

AGENDA
PLANNING COMMISSION
Regular Meeting
July 24, 2019
6:30 pm

I. Call to Order

II. Roll Call

III. Establishment of Quorum

IV. Reading and Approval of the Minutes

Approval of the June 26, 2019 Meeting Minutes.

V. Public Hearing(s)

Application for a Variance on prohibited fill dirt for a playground, Requirements as listed in Title IV, Chapter 8, section 6.5.1 of the Building Code of Ordinances of the Village of Coal Valley. The location to add fill dirt, Parcel 12906-1, 1403 W 1st Ave Coal Valley, Illinois 61240.

VI. Unfinished Business

-) Review Storm Water Management Program
-) Review Appendix A

VII. Discussion

VIII. New Business

IX. Public Comment

X. Other Business

XI. Adjournment

**VILLAGE OF COAL VALLEY, ILLINOIS
MINUTES OF THE PLANNING COMMISSION AND
ZONING BOARD OF APPEALS**

Held June 26, 2019 at 7:00 pm, Village Hall, Coal Valley, Illinois

I. Call to Order

The Planning Commission and Zoning Board of Appeals meeting was called to order at 7:00 pm by Chairman Mathias.

II. Roll Call

Present: Mathias, Farmer, Brockway, Ciacco

Absent: Head, Rose

III. Establishment of a Quorum

Quorum present.

Others present at the meeting were: Jamie Just, Building Inspector and Amber Dennis, Secretary.

IV. Reading and Approval of Minutes

A Motion was made by Farmer to approve the minutes of the April 24, 2019, Ciacco seconded, all ayes motion carried.

V. Public Hearing(s)

No public hearings.

VI. Unfinished Business

No unfinished business.

VII. Discussion

No discussion.

VIII. New Business

) Review Stormwater Management Program Discussion-

Chairman Mathias stated that he and some of the other members had some questions on the corrections of the Stormwater Management Program. He asked who the MS4 program coordinator was. Jamie Just; Building inspector stated that it will be his responsibility. Mathias asked who the Board of Appeals is. Just stated that it will temporarily be the Planning and Zoning commission until a board is established and appointed. Just explained that the Board of Appeals is there to help residents who are disputing building codes and issues. The Board

decided to table the Stormwater Management Program until next month for corrections to be made.

) **Review Appendix A –**

Chairman Mathias stated that he and other members agreed to change where it states that attached garages are accessory buildings. They would like it to state that attached garages are not considered accessory building. They are tabling to the next meeting to see corrections and vote at that time.

IX. Public Comment

No public comment was made.

X. Other Business

No other business.

XI. Adjournment

Farmer made a motion to adjourn the meeting, Brockway seconded, all ayes, the meeting was adjourned at 7:15 pm.

Amber Dennis
Secretary

NOTICE OF PUBLIC HEARING

The Planning commission of the Village of Coal Valley will hold a Public Hearing on Wednesday, July 24, 2019 at 6:30 p.m. in the Village Hall meeting room 900 1st Street to consider the following application:

Application for a Variance on prohibited fill dirt for a playground, Requirements as listed in Title IV, Chapter 8, section 6.5.1 of the Building Code of Ordinances of the Village of Coal Valley. The location to add fill dirt, Parcel 12906-1, 1403 W 1st Ave Coal Valley, Illinois 61240.

A copy of the proposed application is on file at the Village Hall and may be reviewed during business hours.

PLANNING & ZONING

STORM WATER MANAGEMENT PROGRAM
FOR THE
VILLAGE OF COAL VALLEY

Prepared By:

Missman, Stanley & Associates, P.C.

March 2003

Revised 2019

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STORM WATER MANAGEMENT PROGRAM VILLAGE OF COAL VALLEY

March 2003

1.0 REGULATORY BACKGROUND

On December 8, 1999 final regulations governing discharges from small municipal separate storm sewer systems (MS4s) were published in the Federal Register. These regulations are codified in 40 CFR Parts 122 and 123. These regulations are commonly referred to as Phase II of the National Pollution Discharge Elimination System (NPDES). This rule is designed to comply with the requirements of the Clean Water Act (CWA), established in 1972, and to further protect our nation's streams, rivers, and beaches from polluted storm water runoff. In addition to complying with the CWA, the NPDES Phase II intent is to facilitate a watershed based framework for addressing storm water management and to address significant discharges not included in the Phase I NPDES program.

1.1 Applicability

In accord with the NPDES Phase II regulations, Municipal Separate Storm Sewer Systems (MS4s) that serve a population of less than 100,000 and are situated in an Urbanized Area are required to comply with the requirements of the program. An Urbanized Area is defined by the Census Bureau as:

a land area comprising one or more places...that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile.

The Village of Coal Valley was listed in the appendix of the Federal Register as being a governmental entity located fully or partially within an urbanized area.

1.2 Requirements

The Environmental Protection Agency (EPA) requires, under the Phase II regulations, that all owners/operators of small MS4s reduce the discharge of pollutants from a regulated system to the maximum extent practicable to protect water quality. At a minimum, jurisdictions regulated under Phase II must:

- Specify best management practices (BMPs) for six minimum control measures and implement them to the maximum extent practicable.
- Identify measurable goals for control measures.
- Show an implementation schedule of activities or frequency of activities.
- Define the entity responsible for implementation.

The six minimum control measures that must be addressed under the Phase II NPDES Program include:

1. Public Education and Outreach on Storm Water Impacts
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Storm Water Runoff Control
5. Post Construction Storm Water Management in New Development and Redevelopment
6. Pollution Prevention/Good Housekeeping for Municipal Operations

Permit coverage under this program is granted by submittal of a Notice of Intent (NOI) form to the permitting authority. The Illinois Environmental Protection Agency (IEPA) is the permitting authority for the State of Illinois. A copy of the IEPA NOI form and General Permit are included in Appendix B of this document.

2.0 Village Setting and Characteristics

2.1 Setting

The Village of Coal Valley is situated in western Illinois on U.S. Route 150, approximately 5 miles south of the Quad City Area. The Village of Coal Valley has a population of approximately 3,500 people.

Coal Valley is situated within a dendritic drainage pattern that drains south to the Rock River. Reference Figure 1, Appendix A for a topographic map that includes the village boundary and drainage patterns. Two named waterways traverse through the village. Coal Creek drains northwest through the village, roughly paralleling the alignment of U.S. Route 150. The other tributary, Schaffer Creek, traverses the eastern portion of the village, and also drains to the Rock River. Reference Figure 2, appendix A for the Village of Coal Valley Catch Basin diagram that also depicts Coal and Schaffer Creeks. The village occupies a land area of about 2.2 square miles.

2.2 Existing Storm Water Related Programs

The village currently has several existing programs and ordinances that relate to storm water management and quality. The village subdivision ordinance, storm water drainage ordinance, and municipal operations all have elements that relate to storm water quality.

The village's subdivision ordinance was recently adopted in November 2002 and includes provisions for drainage easements, storm sewers, and erosion and sediment control. The subdivision ordinance includes a Storm Water Drainage and Detention, Soil Erosion and Sediment Control Ordinance (Ref. 2002-00-15, Appendix C).

**Storm Water Management Program
Village of Coal Valley
March 2003**

The village's public works department also has several public works programs that address storm water runoff quality. These programs include:

- A road salt storage and use policy
- A catch basin cleaning program

There currently are no Total Maximum Daily Loads (TMDLs) developed for any water bodies within the Village of Coal Valley.

3.0 MINIMUM CONTROL MEASURES

The minimum control measures identified and discussed in this SWMP are intended to reduce the discharge of pollutants from the village's MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Illinois Pollution Control Board Rules and Regulations and the Clean Water Act.

3.1 Public Education and Outreach

For the Public Education and Outreach control measure, the village must implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges.

To comply with this minimum control measure, the village will include a section in regard to storm water information/management and/or a BMP biannually in their monthly community newsletter. The public works director and/or representative will be responsible for providing the necessary information to be included in the newsletter.

The operator's goal is to have a minimum of two newsletters per year that include a article or discussion that involves storm water quality and/or best management practices. The monthly newsletter is distributed out to households and community leaders. Topics to be included in the newsletter may include discussions of the following:

- Provide storm water educational materials
- Lawn and garden activities
- Water conservation
- Proper disposal of household hazardous materials
- Trash management
- Low impact development

The village will also host an annual public meeting regarding the topic of storm water management. The public meetings will be held at the Village Hall. The intent of the public meeting will be to educate the public on the requirements of the village and the importance of Storm Water Management. Records of public meetings shall be kept in Appendix D of this document.

3.2 Public Involvement and Participation

For the public involvement and participation program, the village must comply with local and state public notification requirements and develop best management practices to get the public involved with the storm water program.

It is important that the public be included in developing, implementing, and reviewing the storm water management program, and that the public participation process should make efforts to reach out and engage all economic and ethnic groups.

To comply with this minimum control measure, the village will implement the following program:

- **Public meetings:** Provide notice of public meetings in the monthly newsletter. A minimum of one public meeting will be held each year. The initial meeting will be an introduction to storm water management and will include topics defining NPDES, requirements of the Phase II NPDES program, and water quality.
- **Community hotlines:** Establish a hotline within 2 years for the community to call and report incidences or ask questions regarding storm water management. The public works director or an appointed representative will address all calls associated with storm water management and/or concerns. The hotline will be initiated during the first year of permit coverage

3.3 Illicit Discharge Detection and Elimination

To comply with the requirements for the illicit discharge detection and elimination control measure, the village must have a prohibition (via ordinance or other) on non-storm water discharges into the MS4. The village must also initiate a plan to detect and address non-storm water discharges and enforcement procedures for violations.

A plan to detect and address illicit discharges includes four components: procedures for locating priority areas; procedures for tracing the source of an illicit discharges; procedures for removing the source of the discharge; and procedures for program evaluation and assessment.

The village has a storm sewer system map that includes components of the municipal storm sewer system. The storm sewer system map is attached as Figure 2, Appendix A of this document. The map identifies the locations of discharges storm sewer inlets as well as the receiving waters. The village will continue to improve the detail of the map by adding the locations of storm sewers.

In addition to the above, the village will implement the following to comply with this requirement:

**Storm Water Management Program
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- Establish an ordinance prohibiting non-storm water discharges into MS4. The ordinance will include appropriate enforcement procedures and actions.
- The village will develop and implement a plan to identify illicit connections. The plan will utilize public works staff and visual inspections of the storm sewer system during dry weather conditions. The plan will include measures to address illegal dumping into the storm sewer system.
- Implement a program to educate public works employees and the public as to the hazards associated with illegal discharges and improper disposal of wastes into the storm sewer system. This education program will be performed in conjunction with the requirements for public education and outreach.

3.4 Construction Site Storm Water Runoff Control

To comply with the construction site control measure, the village must implement an ordinance or other regulatory mechanism requiring the implementation of proper erosion and sediment controls on construction sites greater than one acre. The ordinance must include site plan review, inspection, and enforcement authority.

The village has adopted an ordinance governing storm water drainage and sediment control. The village also has sediment and erosion controls outlined in its subdivision ordinance. A copy of the storm water ordinance and applicable portions of the subdivision ordinance are included in Appendix C of this document.

