVELOPMENT
	<b>RMH</b>	MANUFACTURED HOMES
	<b>B1</b>	BUSINESS LIMITED/ NEIGHBORHOOD
	<b>B2</b>	BUSINESS, GENERAL
	<b>B3</b>	BUSINESS, CENTRAL
	<b>M1</b>	RESTRICTED INDUSTRIAL
	<b>M2</b>	HEAVY INDUSTRIAL
	<b>MED</b>	MEDICAL ARTS
	<b>UD</b>	UNIVERSITY
	<b>CD</b>	CONSERVATION

CITY OF RADFORD ZONING MAP ADOPTED ORDINANCE NO. 1553, MAY 14, 2007			
AMENDMENTS			
ORDINANCE NO.	DATE	GENERAL DESCRIPTION	ACTION
1556	MAY 25, 2007	1405 TYLER AVENUE	R-1 TO B-1
1597	AUGUST 25, 2008	TAX MAP NUMBERS 6-475-55,57,59,59A,61,63, & 65; 6-476-65A, 67, 69, 71; 6-48-111A, 113, 6-48-113A, 115; 6-48-115A; 6-48-115B, 117, 117; 6-47-73,75, 77; AND 6-48-376	R-4 & B-1 TO B-3
1599	AUGUST 25, 2008	726 AUBURN AVENUE	R-4 TO B-1
1600	SEPTEMBER 9, 2008	AREA BOUNDED BY PENDLETON STREET, FOURTH STREET, BEVERLEY STREET, AND THE ALLEY BETWEEN SECOND STREET AND WEST MAIN STREET	B-1 & B-2 TO MU
1603	MARCH 23, 2009	AREA BOUNDED BY WALKER STREET, KENT STREET, THE ALLEY NORTH OF WEST MAIN STREET, AND THE ALLEY SOUTH OF WEST MAIN STREET	B-2 TO B-3
1611	SEPTEMBER 30, 2009	ESTABLISH FLOODPLAIN DISTRICTS REQUIRING THE ISSUANCE OF PERMITS FOR DEVELOPMENT, AND BY PROVIDING FACTORS AND CONDITIONS FOR VARIANCES TO THE TERMS OF THE ORDINANCE	B-2 TO B-3
1621	MAY 24, 2010	TAX MAP NUMBERS 6-111-33 & 34	R-3 TO R-4
1632	JUNE 13, 2011	TAX MAP NUMBER 8-48-5	B-1 TO R-4
1651	AUGUST 12, 2013	A CERTAIN AREA OF PROPERTIES BORDERING EAST MAIN STREET, FROM JEFFERSON ST. TO BURLINGTON ST., AND FROM ROBEY ST. TO TAX MAP 4-111-28	B-2 TO MU
1663	SEPTEMBER 22, 2014	RE-ZONE A CERTAIN CERTAIN AREA OF PROPERTIES LOCATED IN THE EAST WARD OF THE CITY OF RADFORD, VA, AND IDENTIFIED AS: NEW LOT 3, CONTAINING 1.292 ACRES (TAX MAP 6-113-3) NEW LOT 4, CONTAINING 1.413 ACRES (TAX MAP 6-113-4) NEW LOT 5, CONTAINING 1.219 ACRES (TAX MAP 6-113-5) NEW LOT 7, CONTAINING 1.581 ACRES (TAX MAP 6-113-7)	R-3 TO R-4

FLOOD INSURANCE RATE INFORMATION SHOWN HERE AS A GENERAL DESCRIPTION. REFERENCE THE FOLLOWING MAPS LOCATED IN THE RADFORD CITY ENGINEER'S OFFICE FOR SPECIFIC INFORMATION.

MAP NUMBERS:  
5101270013C, 5101270014C, 5101270018C,  
5101270019C, 5101270026C, 5101270027C,  
5101270029C, 5101270031C, & 5101270032C.