To comply with the requirements of the construction site storm water control measure, the village shall update and modify its existing ordinance such that at a minimum, the following requirements are included:

- Provisions for preparation of Storm Water Pollution Prevention Plans for construction sites that are greater than one acre.
- Provisions for receipt and consideration of information submitted by the public.

3.5 Post-Construction Storm Water Management

To satisfy the requirements for post-construction storm water management control, the village must develop and implement a program to address storm water runoff from new development and redevelopment projects that are equal to or greater than one acre. To ensure that controls are in place that would prevent or minimize water quality impacts, the operator has implemented an ordinance to address post-construction water management.

The village has adopted an ordinance governing storm water drainage and detention. The storm water ordinance governs new development and redevelopment within the village.

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The ordinance has provisions for post-development storm water controls, including the following:

- Dry detention ponds
- Wet detention ponds
- Buffer Strips
- Wetland detention areas
- Infiltration Practices
- Vegetative Swales and Filter Strips

To comply with the requirements of the Post-Construction Storm Water control measure, the village shall update and modify its existing ordinance such that the following requirements are included:

- Provisions that require developers to construct and maintain Storm Water BMPs that will ensure long-term storm water control from the developed site.
- A Statement that allows the developer to propose management practices which are not explicitly identified in the ordinance. The proposed control measures would have to meet the requirements of the ordinance and be approved by the village engineer.

A copy of the storm water ordinance and applicable portions of the subdivision ordinance are included in Appendix C of this document.

3.6 Pollution Prevention/Good Housekeeping For Municipal Operations

To satisfy the requirements for this control measure, the village must develop and implement an operation and maintenance program with the ultimate goal of preventing or reducing pollutant runoff from the MS4.

In complying with this requirement, the village will implement an employee-training program using materials available from the EPA and State of Illinois. The training program will address such issues as open space maintenance, fleet and building maintenance, operation of storage yards, snow disposal, and land development. Records of training programs shall be maintained in Appendix D of this document.

4.0 IMPLEMENTATION SCHEDULE

The Village of Coal Valley will implement this SWMP in accord with the following schedule:

**Storm Water Management Program
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Control Measure	Best Management Practice	Implementation Date
Public Education & Outreach	Biannual article in Village newsletter	September 2003
Public Involvement/Participation	Public meetings	September 2003
	Public hotline	December 2003
Illicit Discharge Detection/Elimination	Ordinance prohibiting non storm water discharges to the MS4s	Draft by December 2003, Final & implemented by December 2004
	Plan to identify & eliminate illicit discharges within the Village	Draft by December 2003, Final December 2004
	Plan to educate public works employees & public on impacts of illicit discharges	December 2003
Construction Site Control	Modify existing subdivision ordinance	Draft by December 2003, Final December 2004
Post Construction Storm Water Management	Modify existing subdivision ordinance	Draft by December 2003, Final December 2004
Pollution Prevention/Good Housing Municipal Operations	Draft plan for employee training on storm water quality issues & establish training classes	Draft plan by December 2003, First training program completed by December 2004

5.0 MEASURABLE GOALS

THESE DATES WILL HAVE TO BE REDEFINED

Control Measure	Best Management Practice	Measurable Goal
Public Education & Outreach	Storm water management related mailings	Two mailings annually
	Public hotline	Establish hotline open during all Village business hours by December

**Storm Water Management Program
Village of Coal Valley
March 2003**

		2003
Illicit Discharge Detection/Elimination	Ordinance prohibiting non storm water discharges to the MS4	Draft ordinance by December 2003 or December 2004 finalize
	Plan to identify & eliminate illicit discharges within the Village	Draft illicit discharge detection & elimination plan by December 2003 Finalize plan by December 2004
	Plan to educate public works employees & public on impacts of illicit discharges	Complete one training class for public works employees annually
Construction Site Control	Subdivision ordinance	Ordinance modified by October 2004
Post Construction Storm Water Management	Subdivision ordinance	Draft of modified ordinance December 2003 Finalize ordinance by December 2004
Pollution Prevention/Good Housing Municipal Operations	Employee training on storm water quality issues	Draft employee training program by December 2003 Hold annual employee training

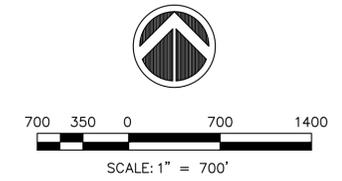
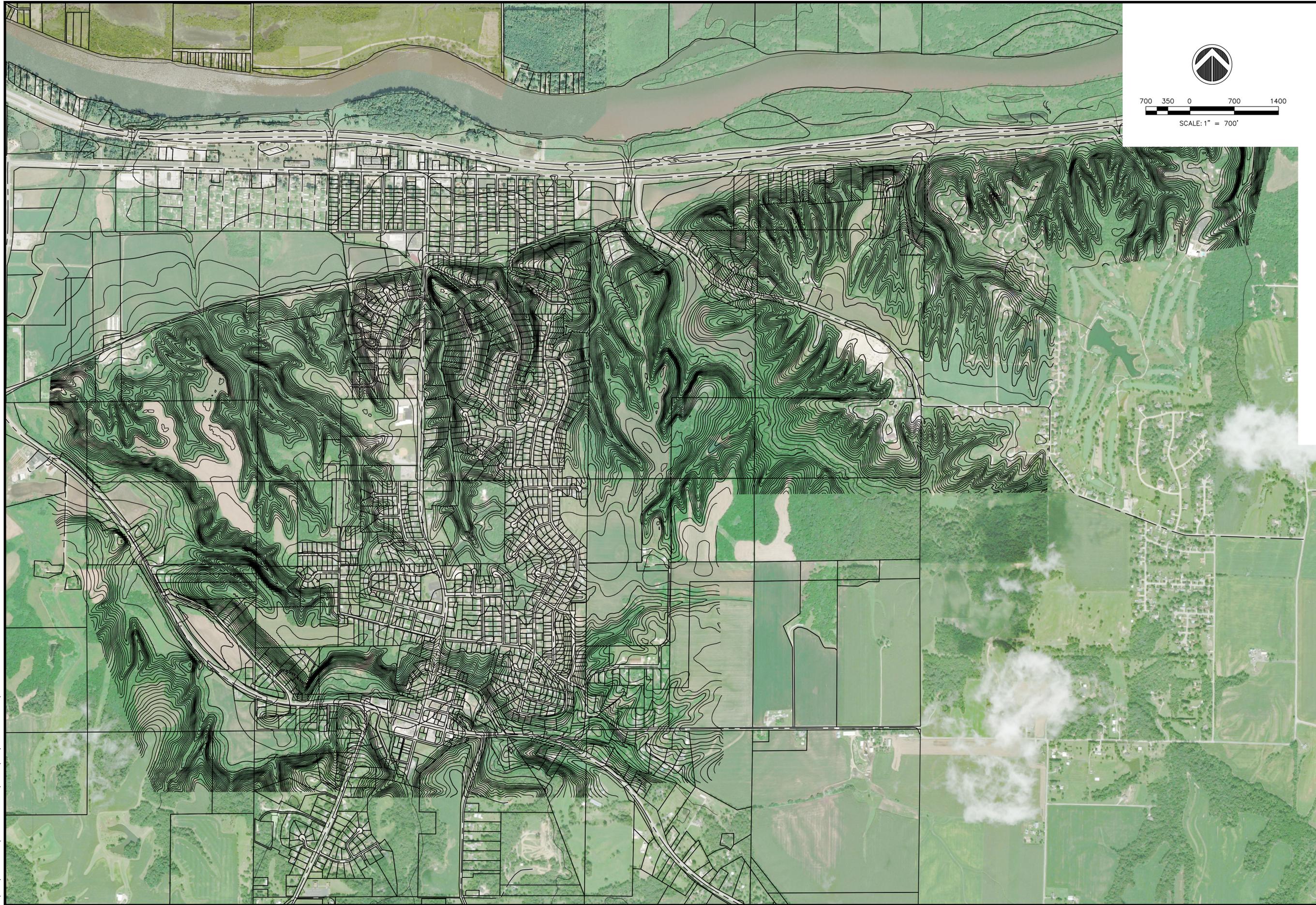
6.0 ADMINISTRATION

This Storm Water Management Program shall be administered by the ~~Village Director of Public Works MS4 Program Coordinator/Building Inspector~~. ~~The Director of Public Works MS4 Program Coordinator/Building Inspector~~ will have responsibility for updating the SWMP as required, and for keeping the appropriate records. All records of training, inspections, or updates to the SWMP shall be kept in Appendix C of this document. All relevant records shall be kept for a minimum of three years.

APPENDIX A

Figures

Monday, June 17, 2019 3:32:15 PM
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REVISIONS	
No.	DESCRIPTION

IMEG
623 26TH AVENUE
ROCK ISLAND, IL 61201
PH: 309.786.9873
FAX: 309.786.9967
www.imegcorp.com
Illinois Design Firm Registration # 84-000973