MAP REVISION DATE: SEPTEMBER 25, 2009

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CITY OF RADFORD DISCLAIMER: The information contained on this page is NOT to be construed to be certified or used as accurate for planning or construction purposes. Map information is believed to be accurate, but accuracy is not guaranteed. Specific questions, errors, or omissions should be directed to Radford's Zoning Administrator. In no event will the City of Radford be liable for any damages, including loss of data, loss of profits, business interruptions, loss of business information or other pecuniary loss that might arise from the use of this map or the information it contains.

OFFICIAL ZONING MAP  
ORDINANCE 1553 DATED: MAY 14, 2007  
LATEST REVISION DATE: SEPTEMBER 29, 2015



PREPARED BY  
CITY OF RADFORD  
ENGINEERING OFFICE

SHEET  
1 OF 1  
FILE NUMBER

City of Radford Virginia  
Zoning & Flood Districts

REVISIONS:  
23 MAR 09  
29 SEP 15

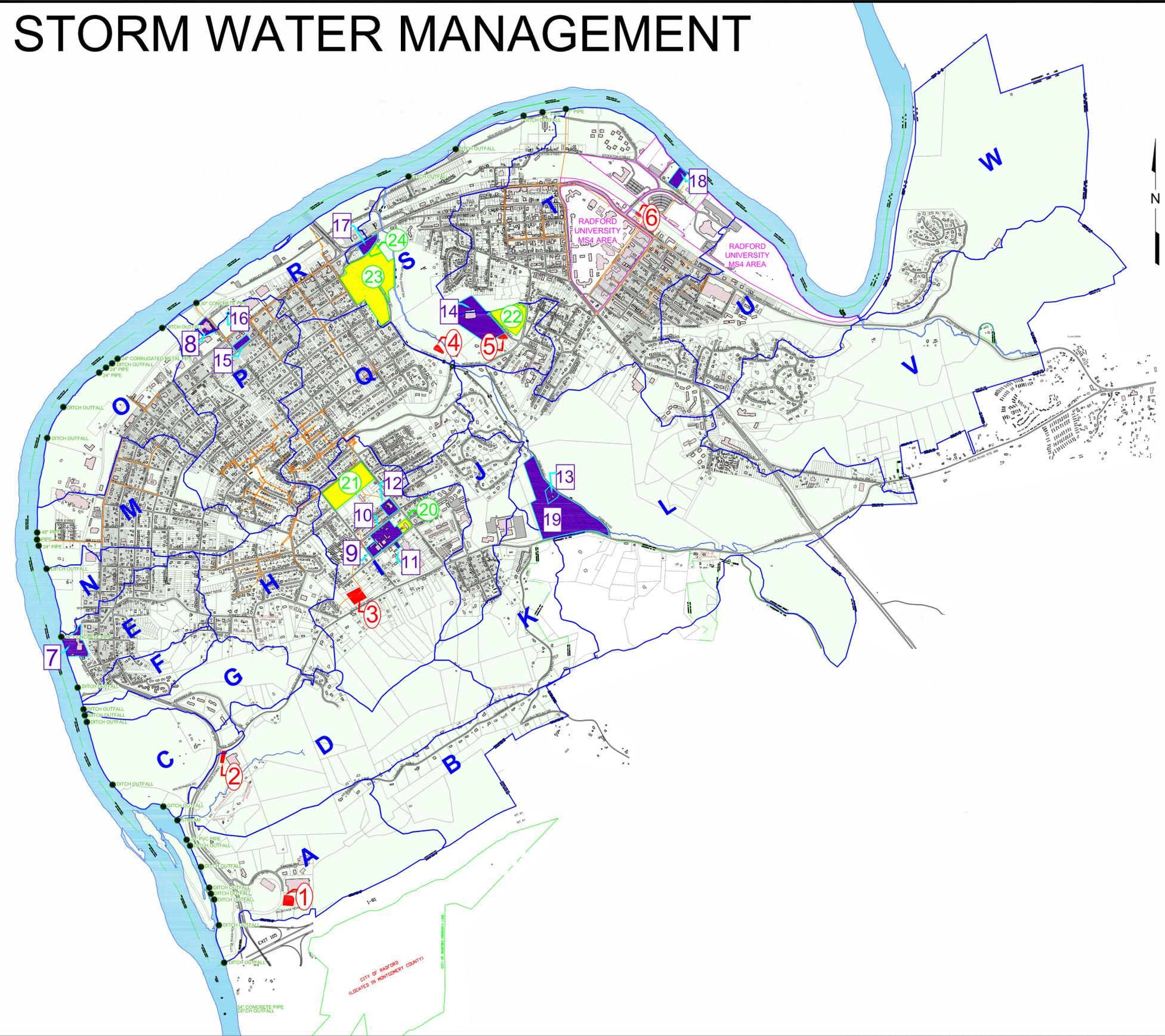
SCALE: 1: 600  
DATE: 14 MAY 07  
DESIGNED BY: JCE  
DRAWN BY: JCE  
CHECKED BY: JHH

CITY OF RADFORD, VIRGINIA  
10 ROBERTSON STREET  
RADFORD, VIRGINIA  
CITY ENGINEER'S OFFICE

# CITY OF RADFORD STORM WATER MANAGEMENT

- STORM WATER MANAGEMENT FACILITY
- ① INDUSTRIAL PARK
- ② INTERSECTION OF ROCK ROAD WEST AND WEST MAIN ST.
- ③ NORTH SIDE OF ROCK ROAD WEST BETWEEN FOREST AVE. AND STAPLES ST.
- ④ SECOND AVE. PARK ROAD IMPROVEMENT PROJECT
- ⑤ BELLE HETH ELEMENTARY
- ⑥ EAST MAIN STREET BEHIND ALLEN BUILDING
- OPERATIONAL FACILITIES / PROPERTY
- ⑦ WATER TREATMENT PLANT
- ⑧ RADFORD CITY POLICE DEPARTMENT AND ADMINISTRATION BUILDING
- ⑨ RADFORD ELECTRIC DEPARTMENT
- ⑩ RADFORD PUBLIC WORKS DEPARTMENT
- ⑪ RADFORD SOLID WASTE DROP-OFF
- ⑫ RADFORD FIRE DEPARTMENT
- ⑬ RADFORD CITY EQUIPMENT STORAGE
- ⑭ RADFORD RECREATION DEPARTMENT
- ⑮ RADFORD MUNICIPAL BUILDING
- ⑯ GLENCOE
- ⑰ RADFORD CITY PUBLIC LIBRARY
- ⑱ RADFORD ANIMAL SHELTER
- ⑲ FORMER SOLID WASTE LANDFILL (CLOSED)
- ⑳ RADFORD CITY SCHOOLS ADMINISTRATION BUILDING
- ㉑ McHARG ELEMENTARY SCHOOL
- ㉒ BELLE HETH ELEMENTARY SCHOOL
- ㉓ DALTON INTERMEDIATE & RADFORD HIGH SCHOOL
- ㉔ ARNHIEM

- A,B,C,.. LETTERED WATERSHED BASINS
- STORM SEWER PIPES AND STRUCTURES
- #INCH PIPE  
DITCH  
STREAM
- AREA OF RADFORD UNIVERSITY MS4 PROJECT
- RADFORD UNIVERSITY STORM SEWER PIPES AND STRUCTURES



DISCLAIMER: The information contained on this page is NOT to be construed or used as a "legal description". map information is believed to be accurate, but accuracy is not guaranteed. Any errors or omissions should be reported to the City Engineer's Office. In no event will the City of Radford be liable for any damages, including loss of profits, business interruptions, loss of business information or other pecuniary loss that might arise from the use of this map or the information it contains.

STORM WATER MANAGEMENT MAP UNDER DEVELOPMENT  
INFORMATION SUBJECT TO FIELD VERIFICATION.