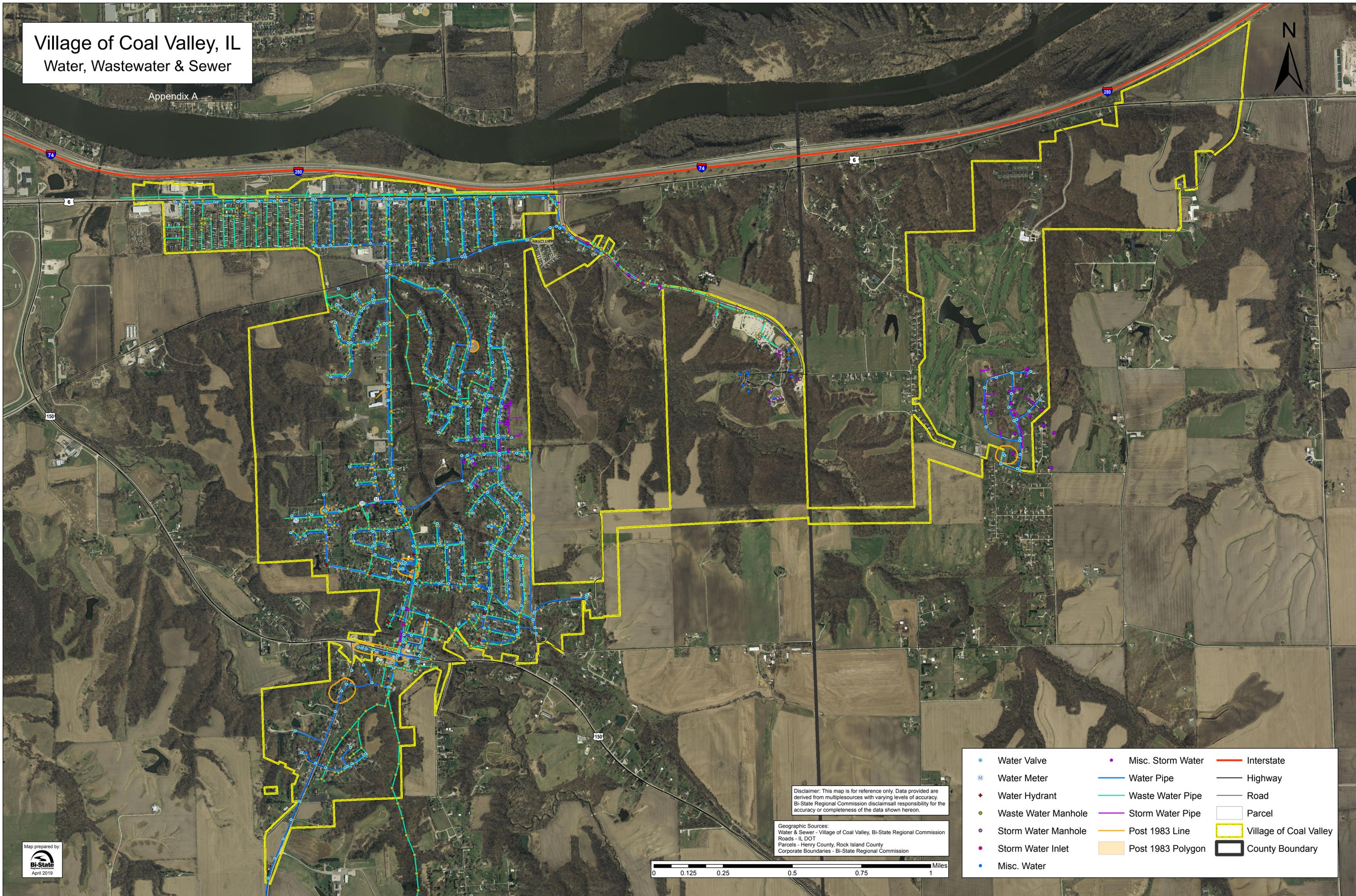
APPENDIX A
COAL VALLEY, IL
FIG. 1-VILLAGE TOPOGRAPHIC MAP

IMEG Project No: XXXXXXX
File Name: 19000834 - Appendix A.dwg
© COPYRIGHT 2019 ALL RIGHTS RESERVED
Field Book No: #####
Drawn By: PMB
Checked By: GAR
Date: 6-17-2019

FIG. 1
Sheet 1 of 1

Village of Coal Valley, IL Water, Wastewater & Sewer

Appendix A



Disclaimer: This map is for reference only. Data provided are derived from multiplesources with varying levels of accuracy. Bi-State Regional Commission disclaims all responsibility for the accuracy or completeness of the data shown herein.

Geographic Sources:
 Water & Sewer - Village of Coal Valley, Bi-State Regional Commission
 Roads - IL DOT
 Parcels - Henry County, Rock Island County
 Corporate Boundaries - Bi-State Regional Commission



• Water Valve	• Misc. Storm Water	— Interstate
• Water Meter	— Water Pipe	— Highway
• Water Hydrant	— Waste Water Pipe	— Road
• Waste Water Manhole	— Storm Water Pipe	□ Parcel
• Storm Water Manhole	— Post 1983 Line	□ Village of Coal Valley
• Storm Water Inlet	■ Post 1983 Polygon	□ County Boundary
• Misc. Water		

APPENDIX B

General Permit
NOI Form



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

BRUCE RAUNER, GOVERNOR

ALEC MESSINA, DIRECTOR

217/782-0610

March 12, 2018

Village of Coal Valley
900 1st Street
Coal Valley, Illinois 61240

Re: Village of Coal Valley
Notice of Coverage Under General Permit - NPDES Permit No. ILR400176 - Rock Island County
Bureau ID W1614260002

Dear NPDES Permittee:

We have received your Notice of Intent and have determined that storm water discharges from your municipal separate storm sewer system are appropriately covered by the attached NPDES general permit issued by the Agency.

This permit as issued covers Notice of Intent requirements, storm water management plan requirements, and monitoring, recordkeeping and reporting requirements. Attached is an Annual Inspection form that you must complete and submit to the Agency by the first day of June for each year that this permit is in effect. You may also submit the Annual Inspection form electronically to epa.ms4annualinsp@illinois.gov.

Failure to meet any portion of the permit could result in civil and/or criminal penalties. The Agency is ready and willing to assist you in interpreting any of the conditions of the permit as they relate to your municipal separate storm sewer system.

Your municipal separate storm sewer system was automatically covered by this permit 30 days after your Notice of Intent application was received by the Agency pursuant to the General Storm Water Permit for MS4's, Part I.D.3. The Agency realizes that you may have implemented part of your program, however, we have reviewed your application for any deficiencies and applicability of the general permit versus an individual permit. The final determination is that the general permit is applicable to your system.

This letter shows your permit number below your name. Please reference this number in all future correspondence. Should you have any questions concerning the permit, please contact the Permit Section at 217/782-0610 or at the above address.

Very truly yours,

Sanjay Sofat by JAR

Sanjay Sofat
Bureau Chief
Bureau of Water

cc: Peoria Region
Billing Unit
Terri LeMasters
Token Nolder

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
9511 Harrison St., Des Plaines, IL 60016 (847) 294-4000
595 S. State, Elgin, IL 60123 (847) 608-3131
2125 S. First St., Champaign, IL 61820 (217) 278-5800

2009 Moll St., Collinsville, IL 62234 (618) 346-5120
412 SW Washington St., Suite D, Peoria, IL 61602 (309) 671-3022
2309 W. Main St., Suite 116, Marion, IL 62959 (618) 993-7200
100 W. Randolph, Suite 4-500, Chicago, IL 60601

General NPDES Permit No. ILR40

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand East
P.O. Box 19276
Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

**General NPDES Permit
For
Discharges from Small Municipal Separate Storm Sewer Systems**

Expiration Date: February 28, 2021

Issue Date: February 10, 2016

Effective Date: March 1, 2016

In compliance with the provisions of the Illinois Environmental Protection Act, the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act, the following discharges may be authorized by this permit in accordance with the conditions herein:

Discharges of only storm water from small municipal separate storm sewer systems (MS4s), as defined and limited herein. Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage.

Receiving waters: Discharges may be authorized to any surface water of the State.

To receive authorization to discharge under this general permit, a facility operator must submit a Notice of Intent (NOI) as described in Part II of this permit to the Illinois Environmental Protection Agency (Illinois EPA). Authorization, if granted, will be by letter and include a copy of this permit.



Alan Keller, P.E.
Manager, Permit Section
Division of Water Pollution Control

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PART I. COVERAGE UNDER GENERAL PERMIT ILR40**A. Permit Area**

This permit covers all areas of the State of Illinois.

B. Eligibility

1. This permit authorizes discharges of storm water from MS4s as defined in 40 CFR 122.26 (b)(16) as designated for permit authorizations pursuant to 40 CFR 122.32.
2. This permit authorizes the following non-storm water discharges provided they have been determined not to be substantial contributors of pollutants to a particular small MS4 applying for coverage under this permit:
 - Water line and fire hydrant flushing,
 - Landscape irrigation water,
 - Rising ground waters,
 - Ground water infiltration,
 - Pumped ground water,
 - Discharges from potable water sources, (excluding wastewater discharges from water supply treatment plants)
 - Foundation drains,
 - Air conditioning condensate,
 - Irrigation water, (except for wastewater irrigation),
 - Springs,
 - Water from crawl space pumps,
 - Footing drains,
 - Storm sewer cleaning water,
 - Water from individual residential car washing,
 - Routine external building washdown which does not use detergents,
 - Flows from riparian habitats and wetlands,
 - Dechlorinated pH neutral swimming pool discharges,
 - Residual street wash water,
 - Discharges or flows from fire fighting activities
 - Dechlorinated water reservoir discharges, and
 - Pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed).
3. Any municipality covered by this general permit is also granted automatic coverage under Permit No. ILR10 for the discharge of storm water associated with construction site activities for municipal construction projects disturbing one acre or more. The permittee is granted automatic coverage 30 days after Agency receipt of a Notice of Intent to Discharge Storm Water from Construction Site Activities from the permittee. The Agency will provide public notification of the construction site activity and assign a unique permit number for each project during this period. The permittee shall comply with all the requirements of Permit ILR10 for all such construction projects.

C. Limitations on Coverage

The following discharges are not authorized by this permit:

1. Storm water discharges that are mixed with non-storm water or storm water associated with industrial activity unless such discharges are:
 - a. In compliance with a separate NPDES permit; or
 - b. Identified by and in compliance with Part 1.B.2 of this permit.
2. Storm water discharges that the Agency determines are not appropriately covered by this general permit. This determination may include discharges identified in Part 1.B.2 of that introduce new or increased pollutant loading that may be a significant contributor of pollutants to the receiving waters.
3. Storm water discharges to any receiving water specified under 35 Ill. Adm. Code 302.105(d) (6).
4. The following non-storm water discharges are prohibited by this permit: concrete and wastewater from washout of concrete (unless managed by an appropriate control), drywall compound, wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, soaps, solvents, or detergents, toxic or hazardous substances from a spill or other release, or any other pollutant that could cause or tend to cause water pollution.
5. Discharges from dewatering activities (including discharges from dewatering of trenches and excavations) are allowable if managed by appropriate controls as specified in a project's storm water pollution prevention plan, erosion and sediment control plan, or storm water management plan.

D. Obtaining Authorization

In order for storm water discharges from small MS4s to be authorized to discharge under this general permit, a discharger must:

1. Submit a Notice of Intent (NOI) in accordance with the requirements of Part II using an NOI form provided by the Agency (or a photocopy thereof).
2. Submit a new NOI in accordance with Part II within 30 days of a change in the operator or the addition of a new operator.
3. Unless notified by the Agency to the contrary, an MS4 owner submitting a complete NOI in accordance with the requirements of this permit will be authorized to discharge storm water from their small MS4s under the terms and conditions of this permit 30 days after the date that the NOI is received. Authorization will be by letter and include a copy of this permit. The Agency may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

PART II. NOTICE OF INTENT (NOI) REQUIREMENTS

A. Deadlines for Notification

1. If an MS4 was automatically designated under 40 CFR 122.32(a)(1) to obtain permit coverage, then you were required to submit an NOI or apply for an individual permit by March 10, 2003.
2. If an MS4 has coverage under the previous general permit for storm water discharges from small MS4s, you must renew your permit coverage under this part. Unless previously submitted for this general permit, you must submit a new NOI within 90 days of the effective date of this reissued general permit for storm water discharges from small MS4s to renew your NPDES permit coverage. The permittee shall comply with any new provisions of this general permit within 180 days of the effective date of this permit and include modifications pursuant to the NPDES permit in its Annual Report.
3. If an MS4 is designated in writing by Illinois EPA under 40 CFR 122.32(a)(2) during the term of this general permit, then you are required to submit an NOI within 180 days of such notice.
4. MS4s are not prohibited from submitting an NOI after established deadlines for NOI submittals. If a late NOI is submitted, your authorization is only for discharges that occur after permit coverage is granted. Illinois EPA reserves the right to take appropriate enforcement actions against MS4s that have not submitted a timely NOI.

B. Contents of Notice of Intent

Dischargers seeking coverage under this permit shall submit the Illinois MS4 NOI form. The NOI shall be signed in accordance with Standard Condition 11 of this permit and shall include all of the following information:

1. The street address, county, and the latitude and longitude of the municipal office for which the notification is submitted;

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2. The name, address, and telephone number of the operator(s) filing the NOI for permit coverage and the name, address, telephone number, and email address of the person(s) responsible for implementation and compliance with the MS4 Permit; and
 3. The name and segment identification of the receiving water(s), whether any segments(s) is or are listed as impaired on the most recently approved list pursuant to Section 303(d) of the Clean Water Act or any currently applicable Total Maximum Daily Load (TMDL) or alternate water quality study, and the pollutants for which the segment(s) is or are impaired. The most recent 303(d) list may be found at <http://www.epa.state.il.us/water/water-quality/index.html>. Information regarding TMDLs may be found at <http://www.epa.state.il.us/water/tmdl/>.
 4. The following shall be provided as an attachment to the NOI:
 - a. A description of the best management practices (BMPs) to be implemented and the measurable goals for each of the storm water minimum control measures in paragraph IV. B. of this permit designed to reduce the discharge of pollutants to the maximum extent practicable;
 - b. The month and year in which you implemented any BMPs of the six minimum control measures, and the month and year in which you will start and fully implement any new minimum control measures or indicate the frequency of the action;
 - c. For existing permittees, provide adequate information or justification on any BMPs from previous NOIs that could not be implemented; and
 - d. Identification of a local qualifying program, or any partners of the program if any.
 5. For existing permittees, certification that states the permittee has implemented necessary BMPs of the six minimum control measures.
- C. All required information for the NOI shall be submitted electronically and in writing to the following addresses:

Illinois Environmental Protection Agency
 Division of Water Pollution Control
 Permit Section
 Post Office Box 19276
 Springfield, Illinois 62794-9276

epa.ms4noipermit@illinois.gov

D. Shared Responsibilities

Permittees may partner with other MS4s to develop and implement their storm water management program. Each MS4 must fill out the NOI form. MS4s may also jointly submit their individual NOIs in coordination with one or more MS4s. The description of their storm water management program must clearly describe which permittees are responsible for implementing each of the control measures. Each permittee is responsible for implementation of best management practices for the Storm Water Management Program within its jurisdiction.

PART III. SPECIAL CONDITIONS

- A. The Permittee's discharges, alone or in combination with other sources, shall not cause or contribute to a violation of any applicable water quality standard outlined in 35 Ill. Adm. Code 302.
- B. If there is evidence indicating that the storm water discharges authorized by this permit cause, or have the reasonable potential to cause or contribute to a violation of water quality standards, you may be required to obtain an individual permit or an alternative general permit or the permit may be modified to include different limitations and/or requirements.
- C. If a TMDL allocation or watershed management plan is approved for any water body into which you discharge, you must review your storm water management program to determine whether the TMDL or watershed management plan includes requirements for control of storm water discharges. If you are not meeting the TMDL allocations, you must modify your storm water management program to implement the TMDL or watershed management plan within eighteen months of notification by the Agency of the TMDL or watershed management plan approval. Where a TMDL or watershed management plan is approved, the permittee must:
 1. Determine whether the approved TMDL is for a pollutant likely to be found in storm water discharges from your MS4.
 2. Determine whether the TMDL includes a pollutant waste load allocation (WLA) or other performance requirements specifically for storm water discharge from your MS4.
 3. Determine whether the TMDL addresses a flow regime likely to occur during periods of storm water discharge.
 4. After the determinations above have been made and if it is found that your MS4 must implement specific WLA provisions of the TMDL, assess whether the WLAs are being met through implementation of existing storm water control measures or if additional control measures are necessary.

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5. Document all control measures currently being implemented or planned to be implemented to comply with TMDL waste load allocation(s). Also include a schedule of implementation for all planned controls. Document the calculations or other evidence that shows that the WLA will be met.
 6. Describe and implement a monitoring program to determine whether the storm water controls are adequate to meet the WLA.
 7. If the evaluation shows that additional or modified controls are necessary, describe the type and schedule for the control additions/revisions.
 8. Continue requirements 4 through 7 above until monitoring from two continuous NPDES permit cycles demonstrate that the WLAs or water quality standards are being met.
 9. If an additional individual permit or alternative general permit includes implementation of work pursuant to an approved TMDL or alternate water quality management plan, the provisions of the individual or alternative general permit shall supersede the conditions of Part III.C. TMDL information may be found at <http://www.epa.state.il.us/water/tmdl/>.
- D. If the permittee performs any deicing activities that can cause or contribute to a violation of an applicable State chloride water quality standard, the permittee must participate in any watershed group(s) organized to implement control measures which will reduce the chloride concentration in any receiving stream in the watershed.
- E. Authorization: Owners or operators must submit either an NOI in accordance with the requirements of this permit or an application for an individual NPDES Permit to be authorized to discharge under this General Permit. Authorization, if granted will be by letter and include a copy of this Permit. Upon review of an NOI, the Illinois EPA may deny coverage under this permit and require submittal of an application for an individual NPDES permit.
1. Automatic Continuation of Expired General Permit: Except as provided in III.E.2 below, when this General Permit expires the conditions of this permit shall be administratively continued until the earliest of the following:
 - a. 150 days after the new General Permit is reissued;
 - b. The Permittee submits a Notice of Termination (NOT) and that notice is approved by Illinois EPA;
 - c. The Permittee is authorized for coverage under an individual permit or the renewed or reissued General Permit;
 - d. The Permittee's application for an individual permit for a discharge or NOI for coverage under the renewed or reissued General Permit is denied by the Illinois EPA; or
 - e. Illinois EPA issues a formal permit decision not to renew or reissue this General Permit. This General Permit shall be automatically administratively continued after such formal permit decision.
 2. Duty to Reapply:
 - a. If the permittee wishes to continue an activity regulated by this General Permit, the permittee must apply for permit coverage before the expiration of the administratively continued period specified in III.E.1 above.
 - b. If the permittee reapplies in accordance with the provisions of III.E.2.a above, the conditions of this General Permit shall continue in full force and effect under the provisions of 5 ILCS 100/10-65 until the Illinois EPA makes a final determination on the application or NOI.
 - c. Standard Condition 2 of Attachment H is not applicable to this General Permit.
- F. The Agency may require any person authorized to discharge by this permit to apply for and obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Agency to take action under this paragraph. The Agency may require any owner or operator authorized to discharge under this permit to apply for an individual or alternative general NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. The Agency may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual or alternative general NPDES permit application required by the Agency under this paragraph, then the applicability of this permit to the individual or alternative general NPDES permittee is automatically terminated by the date specified for application submittal.
- G. Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application with reasons supporting the request, in accordance with the requirements of 40 CFR 122.28, to the Agency. The request will be granted by issuing an individual permit or an alternative general permit if the reasons cited by the owner are adequate to support the request.

- H. When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is approved for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the issue date of the individual permit or the date of approval for coverage under the alternative general permit, whichever the case may be.

PART IV. STORM WATER MANAGEMENT PROGRAMS

A. Requirements

The permittee must develop, implement, and enforce a storm water management program designed to reduce the discharge of pollutants from their MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act. The permittee's storm water management program must include the minimum control measures described in section B of this Part. For new permittees, the permittee must develop and implement specific program requirements by the date specified in the Agency's coverage letter. The U.S. Environmental Protection Agency's National Menu of Storm Water Best Management Practices (<http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm>) and the most recent version of the Illinois Urban Manual should be consulted regarding the selection of appropriate BMPs.

B. Minimum Control Measures

The 6 minimum control measures to be included in the permittee's storm water management program are:

1. Public Education and Outreach on Storm Water Impacts

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

- a. Distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff. The educational materials shall include information on the potential impacts and effects on storm water discharge due to climate change. Information on climate change can be found at <http://epa.gov/climatechange/>. The permittee shall incorporate the following into its education materials, at a minimum:
 - i. Information on effective pollution prevention measures to minimize the discharge of pollutants from private property and activities into the storm sewer system, on the following topics:
 - A. Storage and disposal of fuels, oils and similar materials used in the operation of or leaking from, vehicles and other equipment;
 - B. Use of soaps, solvents or detergents used in the outdoor washing of vehicles, furniture and other property,
 - C. Paint and related décor;
 - D. Lawn and garden care; and
 - E. Winter de-icing material storage and use.
 - ii. information about green infrastructure strategies such as green roofs, rain gardens, rain barrels, bioswales, permeable piping, dry wells, and permeable pavement that mimic natural processes and direct storm water to areas where it can be infiltrated, evaporated or reused.
 - iii. Information on the benefits and costs of such strategies and provide guidance to the public on how to implement them.
- b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in the permittee's storm water discharges to the maximum extent practicable; and
- c. Provide an annual evaluation of public education and outreach BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1.

2. Public Involvement/Participation

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

- a. At a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program;
- b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP, which must ensure the reduction of all of the pollutants of concern in the permittee's storm water discharges to the maximum extent practicable;

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- c. Provide a minimum of one public meeting annually for the public to provide input as to the adequacy of the permittee's MS4 program. This requirement may be met in conjunction with or as part of a regular council or board meeting;
- d. The permittee shall identify environmental justice areas within its jurisdiction and include appropriate public involvement/participation. Information on environmental justice concerns may be found at <http://www.epa.gov/environmentaljustice/>. This requirement may be met in conjunction with or as part of a regular council or board meeting; and
- e. Provide an annual evaluation of public involvement/participation BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1.

3. Illicit Discharge Detection and Elimination

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

- a. Develop, implement, and enforce a program to detect and eliminate illicit connections or discharges into the permittee's small MS4;
- b. Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters that receive discharges from those outfalls. Existing permittees renewing coverage under this permit shall update their storm sewer system map to include any modifications to the sewer system;
- c. To the extent allowable under state or local law, prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the permittee's storm sewer system and implement appropriate enforcement procedures and actions, including enforceable requirements for the prompt reporting to the MS4 of all releases, spills and other unpermitted discharges to the separate storm sewer system, and a program to respond to such reports in a timely manner;
- d. Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to the system;
- e. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste and the requirements and mechanisms for reporting such discharges;
- f. Address the categories of non-storm water discharges listed in Section I.B.2 only if you identify them as significant contributor of pollutants to your small MS4 (discharges or flows from firefighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are identified as significant sources of pollutants to waters of the United States);
- g. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable;
- h. Conduct periodic inspections of the storm sewer outfalls in dry weather conditions for detection of non-storm water discharges and illegal dumping. The permittee may establish a prioritization plan for inspection of outfalls, placing priority on outfalls with the greatest potential for non-storm water discharges. Major/high priority outfalls shall be inspected at least annually; and
- i. Provide an annual evaluation of illicit discharge detection and elimination BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1.

4. Construction Site Storm Water Runoff Control

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

- a. Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the permittee's small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Control of storm water discharges from construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more or has been designated by the permitting authority.