**RECYCLING REPORT FOR THE YEAR**

JULY 1 2014 TO JUNE 30TH, 2015

<u>ANTIFREZZE</u>	<u>OIL</u>	<u>SOLVENTS</u>	<u>TIRES</u>	<u>BATTERIES</u>
	1.76 T	.10 PER YEAR	8.35 T	0.50945 T
<u>SOLID WASTE</u>	<u>TRUCKS</u>	<u>WOODCHIPS</u>	<u>DEBRI</u>	<u>ASPHALT</u>
796.89 T	7,014.59 T	135.60 T	111.97 T	1,875 T
<u>ALUMINUM NONFERROUS</u>	<u>IRON FERROUS</u>	<u>DROP CENTERR STEEL</u>	<u>APPLANCES</u>	<u>FUNDING FACTORY</u>
0.183 T	8.67 T	41.22 T		.71519 T
<u>COMINGLED GLASS PLASTIC</u>	<u>MIXED PAPER</u>	<u>CARDBOARD</u>	<u>GRASS &amp; LEAVES</u>	<u>E-WASTE</u>
110.63 T	95.165 T	37.83 T	852.225 T added together	3.732 T
<u>TOTAL COLLECTED</u>	<u>TOTAL COLLECTED</u>	<u>PERCENTAGE RECYCLED</u>	<u>TOTAL RECYCLED</u>	
11,826.69 TONS	11,826.69 TONS	33.95%	4,015.21 TONS	



**Virginia Stormwater Management Program  
2015 Annual Reporting Form  
Due to DEQ by October 1, 2015**

Name of Locality: **City of Radford, VA**

Phone: **540-731-3604**

Person Completing Survey: **James Hurt**

Date: **October 1, 2015**

Email: [hurtjh@radford.va.us](mailto:hurtjh@radford.va.us)

As a local Virginia Stormwater Management Program (VSMP) authority, [9VAC25-870-126](#) of the VSMP regulations requires VSMPs to report on the following items by October 1 of each year in a format provided by DEQ:

- a. Information on permanent stormwater management facilities completed during the fiscal year
- b. The number and type of enforcement actions
- c. The number of exceptions granted

Since the permanent BMPs are already being reported through the Construction General Permit database, there is no need to provide that information on this form.

Name of VSMP locality: City of Radford, VA (Permit # VAR040135)

Regulatory Citation	Requirement	Local Report
9VAC25-870-126	Number and type of enforcement actions undertaken in preceding fiscal year*	None
9VAC25-870-126	Number of exceptions granted during preceding fiscal year*	None

\*If your locality is regulated under an MS4 permit, and this value has been included in the MS4 annual report *for the locality's entire jurisdiction*, you will not need to include it on this form. If the MS4 annual report only includes the values of actions within in the MS4 service area, please provide the information on this form.

Please complete and submit this form to the DEQ by each October 1, to: [Shawn Smith](#). The first report is due October 1, 2015.



Be the Solution to Stormwater Pollution

Background

Stormwater pollution, also referred to as Non-Point Source (NPS) pollution, results when rainfall and snowmelt is unable to naturally soak into the ground because of paved or otherwise solid surfaces, such as roads, rooftops, and sidewalks. Stormwater can pick up debris, chemicals, dirt, and other pollutants, and flow directly to a stream, river, lake, wetland, or into a storm sewer system.



The Problem



NPS pollution affects natural resources by degrading habitats for aquatic plants and animals, and impacting drinking water resources and recreational uses of water bodies.

Each one of us contributes to NPS pollution through our daily activities. You can help reduce NPS pollution and keep our environment clean by making simple changes in your daily lifestyle, as indicated on the back.



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## The Solution



Avoid the use of fertilizers and do not apply before heavy rainfall. Pesticides are toxic to humans, animals, aquatic insects, and plants. Follow label directions carefully or use alternatives whenever possible.



Repair oil leaks from your car promptly. Recycle waste oil by taking it to a recycle center. Don't pour

waste oil onto the ground or into a storm drain.



Wash your car at a commercial car wash. If

you wash your car at home, use eco-friendly detergents (non-phosphate).



Compost yard waste. Never throw leaves or clippings in streets or storm drains.

Take unwanted household chemicals to hazardous waste removal days. Do not pour them down the drain or discard with regular household trash.



Don't throw animal waste into the street or storm drain. Pick up poop and dispose in the garbage.



Radford City has prepared this educational material to meet requirements of their storm-water permit administered by the Virginia Department of Conservation and Recreation.

For more information:  
Radford City Manager's Office  
Phone: 540-731-3603

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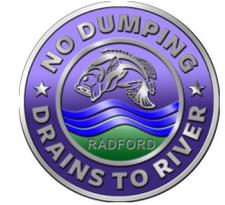


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# Pet Waste Signage at City Parks



# Drain Marker



# DRAFT

## ORDINANCE NO. 1681

### AN ORDINANCE ADOPTING A NEW ARTICLE II: ILLICIT DISCHARGE, TO THE CITY'S STORMWATER MANAGEMENT ORDINANCE, IN CHAPTER 32, OF THE RADFORD CITY CODE OF ORDINANCES

**WHEREAS**, the City Council of the City of Radford, Virginia finds that the uncontrolled discharge of pollutants to its Municipal Separate Storm Sewer System (MS4) has an adverse impact on the water quality of receiving waters; and

**WHEREAS**, amendments to the Federal Water Pollution Control Act, commonly known as the Clean Water Act, established the National Pollutant Discharge Elimination System (NPDES) Program, which requires permits for discharges from regulated municipal separate storm sewer systems into the waters of the United States; and

**WHEREAS**, the United States Environmental Protection Agency (EPA) has promulgated regulations implementing the NPDES Program, and the EPA has authorized the Commonwealth of Virginia to issue NPDES permits under the Virginia Pollutant Discharge and Elimination System (VPDES) permit system; and

**WHEREAS**, the VPDES regulations for stormwater discharges requires the City of Radford, Virginia to control the contribution of pollutants to its regulated MS4 by prohibiting illicit discharges, and to inspect, monitor, and enforce the prohibitions of illicit discharge to the regulated MS4, and an Ordinance is required to set forth the necessary provisions of the regulations, and the compliance thereunto, to protect the City's MS4, as set forth and provided for in this Ordinance No. 1681; and

**WHEREAS**, a public hearing upon this Ordinance No. 1681, prior to its adoption, was held on \_\_\_\_\_, 2016, at a regular meeting of the Radford City Council, to receive public

comment, following the duly advertised notice thereof of the public hearing regarding this Ordinance NO. 1681; and

**WHEREAS**, the Radford City Council finds that this Illicit Discharge Ordinance No. 1681, is necessary, and satisfies the regulatory requirements, and upon adoption, is and this Ordinance shall be an integral part of and shall supplement the City's Stormwater Management Ordinance No. 1662, adopted and effective as of July 1, 2014, and set forth in Chapter 32, of the Radford City Code of Ordinances; and

**WHEREAS**, the Illicit Discharge Ordinance provisions related to the City's MS-4 as set forth herein shall follow the City's Stormwater Management Ordinance, in Article I, of Chapter 32, of the Radford City Code; and

**NOW THEREFORE BE IT ORDAINED** by the City Council of the City of Radford, Virginia, as follows:

1. That a new Article II. "Illicit Discharge" is and the same hereby is added to Chapter 32, Stormwater Management, of the Radford City Code of Ordinances, and hereby is adopted to read as set forth below.

2. That the effective date of this Ordinance is \_\_\_\_\_, 2016.

## **ARTICLE II**

### **ILLICIT DISCHARGE**

#### **Sec. 32-18 TITLE AND AUTHORITY**

- A. This Ordinance shall be known as the "Illicit Discharge Ordinance of the City of Radford, Virginia."
- B. This Ordinance establishes the City's illicit discharge program that regulates non-stormwater discharges to its regulated Municipal Separate Storm Sewer System (MS4), consistent with state and federal regulations promulgated pursuant to the law.
- C. The City of Radford hereby designates the \_\_\_\_\_, as the Administrator of

the illicit discharge program.