At a minimum, the permittee must develop and implement the following:

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- i. An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state or local law;
 - ii. Erosion and Sediment Controls - The permittee shall ensure that construction activities regulated by the storm water program require the construction site owner/operator to design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:
 - A. Control storm water volume and velocity within the site to minimize soil erosion;
 - B. Control storm water discharges, including both peak flow rates and total storm water volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;
 - C. Minimize the amount of soil exposed during construction activity;
 - D. Minimize the disturbance of steep slopes;
 - E. Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
 - F. Provide and maintain natural buffers around surface waters, direct storm water to vegetated areas to increase sediment removal, and maximize storm water infiltration, unless infeasible; and
 - G. Minimize soil compaction and preserve topsoil, unless infeasible.
 - iii. Requirements for construction site operators to control or prohibit non-storm water discharges that would include concrete and wastewater from washout of concrete (unless managed by an appropriate control), drywall compound, wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, soaps, solvents, or detergents, toxic or hazardous substances from a spill or other release, or any other pollutant that could cause or tend to cause water pollution;
 - iv. Require all regulated construction sites to have a storm water pollution prevention plan that meets the requirements of Part IV of NPDES permit No. ILR10, including management practices, controls, and other provisions at least as protective as the requirements contained in the Illinois Urban Manual, 2014, or as amended including green infrastructure techniques where appropriate and practicable;
 - v. Procedures for site plan reviews which incorporate consideration of potential water quality impacts and site plan review of individual pre-construction site plans by the permittee to ensure consistency with local sediment and erosion control requirements;
 - vi. Procedures for receipt and consideration of information submitted by the public; and
 - vii. Site inspections and enforcement of ordinance provisions.
 - b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
 - c. Provide an annual evaluation of construction site storm water control BMPs and measurable goals in the Annual Report pursuant to Part V.C.1.
5. Post-Construction Storm Water Management in New Development and Redevelopment

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs, as necessary, to comply with the terms of this section.

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- a. Develop, implement, and enforce a program to address and minimize the volume and pollutant load of storm water runoff from projects for new development and redevelopment that disturb greater than or equal to one acre, projects less than one acre that are part of a larger common plan of development or sale or that have been designated to protect water quality, that discharge into the permittee's small MS4 within the MS4's jurisdictional control. The permittee's program must ensure that appropriate controls are in place that would protect water quality and reduce the discharge of pollutants to the maximum extent practicable. In addition, each permittee shall adopt strategies that incorporate the infiltration, reuse, and evapotranspiration of storm water into the project to the maximum extent practicable. The permittee shall also develop and implement procedures for receipt and consideration of information submitted by the public.
- b. Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for all projects within the permittee's jurisdiction for all new development and redevelopment that disturb greater than or equal to 1 acre (at a minimum) that will reduce the discharge of pollutants and the volume and velocity of storm water flow to the maximum extent practicable. These strategies shall include effective water quality and watershed protection elements and shall be amenable to modification due to climate change. Information on climate change can be found at <http://www.epa.gov/climatechange/>. When selecting BMPs to comply with requirements contained in this Part, the permittee shall adopt one or more of the following general strategies, listed in order of preference below. The proposal of a strategy shall include a rationale for not selecting an approach from among those with a higher preference.
 - i. Preservation of the natural features of development sites, including natural storage and infiltration characteristics;
 - ii. Preservation of existing natural streams, channels, and drainage ways;
 - iii. Minimization of new impervious surfaces;
 - iv. Conveyance of storm water in open vegetated channels;
 - v. Construction of structures that provide both quantity and quality control, with structures serving multiple sites being preferable to those serving individual sites; and
 - vi. Construction of structures that provide only quantity control, with structures serving multiple sites being preferable to those serving individual sites.
- c. If a permittee requires new or additional approval of any development, redevelopment, linear project construction, replacement or repair on existing developed sites, or other land disturbing activity covered under this Part, the permittee shall require the person responsible for that activity to develop a long term operation and maintenance plan including the adoption of one or more of the strategies identified in Part IV.B.5.b. of this permit.
- d. Develop and implement a program to minimize the volume of storm water runoff and pollutants from public highways, streets, roads, parking lots, and sidewalks (public surfaces) through the use of BMPs that alone or in combination result in physical, chemical, or biological pollutant load reduction, increased infiltration, evapotranspiration, and reuse of storm water. The program shall include, but not be limited to the following elements:
 - i. Annual Training for all MS4 employees who manage or are directly involved in (or who retain others who manage or are directly involved in) the routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects; and
 - ii. Annual Training for all contractors retained to manage or carry out routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects. Contractors may provide training to their employees for projects which include green infrastructure or low impact design techniques.
- e. Develop and implement a program to minimize the volume of storm water runoff and pollutants from existing privately owned developed property that contributes storm water to the MS4 within the MS4 jurisdictional control. Such program must be documented and may contain the following elements:
 - i. Source Identification – Establish an inventory of storm water and pollutants discharged to the MS4;
 - ii. Implementation of appropriate BMPs to accomplish the following:
 - A. Education on green infrastructure BMPs;
 - B. Evaluation of existing flood control techniques to determine the feasibility of pollution control retrofits;
 - C. Evaluation of existing flood control techniques to determine potential impacts and effects due to climate change;
 - D. Implementation of additional controls for special events expected to generate significant pollution (fairs, parades, performances);
 - E. Implementation of appropriate maintenance programs, (including maintenance agreements, for structural pollution control devices or systems);
 - F. Management of pesticides and fertilizers; and
 - G. Street cleaning in targeted areas.

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- f. Infiltration practices should not be implemented in any of the following circumstances:
 - i. Areas/sites where vehicle fueling and/or maintenance occur;
 - ii. Areas/sites with shallow bedrock which allow movement of pollutants into the groundwater;
 - iii. Areas/sites near Karst features;
 - iv. Areas/sites where contaminants in soil or groundwater could be mobilized by infiltration of storm water;
 - v. Areas/sites within a delineated source water protection area for a public drinking water supply where the potential for an introduction of pollutants into the groundwater exists. Information on groundwater protection may be found at:

<http://www.epa.state.il.us/water/groundwater/index.html>
 - vi. Areas/sites within 400 feet of a community water supply well if there is not a wellhead protection delineation area or within 200 feet of a private water supply well. Information on wellhead protection may be found at :

<http://www.epa.state.il.us/water/groundwater/index.html>
- g. Develop and implement an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects, public surfaces, and existing developed property as set forth above to the extent allowable under state or local law.
- h. Require all regulated construction sites to have post-construction management plans that meet or exceed the requirements of Part IV.D.2.h of NPDES permit No. ILR10 including management practices, controls, and other provisions at least as protective as the requirements contained in the most recent version of the Illinois Urban Manual, 2014.
- i. Ensure adequate long-term operation and maintenance of BMPs.
- j. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
- k. Within 3 years of the effective date of the permit, the permittee must develop and implement a process to assess the water quality impacts in the design of all new and existing flood management projects that are associated with the permittee or that discharge to the MS4. This process must include consideration of controls that can be used to minimize the impacts to site water quality and hydrology while still meeting the project objectives. This will also include assessment of any potential impacts and effects on flood management projects due to climate change.
- l. Provide an annual evaluation of post-construction storm water management BMPs and measureable goals in the Annual Report pursuant to Part V.C.1 .

6. Pollution Prevention/Good Housekeeping for Municipal Operations

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

- a. Develop and implement an operation and maintenance program that includes an annual training component for municipal staff and contractors and is designed to prevent and reduce the discharge of pollutants to the maximum extent practicable.
- b. Pollution Prevention- The permittee shall design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants from municipal properties, infrastructure, and operations. At a minimum, such measures must be designed, installed, implemented and maintained to:
 - i. 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;
 - ii. Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, chemical storage tanks, deicing material storage facilities and temporary stockpiles, detergents, sanitary waste, and other materials present on the site to precipitation and to storm water;
 - iii. Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures; and

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- iv. Provide regular inspection of municipal storm water management BMPs. Based on inspection findings, the permittee shall determine if repair, replacement, or maintenance measures are necessary in order to ensure the structural integrity, proper function, and treatment effectiveness of structural storm water BMPs. Necessary maintenance shall be completed as soon as conditions allow to prevent or reduce the discharge of pollutants to storm water.
- c. Deicing material must be stored in a permanent or temporary storage structure or seasonal tarping must be utilized. If no permanent structures are owned or operated by the Permittee, new permanent deicing material storage structures shall be constructed within two years of the effective date of this permit. Storage structures or stockpiles shall be located and managed to minimize storm water pollutant runoff from the stockpiles or loading/unloading areas of the stockpiles. Stockpiles and loading/unloading areas should be located as far as practicable from any area storm sewer drains. Fertilizer, pesticides, or other chemicals shall be stored indoors to prevent any discharge of such chemicals within the storm water runoff.
- d. Using training materials that are available from USEPA, the State of Illinois, or other organizations, the permittee's program must include annual employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, operation of storage yards, snow disposal, deicing material storage handling and use on roadways, new construction and land disturbances, and storm water system maintenance procedures for proper disposal of street cleaning debris and catch basin material. In addition, training should include how flood management projects impact water quality, non-point source pollution control, green infrastructure controls, and aquatic habitat.
- e. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
- f. Provide an annual evaluation of pollution prevention/good housekeeping for municipal operations and measurable goals in the Annual Report pursuant to Part V.C.1.

C. Qualifying State, County, or Local Program

If an existing qualifying local program requires a permittee to implement one or more of the minimum control measures of Part IV. B. above, the permittee may follow that qualifying program's requirements rather than the requirements of Part IV.B. above. A qualifying local program is a local, county, or state municipal storm water management program that imposes, at a minimum, the relevant requirements of Part IV. B. Any qualifying local programs that permittees intend to follow shall be specified in their storm water management program.

D. Sharing Responsibility

1. Implementation of one or more of the minimum control measures may be shared with another entity, or the entity may fully take over the control measure. A permittee may rely on another entity only if:
 - a. The other entity implements the control measure;
 - b. The particular control measure, or component of that measure is at least as stringent as the corresponding permit requirement;
 - c. The other entity agrees to implement any minimum control measure on the permittee's behalf. A written agreement of this obligation is recommended. This obligation must be maintained as part of the description of the permittee's Storm Water Management Program. If the other entity agrees to report on the minimum control measure, the permittee must supply the other entity with the reporting requirements contained in Part V.C of this permit. If the other entity fails to implement the minimum control measure on the permittee's behalf, then the permittee remains liable for any discharges due to that failure to implement the minimum control measure.

E. Reviewing and Updating Storm Water Management Programs

1. Storm Water Management Program Review- The permittee must perform an annual review of its Storm Water Management Program in conjunction with preparation of the annual report required under Part V.C. The permittee must include in its annual report a plan for complying with any changes or new provisions in this permit, or in any State or federal regulations. The permittee must also include in its annual report a plan for complying with all applicable TMDL Report(s) or watershed management plan(s). Information on TMDLs may be found at:

<http://www.epa.state.il.us/water/tmdl/>.

2. Storm Water Management Program Update- The permittee may modify its Storm Water Management Program during the life of the permit in accordance with the following procedures:
 - a. Modifications adding (but not subtracting or replacing) components, controls, or requirements to the Storm Water Management Program may be made at any time upon written notification to the Agency;

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- b. Modifications replacing an ineffective or infeasible BMP specifically identified in the Storm Water Management Program with an alternate BMP may be requested at any time. Unless denied by the Agency, modifications proposed in accordance with the criteria below shall be deemed approved and may be implemented 60 days from submittal of the request. If the request is denied, the Agency will send the permittee a written response giving a reason for the decision. The permittee's modification requests must include the following:
- i. An analysis of why the BMP is ineffective or infeasible (including cost prohibitive);
 - ii. Expectations on the effectiveness of the replacement BMP; and
 - iii. An analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.
- c. Modification of any ordinances relative to the storm water management program, provided the updated ordinance is at least as stringent as the provisions stipulated in this permit; and
- d. Modification requests or notifications must be made in writing and signed in accordance with Standard Condition II of Attachment H.
3. Storm Water Management Program Updates Required by the Agency. Modifications requested by the Agency must be made in writing, set forth the time schedule for permittees to develop the modifications, and offer permittees the opportunity to propose alternative program modifications to meet the objective of the requested modification. All modifications required by the Permitting Authority will be made in accordance with 40 CFR 124.5, 40 CFR 122.62, or as appropriate 40 CFR 122.63. The Agency may require modifications to the Storm Water Management Program as needed to:
- a. Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;
 - b. Include more stringent requirements necessary to comply with new federal or State statutory or regulatory requirements; or
 - c. Include such other conditions deemed necessary by the Agency to comply with the goals and requirements of the Clean Water Act.

PART V. MONITORING, RECORDKEEPING, AND REPORTING

A. Monitoring

The permittee must develop and implement a monitoring and assessment program to evaluate the effectiveness of the BMPs being implemented to reduce pollutant loadings and water quality impacts within 180 days of the effective date of this permit. The program should be tailored to the size and characteristics of the MS4 and the watershed. The permittee shall provide a justification of its monitoring and assessment program in the Annual Report. By not later than 180 days after the effective date of this permit, the permittee shall initiate an evaluation of its storm water program. The plan for monitoring/evaluation shall be described in the Annual Report. Evaluation and/or monitoring results shall be provided in the Annual Report. The monitoring and assessment program may include evaluation of BMPs and/or direct water quality monitoring as follows:

1. An evaluation of BMPs based on estimated effectiveness from published research accompanied by an inventory of the number and location of BMPs implemented as part of the permittee's program and an estimate of pollutant reduction resulting from the BMPs, or
2. Monitoring the effectiveness of storm water control measures and progress towards the MS4's goals using one or more of the following:
 - a. MS4 permittees serving a population of less than 25,000 may conduct visual observations of the storm water discharge documenting color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, or other obvious indicators of storm water pollution; or
 - b. MS4 permittees may evaluate storm water quality and impacts using one or more of the following methods:
 - i. Instream monitoring in the highest level hydrological unit code segment in the MS4 area. Monitoring shall include, at a minimum, quarterly monitoring of receiving waters upstream and downstream of the MS4 discharges in the designated stream(s).
 - ii. Measuring pollutant concentrations over time.
 - iii. Sediment monitoring.
 - iv. Short-term extensive network monitoring. Short-term sampling at the outlets of numerous drainage areas to identify water quality issues and potential storm water impacts, and may help in ranking areas for implementation priority. Data collected simultaneously across the MS4 to help characterize the geographical distribution of pollutant sources.

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- v. Site-specific monitoring. High-value resources such as swimming beaches, shellfish beds, or high-priority habitats could warrant specific monitoring to assess the status of use support. Similarly, known high-priority pollutant sources or impaired water bodies with contaminated aquatic sediments, an eroding stream channel threatening property, or a stream reach with a degraded fish population could be monitored to assess impacts of storm water discharges and/or to identify improvements that result from the implementation of BMPs.
 - vi. Assessing physical/habitat characteristics such as stream bank erosion caused by storm water discharges.
 - vii. Outfall/Discharge monitoring.
 - viii. Sewershed-focused monitoring. Monitor for pollutants in storm water produced in different areas of the MS4. For example, identify which pollutants are present in storm water from industrial areas, commercial areas, and residential areas.
 - ix. BMP performance monitoring. Monitoring of individual BMP performance to provide a direct measure of the pollutant reduction efficiency of these key components of a MS4 program.
 - x. Collaborative watershed-scale monitoring. The permittee may choose to work collaboratively with other permittees and/or a watershed group to design and implement a watershed or sub-watershed-scale monitoring program that assesses the water quality of the water bodies and the sources of pollutants. Such programs must include elements which assess the impacts of the permittee's storm water discharges and/or the effectiveness of the BMPs being implemented.
- c. If ambient water quality monitoring under 2b above is performed, the monitoring of storm water discharges and ambient monitoring intended to gauge storm water impacts shall be performed within 48 hours of a precipitation event greater than or equal to one quarter inch in a 24-hour period. At a minimum, analysis of storm water discharges or ambient water quality shall include the following parameters: total suspended solids, total nitrogen, total phosphorous, fecal coliform, chlorides, and oil and grease. In addition, monitoring shall be performed for any other pollutants associated with storm water runoff for which the receiving water is considered impaired pursuant to the most recently approved list under Section 303(d) of the Clean Water Act.

B. Recordkeeping

The permittee must keep records required by this permit for 5 years after the expiration of this permit. Records to be kept under this Part include the permittees NOI, storm water management plan, annual reports, and monitoring data. All records shall be kept onsite or locally available and shall be made accessible to the Agency for review at the time of an on-site inspection. Except as otherwise provided in this permit, permittees must submit records to the Agency only when specifically requested to do so. Permittees must post their NOI, storm water management program plan, and annual reports on the permittee's website. The permittee must make its records available to the public at reasonable times during regular business hours. The permittee may require a member of the public to provide advance notice, in accordance with the applicable Freedom of Information Act requirements. Storm sewer maps may be withheld for security reasons.

C. Reporting

The permittee must submit Annual Reports to the Agency by the first day of June for each year that this permit is in effect. If the permittee maintains a website, a copy of the Annual Report shall be posted on the website by the first day of June of each year. Each Report shall cover the period from March of the previous year through March of the current year. Annual Reports shall be maintained on the permittees' website for a period of 5 years. The Report must include:

1. An assessment of the appropriateness and effectiveness of the permittee's identified BMPs and progress towards achieving the statutory goal of reducing the discharge of pollutants to the maximum extent practicable (MEP), and the permittee's identified measurable goals for each of the minimum control measures;
2. The status of compliance with permit conditions, including a description of each incidence of non-compliance with the permit, and the permittees plan for achieving compliance with a timeline of actions taken or to be taken;
3. Results of information collected and analyzed, including monitoring data, if any, during the reporting period;
4. A summary of the storm water activities the permittee plans to undertake during the next reporting cycle, including an implementation schedule;
5. A change in any identified BMPs or measurable goals that apply to the program elements;
6. Notice that the permittee is relying on another government entity to satisfy some of the permit obligations (if applicable);
7. Provide an updated summary of any BMP or adaptive management strategy constructed or implemented pursuant to any approved TMDL or alternate water quality management study. Use the results of your monitoring program to assess whether the WLA or other performance requirements for storm water discharges from your MS4 are being met; and

8. If a qualifying local program or programs with shared responsibilities is implementing all minimum control measures on behalf of one or more entities, then the local qualifying program or programs with shared responsibilities may submit a report on behalf of itself and any entities for which it is implementing all of the minimum control measures.

The Annual Reports shall be submitted to the following office and email addresses:

Illinois Environmental Protection Agency
 Division of Water Pollution Control
 Compliance Assurance Section
 Municipal Annual Inspection Report
 1021 North Grand Avenue East
 P.O. Box 19276
 Springfield, Illinois 62794-9276

epa.ms4annualinsp@illinois.gov

PART VI. DEFINITIONS AND ACRONYMS

All definitions contained in Section 502 of the Clean Water Act, 40 CFR 122, and 35 Ill. Adm. Code 309 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided. In the event of a conflict, the definition found in the statute or regulation takes precedence.

Best Management Practices (BMPs) means structural or nonstructural controls, schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

BMP is an acronym for "Best Management Practices."

CFR is an acronym for "Code of Federal Regulations."

Control Measure as used in this permit refers to any Best Management Practice or other method used to prevent or reduce storm water runoff or the discharge of pollutants to waters of the State.

CWA or The Act means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 ET. seq.

Discharge when used without a qualifier, refers to discharge of a pollutant as defined at 40 CFR 122.2.

Environmental Justice (EJ) means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies

Environmental Justice Area means a community with a low-income and/or minority population greater than twice the statewide average. In addition, a community may be considered a potential EJ community if the low-income and/or minority population is less than twice the state-wide average but greater than the statewide average and it has identified itself as an EJ community. If the low-income and/or minority population percentage is equal to or less than the statewide average, the community should not be considered a potential EJ community.

Flood management project means any project which is intended to control, reduce or minimize high stream flows and associated damage. This may also include projects designed to mimic or improve natural conditions in the waterway.

Green Infrastructure means wet weather management approaches and technologies that utilize, enhance or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse. Green infrastructure approaches currently in use include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, porous and permeable pavements, porous piping systems, dry wells, vegetated median strips, reforestation/revegetation, rain barrels, cisterns, and protection and enhancement of riparian buffers and floodplains.

Illicit Connection means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Illicit Discharge is defined at 40 CFR 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not composed entirely of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

MEP is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was established by CWA Section 402(p). A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34.

MS4 is an acronym for "Municipal Separate Storm Sewer System" and is used to refer to a Large, Medium, or Small Municipal Separate Storm Sewer System (e.g. "the Dallas MS4"). The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities (e.g., the Houston MS4 includes MS4s operated by the city of Houston, the Texas Department of Transportation, the Harris County Flood Control District, Harris County, and others).

Municipal Separate Storm Sewer is defined at 40 CFR 122.26(b)(8) and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

NOI is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to "register" for coverage under a general permit.

NPDES is an acronym for "National Pollutant Discharge Elimination System."

Outfall is defined at 40 CFR 122.26(b) (9) and means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States.

Owner or Operator is defined at 40 CFR 122.2 and means the owner or operator of any "facility or activity" subject to regulation under the NPDES program.

Permitting Authority means the Illinois EPA.

Point Source is defined at 40 CFR 122.2 and means any discernible, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pollutants of Concern means pollutants identified in a TMDL waste load allocation (WLA) or on the Section 303(d) list for the receiving water, and any of the pollutants for which water monitoring is required in Part V.A. of this permit.

Qualifying Local program is defined at 40 CFR 122.34(c) and means a local, state, or Tribal municipal storm water management program that imposes, at a minimum, the relevant requirements of paragraph (b) of Section 122.34.

Small Municipal Separate Storm Sewer System is defined at 40 CFR 122.26(b)(16) and refers to all separate storm sewers that are owned or operated by the United States, a State [sic], city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State [sic] law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States, but is not defined as "large" or "medium" municipal separate storm sewer system. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

Storm Water is defined at 40 CFR 122.26(b) (13) and means storm water runoff, snowmelt runoff, and surface runoff and drainage.

Storm Water Management Program (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.

SWMP is an acronym for "Storm Water Management Program."