### **Sec. 32-19 PURPOSE**

The purpose of this Ordinance is to promote the general health, safety, and welfare of the citizens of the City by protecting property and state waters through the prohibition of illicit discharges of non-stormwater within the City's regulated MS4 area into the City's MS4, subject to certain exceptions.

### **Sec. 32-20 APPLICABILITY**

This Ordinance is applicable to any non-stormwater discharge that enters, or has the potential of entering, the City's MS4, located within the City's regulated MS4 area.

### **Sec. 32-21 COMPATIBILITY WITH OTHER REQUIREMENTS**

This Ordinance is not intended to interfere with, abrogate, or annul any other Ordinance, rule or regulation, statute, or other provision of law. The requirements of this Ordinance shall be considered minimum requirements, and where any provision of this Ordinance imposes restrictions different from those imposed by any other Ordinance, 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 apply.

### **Sec. 32-22 SEVERABILITY**

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Ordinance.

### **Sec. 32-23 DEFINITIONS**

The following words and terms as used in this Ordinance shall have the following meanings, unless the context clearly indicates otherwise:

**“Administrator”** means the position responsible for administering the illicit discharge program on behalf of the City of Radford. The Administrator shall be the \_\_\_\_\_, or his/her designee.

**“Best Management Practices or “BMP”** means schedules of activities, prohibitions of practices, including both structural or non-structural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

**“City”** means the City of Radford, Virginia.

**“Clean Water Act or CWA”** means the federal Clean Water Act (33 United States Code 1251

et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

**"Control measure"** means any best management practice or other method used to prevent or reduce the discharge of pollutants to surface waters.

**"Department"** means the Virginia Department of Environmental Quality (DEQ).

**"Discharge"** means to dispose, deposit, spill, pour, inject, dump, pump, leak, or place by any means, or that which is disposed, deposited, spilled, poured, injected, dumped, pumped, leaked, or placed by any means.

**"Illicit discharge"** means any discharge to the City's MS4 that is not composed entirely of stormwater, except discharges pursuant to a VPDES or VSMP permit (other than the VSMP permit for discharges from the MS4), discharges resulting from firefighting activities, and discharges identified by and in compliance with 9VAC25-870-400 D 2 c (3).

**"Municipal separate storm sewer"** means a conveyance or system of conveyances otherwise known as a municipal separate storm sewer system or "MS4," including roads with drainage systems, municipal streets, catch basins, drop inlets, curbs, gutters, ditches, man-made channels, storm drainage pipes, or other drainage structures:

1. Owned or operated by the City;
2. Designed or used for collecting or conveying stormwater;
3. That is not a combined sewer; and
4. That is not part of a publicly owned treatment works (POTW).

**"Municipal separate storm sewer system"** or **"MS4"** means all municipal separate storm sewers that are located within the portion of the City that is identified as "urbanized" by the U.S. Bureau of the Census in the latest Decennial Census.

**"National Pollutant Discharge Elimination System"** or **"NPDES"** means the federal program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits, and imposing and enforcing pre-treatment requirements under the Clean Water Act (CWA).

**"Person"** means any individual, firm, organization, partnership, association, organization or other entity, including governmental entities, or any combination thereof, or any agent or employee of any such entity.

**"State waters"** means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

**"Stormwater"** means precipitation that is discharged across the land surface or through conveyances to one or more waterways, which may include rainfall runoff, snow melt runoff, and surface runoff and drainage.

**“Virginia Pollutant Discharge Elimination System”** (VPDES) means the program issued by the Commonwealth of Virginia for imposing and enforcing pre-treatment requirements pursuant to the Clean Water Act (CWA).