TMDL is an acronym for "Total Maximum Daily Load."

Waters (also referred to as waters of the state or receiving water) is defined at Section 301.440 of Title 35: Subtitle C: Chapter I of the Illinois Pollution Control Board Regulations and means all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise protected waters as sewers or treatment works except that in-stream aeration under Agency permit is allowable.

"You" and "Your" as used in this permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the county, the flood control district, the U.S. Air Force, etc.).

Attachment H

Standard Conditions

Definitions

Act means the Illinois Environmental Protection Act, 415 ILCS 5 as Amended.

Agency means the Illinois Environmental Protection Agency.

Board means the Illinois Pollution Control Board.

Clean Water Act (formerly referred to as the Federal Water Pollution Control Act) means Pub. L 92-500, as amended. 33 U.S.C. 1251 et seq.

NPDES (National Pollutant Discharge Elimination System) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318 and 405 of the Clean Water Act.

USEPA means the United States Environmental Protection Agency.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

Maximum Daily Discharge Limitation (daily maximum) means the highest allowable daily discharge.

Average Monthly Discharge Limitation (30 day average) means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Discharge Limitation (7 day average) means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Aliquot means a sample of specified volume used to make up a total composite sample.

Grab Sample means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes.

24-Hour Composite Sample means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24-hour period.

8-Hour Composite Sample means a combination of at least 3 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over an 8-hour period.

Flow Proportional Composite Sample means a combination of sample aliquots of at least 100 milliliters collected at periodic intervals such that either the time interval between each aliquot or the volume of each aliquot is proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot.

- (1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirements.
- (2) **Duty to reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.
- (3) **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (4) **Duty to mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- (5) **Proper operation and maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.
- (6) **Permit actions.** This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62 and 40 CFR 122.63. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- (7) **Property rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.
- (8) **Duty to provide information.** The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency upon request, copies of records required to be kept by this permit.
- (9) **Inspection and entry.** The permittee shall allow an authorized representative of the Agency or USEPA (including an authorized contractor acting as a representative of the Agency or USEPA), upon the presentation of credentials and other documents as may be required by law, to:
 - (a) Enter upon the permittee's premises where a regulated

- facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.
- (10) **Monitoring and records.**
- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.
- (c) Records of monitoring information shall include:
- (1) The date, exact place, and time of sampling or measurements;
 - (2) The individual(s) who performed the sampling or measurements;
 - (3) The date(s) analyses were performed;
 - (4) The individual(s) who performed the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
- (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.
- (11) **Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.
- (a) **Application.** All permit applications shall be signed as follows:
- (1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;
 - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
- (b) **Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described in paragraph (a); and
 - (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
 - (3) The written authorization is submitted to the Agency.
- (c) **Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
- (d) **Certification.** Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:
- 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.
- (12) **Reporting requirements.**
- (a) **Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when:
- (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source pursuant to 40 CFR 122.29 (b); or
 - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements pursuant to 40 CFR 122.42 (a)(1).
 - (3) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- (b) **Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- (c) **Transfers.** This permit is not transferable to any person except after notice to the Agency.
- (d) **Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- (e) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).

- (2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
- (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.
- (f) **Twenty-four hour reporting.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24-hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The following shall be included as information which must be reported within 24-hours:
- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit.
 - (2) Any upset which exceeds any effluent limitation in the permit.
 - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit or any pollutant which may endanger health or the environment.
- The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24-hours.
- (g) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12) (d), (e), or (f), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12) (f).
- (h) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.
- (13) **Bypass.**
- (a) **Definitions.**
 - (1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
 - (2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
 - (b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (13)(c) and (13)(d).
 - (c) **Notice.**
 - (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
 - (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (12)(f) (24-hour notice).
- (d) Prohibition of bypass.
- (1) Bypass is prohibited, and the Agency may take enforcement action against a permittee for bypass, unless:
 - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (iii) The permittee submitted notices as required under paragraph (13)(c).
 - (2) The Agency may approve an anticipated bypass, after considering its adverse effects, if the Agency determines that it will meet the three conditions listed above in paragraph (13)(d)(1).
- (14) **Upset.**
- (a) **Definition.** Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
 - (b) **Effect of an upset.** An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (14)(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
 - (c) **Conditions necessary for a demonstration of upset.** A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated; and
 - (3) The permittee submitted notice of the upset as required in paragraph (12)(f)(2) (24-hour notice).
 - (4) The permittee complied with any remedial measures required under paragraph (4).
 - (d) **Burden of proof.** In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.
- (15) **Transfer of permits.** Permits may be transferred by modification or automatic transfer as described below:
- (a) **Transfers by modification.** Except as provided in paragraph (b), a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued pursuant to 40 CFR 122.62 (b) (2), or a minor modification made pursuant to 40 CFR 122.63 (d), to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act.
 - (b) **Automatic transfers.** As an alternative to transfers under paragraph (a), any NPDES permit may be automatically transferred to a new permittee if:

- (1) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
 - (2) The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage and liability between the existing and new permittees; and
 - (3) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.
- (16) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:
- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter (100 ug/l);
 - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
 - (4) The level established by the Agency in this permit.
 - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.
- (17) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
- (a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
 - (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
- (18) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
- (a) User charges pursuant to Section 204 (b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
 - (b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
 - (c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.
- (19) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.
 - (20) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.
 - (21) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.
 - (22) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both. Additional penalties for violating these sections of the Clean Water Act are identified in 40 CFR 122.41 (a)(2) and (3).
 - (23) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.
 - (24) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
 - (25) Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.
 - (26) In case of conflict between these standard Conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
 - (27) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board or any court with jurisdiction.
 - (28) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.

APPENDIX C

Storm Water Drainage and Detention Ordinance

Ordinance No.

AN ORDINANCE ADOPTING
THE STORMWATER DRAINAGE AND
DETENTION, SOIL EROSION AND
SEDIMENT CONTROL CODE
OF THE VILLAGE OF COAL VALLEY

WHEREAS legal notice regarding the intention of the Village of Coal Valley Village Board to hold public hearings on a proposed Stormwater Drainage and Detention, Soil Erosion and Sediment Control Code of the Village of Coal Valley was printed and published, with the Certification of Publication of the public hearing on November 20 at 6:30 p.m. attached hereto and included herein as Exhibit 1; and

WHEREAS the President and Board of Trustees of the Village of Coal Valley deem that minutes of the meeting of the Coal Valley Planning Commission of October 23, 2002 have been reviewed, said minutes containing findings of fact and recommendations to adopt the ordinance on the Stormwater Drainage and Detention, Soil Erosion and Sediment Control Code of the Village of Coal Valley, a copy of the minutes are attached hereto and included herein as Exhibit 2;

BE IT ORDAINED by the President and Board of Trustees of the Village of Coal Valley that:

SECTION ONE:

That pursuant to the enabling authority as set forth in the Illinois Compiled Statutes, 65 ILCS 5/1-2-1, 5/11-12-12, 5/11/30-2, and 5/11/31-2, the regulations cited and known as the "Stormwater Drainage and Detention, Soil Erosion and Sediment Control Code of the Village of Coal Valley" including Articles I-Article VIII with Appendix A, B and Exhibits A, B, and C attached hereto and incorporated herein by reference, as Exhibit 3, are hereby adopted.

SECTION TWO:

All ordinances and resolutions or any part thereof in conflict with all or any part of this Code are hereby repealed in so far as they do conflict.

STORMWATER DRAINAGE AND
DETENTION, SOIL EROSION AND
SEDIMENT CONTROL CODE FOR
THE
VILLAGE OF
COAL VALLEY, ILLINOIS

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ARTICLE I

Authority and Purpose; Other Relevant Permitting; Applicability; Exemptions; Exceptions; and Separability:

Section 10 - Authority and Purpose: This ordinance is enacted pursuant to the police powers granted to the Village of Coal Valley, Illinois, by the Illinois Compiled Statutes, 65 ILCS 5/1-2-1, 5/11-12-2, 5/11/30-2, and 5/11/31-2.

The purpose of this ordinance is to diminish threats to public health and safety, protect property, prevent damage to the environment and promote public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any new development or redevelopment or other activity which disturbs or breaks the topsoil or otherwise results in the movement of earth and/or changes the stormwater drainage pattern and/or stormwater flows from that which would have occurred if the land had been left in its natural state. This stormwater runoff and resulting soil erosion could result in the inundation of damageable properties, the erosion and destabilization of downstream channels, and the pollution of valuable stream and lake resources. One cause of increases in stormwater runoff quantity or rate and impairment of quality, and loss of valuable topsoil is the new development or redevelopment of the land. This ordinance regulates these activities to minimize adverse impacts.

This ordinance is adopted to accomplish the following objectives:

- a.) To assure that new development or redevelopment does not increase the drainage or flood hazards, or create unstable conditions susceptible to soil erosion;
- b.) To protect new buildings and major improvements to buildings from flood damage due to increased stormwater runoff and soil erosion;
- c.) To protect human life and health from the hazards of increased flooding and soil erosion on a watershed basis;
- d.) To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, correction of channel erosion problems, and flood rescue and relief operations caused by stormwater runoff and soil erosion quantities from new development or redevelopment;
- e.) To protect, conserve, and promote the orderly development of land and soil, water, air, animal, and plant resources;
- f.) To preserve the natural hydrologic and hydraulic functions of watercourses, wetlands and flood plains for protecting water quality, and enhance stormwater management and aquatic habitats;
- g.) To preserve the natural characteristics of stream corridors in order to manage flood

and stormwater impacts, improve water and groundwater quality, reduce soil erosion, protect aquatic and riparian habitat, maintain quality forest resources, provide recreational opportunities, provide aesthetic benefits, enhance community and economic development.

Section 11 - Other Relevant Permitting: Before a Development Permit under this ordinance becomes effective, all required Federal, State, and Local permits have been received for the site subject to new development or redevelopment. The acquisition of these permits shall be the sole responsibility of the applicant. These may include but are not limited to Section 404 of the Clean Waters Act; Section 106 of the National Historic Preservation Act; Section 10 of the Rivers and Harbors Act; or permitting required by the Illinois Department of Natural Resources, Office of Water Resources in accordance with the Rivers, Lakes and Streams Act, 615 ILCS; the Soil and Water Conservation Districts Act, 70 ILCS; the Farmland Preservation Act, 505 ILCS; the Illinois Groundwater Protection Act, 415 ILCS; and the National Pollutant Discharge Elimination System Permit (NPDES) and Section 401 of the Clean Water Act thru the Illinois Environmental Protection Agency, Division of Water Pollution Control; and the Threatened and Endangered Species Act, 16 USC 1531 ET. SEQ. Compliance is also required not limited to the Zoning Ordinance of the Village of Coal Valley, Illinois, and the Uniform Building Code, most recent edition adopted by the Village, Chapter on Excavation and Grading.

Section 12 - Applicability: This ordinance shall apply to all new development or redevelopment in the Village. Except as otherwise provided in this ordinance, no person, firm or corporation, public or private, the State of Illinois and its agencies or political subdivisions, the United States of America, and its agencies or political subdivisions, any agent, servant, officer or employee of any of the foregoing which meets the following provisions or is otherwise exempted in this ordinance, shall not commence any development activities without first having obtained a development permit from the Zoning Officer.