**“Virginia Stormwater Management Program”** (VSMP) means a program approved by the State Board as of July 1, 2014, that has been established by a locality to manage the quality and quantity of runoff resulting from land-disturbing activities, which shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement, where authorized in this article, and evaluation consistent with the requirements of this article and associated regulations.

### **Sec. 32-24 PROHIBITED DISCHARGES**

- A. It shall be unlawful and a violation of this Ordinance to allow any discharge that is not composed entirely of stormwater, except as described in subsection C below, that enters, or has the potential of entering, the MS4.
- B. Illicit discharges include, but are not limited to:
  - 1. Discharging, or causing or allowing to be discharged, sewage, industrial wastes, yard wastes, or other wastes, into the storm sewer system, or any component thereof, or onto driveways, sidewalks, parking lots, the ground, or any other areas draining to the storm sewer system.
  - 2. Connecting, or causing or allowing connection of any sanitary sewer to the storm sewer system, including any sanitary sewer connected to the storm sewer as of the date of the adoption of this Ordinance.
  - 3. Connecting, or causing or allowing any connection to the storm sewer system, without a valid VSMP, VPDES, or NPDES permit, any structure that conveys any liquid other than stormwater or discharges listed in subsection C, including, but not limited to, pipes, drains, sanitary sewer lines, washing machine drains, or floor drains.
  - 4. Prohibitions 2 and 3 listed in this subsection expressly include, without limitations, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of the connection.
  - 5. Throwing, placing, or depositing, or causing to be thrown, placed, or deposited in the storm sewer system anything that impedes or interferes with the free flow of stormwater therein, or adversely affects water quality.

- C. The following non-stormwater discharges are allowable under this Ordinance:
1. Discharges or flows covered by a separate individual or general VPDES or VSMP permit for non-stormwater discharges;
  2. Individual non-stormwater discharges or flows that have been identified in writing by the Virginia Department of Environmental Quality as de minimis discharges that are not significant sources of pollutants to state waters and do not require a VPDES permit;
  3. Non-stormwater discharges or flows as listed in the following categories, unless they are identified by the Administrator or Virginia Water Control Board, as significant contributors of pollutants.
    - a. Water line flushing;
    - b. Landscape irrigation;
    - c. Diverted stream flows or rising groundwater;
    - d. Uncontaminated ground water infiltration;
    - e. Uncontaminated pumped groundwater;
    - f. Discharges from potable water sources;
    - g. Foundation drains;
    - h. Air conditioning condensate;
    - i. Irrigation water;
    - j. Springs;
    - k. Water from crawl space pumps;
    - l. Footing drains;
    - m. Lawn watering;
    - n. Individual residential car washing;
    - o. Flows from riparian habitats and wetlands;
    - p. Dechlorinated swimming pool discharges;
    - q. Street wash water; and
    - r. Firefighting activities
  4. The discharge of material resulting from a spill that is necessary to prevent loss of life, personal injury, or severe property damage. The responsible party shall take all reasonable steps to minimize or prevent any adverse effect on human health or the environment. This provision does not transfer liability for the spill itself from the party(ies) responsible for the spill, nor relieve the party(ies) responsible for a spill from the reporting requirements of 40 CFR Part 117 and 40 CFR Part 302 (2001).

D. In the event any of the activities listed in sub-paragraph C (3) of this section are found to be a significant contributor of pollutants to be discharged into the MS4, the Administrator shall so notify the person performing such activities, and shall order that such activities be ceased or be conducted in such a manner as to avoid the discharge of pollutants into the MS4. The failure to comply with any such order shall constitute a violation of the provisions of this Ordinance.

## **Sec. 32-25 INSPECTIONS AND MONITORING**

- A. The Administrator shall have the authority to carry out all inspections and monitoring procedures necessary to determine compliance and/or noncompliance with this Ordinance, and to enforce the requirements of this Ordinance.
- B. The Administrator shall have the authority, at his sole discretion, to require a Stormwater Pollution Prevention Plan (SWPPP) from any person whose property discharges, or has the potential to discharge, to the MS4.
- C. The Administrator and/or his/her duly authorized employees, agents, or representatives of the City, bearing proper credentials and identification, shall be authorized to enter any public property or to request entry into private property at any reasonable time for the purpose of enforcing this Ordinance, including, but not limited to taking samples of discharges, inspecting monitoring equipment, inspecting and copying documents relevant to the enforcement of this Ordinance, and such other items as may be deemed necessary for the enforcement of this Ordinance.

If the person in charge of the property refuses to allow the Administrator to enter in accordance with subsection C, then the Administrator may present sworn testimony to a magistrate or court of competent jurisdiction and request the issuance of an inspection warrant to enter the property for the purpose of making such inspections and investigations. The Administrator shall make a reasonable effort to obtain consent from the owner or person in charge of the property prior to seeking the issuance of an inspection warrant under this section.

- D. The Administrator shall have the authority to require any person responsible for a discharge to the MS4 to document that such discharge meets and is in compliance with the requirements of this Ordinance. This includes, but is not limited to, the ability of the Administrator to require such person to provide monitoring reports, test results, and such other matters as may be deemed necessary to show that such discharge is in compliance with the requirements of this Ordinance. The cost of any required documentation shall be the responsibility of the person responsible for the discharge.
- E. The failure of any person to comply with any of the requirements of this section shall constitute a violation of this Article.

## **Sec. 32-26 ENFORCEMENT AND PENALTIES**

- A. Any person who violates any of the provisions of this Ordinance shall be guilty of a Class I misdemeanor and, upon conviction, is subject to punishment by a fine of not more than two thousand five hundred dollars (\$2,500.00) per violation per day and confinement in jail for not more than twelve (12) months, either or both.
- B. Each day during which a violation of this Ordinance occurs or continues shall be deemed a separate and distinct violation of this chapter.
- C. Any person who commits any of the acts prohibited by this chapter or violates any of the provisions of this Ordinance shall be liable to the City for all costs of testing, containment, cleanup, abatement, removal, disposal, and any other related costs or expenses that the City may incur in connection with the enforcement of this Ordinance and/or the prohibition and/or correction of a violation of this Ordinance.
- D. The Administrator may bring legal action to enjoin a violation of this Ordinance and the existence of any other remedy shall be no defense to any such action.
- E. In addition to any of the remedies set forth above, the Administrator may seek to impose, or have imposed by the appropriate authority, any of the remedies provided for by § 62.1-44.15:48, Code of Virginia (1950), as amended, which are incorporated herein by reference, and made a part hereof.
- F. In any court action that may result from enforcement of this Ordinance, a judge hearing the case may direct the person responsible for the violation or the property owner to correct the violation and each day that the violation continues shall constitute a separate violation of this chapter.
- G. Any person who knowingly makes any false statements, representations, or certifications in any record, report, or other document, either filed or requested pursuant to this chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required or used by the director under this chapter in monitoring discharges, shall be guilty of a violation of this Ordinance.
- H. The remedies set forth in this section shall be cumulative, not exclusive, and it shall be no defense to any action that one (1) or more of the remedies set forth in this section has been sought or granted.

## Latitude/Longitude of Turf Management Areas

### Greater than One Acre:

	<u>Latitude</u>	<u>Longitude</u>
• Dobbin's Field	37.11826667	-80.56641889
• Sunset Park	37.12213044	-80.578032
• Hodge Field	37.11788681	-80.57552177
• Riverview Park	37.1080866	-80.59164883
• Bisset Park	37.1395525	-80.570568
• New River Valley Sports Complex	37.14353163	-80.56048872
• Veterans Field	37.14560411	-80.5548919
• McHarg Field	37.12114168	-80.57052449
• Radford Memorial Baseball Field	37.1311515	-80.5587869
• Dog Park	37.14107497	-80.54286057
• Haven Heights	37.12991404	-80.54417613
• Wildwood Park	37.135044	-80.565775
• Belle Heth ES	37.132298	-80.557056
• Radford High School	37.135394	-80.568940