12.01 - Any new development or redevelopment that include an area that will meet or exceed ten thousand (10,000) square feet of total impervious surface (i.e., streets, roof; patio or parking area or any combination thereof); or

12.02 - Any land disturbing activity (i.e., clearing, grading, stripping, excavation, or any combination thereof) that will affect an area that will meet or exceed ten thousand (10,000) square feet or that will exceed 100 cubic yards; or

12.03 - Any disturbing activity greater than 500 square feet if the activity is within 100 feet of a lake, pond, stream, abandoned mine, or wetland; and is done in conjunction with sub sections 12.01 or 12.02; or

12.04 - Any land disturbing activity on the sloping side of the slope disturbance line and is in conjunction with sections; 12.01, 12.02, 12.03 or

12.05 - Any tree cutting or mechanized land clearing where the tree, native to Northwestern Illinois, is in excess of eight (8) inches in diameter and is done in conjunction with Article I, Sections 12.01, 12.02, 12.03 or 12.04.

12.06 - The construction of one single family dwelling that is not constructed as part of a residential development shall not be subject to the provisions of this ordinance regarding permanent stormwater control measures.

~~12.07 - The Village in consultation with the Rock Island County Soil and Water Conservation District (RISWCD), reserves the right to require any non-agricultural, construction development activity, regardless of disturbed area or type of activity, to comply with this ordinance if it is determined to be the cause of or a contributor to an existing or potential erosion, sediment, or stormwater impact.~~

~~a.) - Soil erosion and sediment control planning for individual home sites may utilize a soil erosion and sediment control planning "kit" provided by the Rock Island County Soil and Water Conservation District.~~

Section 13 - Exemptions: A development permit shall not be required for the following:

- a.) Any new development, redevelopment or other activity falling below the minimum standards as set forth in Article I, Section 12.
- ~~b.) - The agricultural use of land, including the implementation of conservation measures included in a farm conservation plan approved by the Natural Resources Conservation Service, and including the construction of agricultural structures.~~
- e. b.) The maintenance of any existing stormwater drainage/detention component or structure or any existing soil erosion/sediment control component or structure; including dredging, levee restoration, tree removal or other function which maintains the original design capacities of the above.
- d. c.) The construction of, improvements to, or the maintenance of any street, road, highway or interstate highway performed by any unit of government whose powers grant such authority.

Section 14 - Variances: The Board of Appeals, after a public hearing, may determine and vary the requirements and regulations of this ordinance in harmony with its general purpose and intent, where the Board of Appeals make written findings of fact in accordance with the standards herein after prescribed and further, find that there are practical difficulties or particular hardships in the way of carrying out the strict letter of requirements and regulations of this ordinance.

14.01 - Application for variance shall be made by a verified petition of the applicant for a development permit, stating fully the grounds of the petition and the facts relied upon by the applicant. Such petition shall be filed with the development permit application. Each application for a variance shall be made in writing and filed with the Zoning Officer. The Zoning Officer and the Village Engineer will review and transmit recommendations to the Board of Appeals, which shall review such recommendations prior to granting or denying the variance.

14.02 – Standards for variance. The Board of Appeals shall not vary the requirements and regulations of this ordinance, as authorized in this section, unless there is evidence presented to it in each specific case:

14.021 - The land is of such shape or size or is affected by such physical conditions or is subject to such title limitations of record, that it is impossible or impractical for the applicant to comply with all of the requirements of this ordinance;

14.022 - The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and

14.023 - The granting of the variance will not be detrimental to the public welfare, environment or injurious to other property in the vicinity of the subject's property.

14.03 - The Board of Appeals shall hold a public hearing on each application for variance, in accordance with Article X:V subsection 157.022 of the Village of Coal Valley Zoning Ordinance. Within thirty (30) days after the public hearing, the Board of Appeals shall either approve the site development permit application with the variances and conditions it deems necessary or it shall disapprove such development permit application and variance application or it shall take other such action as appropriate.

Section 15 - Responsibility: The applicant shall not be relieved of responsibility for damage to persons or property otherwise imposed by law, and the Village or its officers or agents, ~~including the directors and staff of the Rock Island County SWCD~~ will not be made liable for such damage, by (1) the issuance of a development permit under this ordinance, (2) compliance with the provisions of that development permit or conditions attached to it by the Zoning Officer (3) failure of the Village of Coal Valley Officials to observe or recognize hazardous or unsightly conditions, (4) failure of the Village officials to recommend denial or to deny a development permit, or (5) exemptions from development permit requirements of this ordinance.

Article I □□ Definition □□

Section 20 - Definitions: For the purposes of this ordinance certain terms are defined and set forth below:

20.01 - Abandoned Mine: An abandoned mine is a large excavation in the earth that is no longer being used. These conditions make such areas unstable and susceptible to subsidence and surface collapse. Subsurface excavations and fractures in the bedrock may channel runoff water to public or private water supplies, making those sources especially susceptible to groundwater contamination

20.02 - Adverse Impacts: Any negative impact on plant, soil, air or water resources affecting their beneficial uses including recreation, aesthetics, aquatic habitat, quality, and quantity.

20.03 - Applicant: Any person, firm, or governmental agency who executes the necessary forms to procure official approval of a development or permit to carry out construction of a new development

or re-development from the Village of Coal Valley, Illinois.

20.04 - Base Flood Elevation: The elevation at all locations delineating the level of flooding resulting from the 100-year frequency flood event, which is a one percent (1%) probability of being equaled or exceeded in any given year. The base flood elevation at any location is defined in Article III, Section 2. of Ordinance No. 02-00-10, The Village of Coal Valley Floodplain Ordinance.

20.05 - Board of Appeals: "Board of Appeals" shall mean the Zoning Board of Appeals of the Village of Coal Valley, Illinois, with the jurisdiction as set forth in Article XV, Section 4.003, of an ordinance dated August 4, 1965, "Village of Coal Valley Zoning Ordinance."

20.06 - Building Official: Is the officer or other designated authority charged with the administration and enforcement of the Uniform Building Code for the Village of Coal Valley, Illinois.

20.07 - Building Permit: A permit issued by the Village of Coal Valley, Illinois, for the construction, erection or alteration of a structure or building and the related ground and surface preparation prior to and after completion of construction, erection or alteration of a structure or building.

20.08 - Bypass Flows: Stormwater runoff from upstream properties tributary to a property's drainage system but not under its control.

20.09 - Certify or Certification: Formally attesting that the specific inspections and tests were performed, and that such inspections and tests comply with the applicable requirements of this ordinance.

20.10 - Channel: Any defined river, stream, creek, brook, branch, natural or artificial depression, ponded area, on-stream lake or impoundment, abandoned mine, flowage, slough, ditch, conduit, culvert, gully, ravine, wash, or natural or manmade drainageway, which has a definite bed and bank or shoreline, in or into which surface or groundwater flows, either perennially or intermittently.

20.11 - Channel Modification: Alteration of a channel by changing the physical dimensions or materials of its bed or banks. Channel modification includes damming, riprapping (or other armoring), filling, widening, deepening, straightening, relocating, lining, and significant removal of bottom or woody rooted vegetation. Channel modification does not include the man-made clearing of debris or removal of trash.

20.12 - Clearing: Any activity, which removes the natural vegetative ground cover.

20.13 - Compensatory Storage: An artificially excavated, hydraulically equivalent volume of storage within the floodplain used to balance the loss of natural flood storage capacity when dikes or structures are placed within the floodplain.

20.14 - Conduit: Any channel, pipe, sewer or culvert used for the conveyance or movement of water, whether open or closed.

20.15 - County: County of Rock Island, Illinois.

20.16 - Cubic Yard: A one- (1) yard by one (1) yard by one (1) yard amount of material in excavation and/or

20.17 - Detention Basin: A facility constructed or modified to provide for the temporary storage of stormwater runoff and the controlled release by of this runoff at a prescribed rate during and after a flood or storm.

20.18 - Detention Time: The amount of time stormwater is held within a detention in

20.19 - Development: Any manmade change to real estate or property, including:

- a.) The division or subdivision of any duly recorded parcel of property;
- b.) Construction, reconstruction or placement of a building or any addition to a building valued at more than one hundred dollars (\$100);
- c.) Installation of a manufactured home on a site, preparing a site for a manufactured home, or in in a travel trailer on a site for more in 180 days per year;
- d.) Construction of roads, bridges, or similar projects;
- e.) Redevelopment of a site;
- Filling, dredging, grading, clearing, excavating, paving drilling, mining or other non-agricultural alterations of a ground surface;
- g.) Storage of materials or deposit of solid or liquid waste;
- h.) Any other activity that might alter the magnitude, frequency, direction, or velocity of stormwater flows from a property.

20.20 - Drainage Plan: A plan, including engineering drawings and supporting calculations, which describes the existing stormwater drainage system and environmental features, including grading, as well as proposed alterations or changes to the drainage system and environment of a property.

20.21 - Dry Basin: A detention basin designed to drain after temporary storage of stormwater flows and to normally be dry over much of its bottom area.

20.22 - Erosion: The general process whereby soil or earth is moved by rainfall, flowing water, wind or wave action.

20.23 - Excavation: Any act by which organic matter, earth, sand, gravel, rock or any other similar material, is cut into, dug, quarried, uncovered, removed, displaced, re-located or bulldozed and shall

include the conditions resulting from such actions.

20.24 - Excess Stormwater Runoff: The volume and rate of flow of stormwater discharged from a new development or re-development, which is or be in excess of that volume and rate which existed before development or re-development.

20.25 - Existing Grade: The vertical location of the existing ground surface prior to excavation or filling.

20.26 - Fill: Any act by which earth, sand, gravel, rock, or any other material, is deposited, placed, replaced, pushed, dumped, pulled, transported or moved by on to a new location and shall include the conditions resulting therefrom.

20.27 - Final Grade: The vertical location of the ground surface after grading work is completed in accordance with the engineering plans.

20.28 - Flood Fringe: That area as designated by the Federal Emergency Management Agency (FEMA) on either side of the floodway. area is subject to inundation from the base flood but conveys little or no flow.

20.29 - Flood Hazard Boundary Map (FHBM): A very generalized map prepared by the Federal Emergency Management Agency (FEMA) which shows only where floodplains are located based on very basic data. FHBMs do not include base flood elevations.

20.30 - Flood Insurance Rate Map (FIRM): A map prepared by the Federal Emergency Management Agency (FEMA) that depicts the special flood hazard area (SFHA) within a community. map includes insurance rate zones and regulatory floodplains and may or may not depict regulatory floodways.

20.31 - Floodplain: That land adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation which is subject to inundation. The floodplain as designated by the Federal Emergency Management Agency (FEMA) is also known as the Special Flood Hazard Area (SFHA). area is the collective combination of the regulatory floodway and the flood fringe.

20.32 - Floodway: The channel and that portion of the floodplain, including on-stream lakes, adjacent to a stream or watercourse which is needed to store and convey the anticipated existing and future 100-year frequency flood discharge with no more than a 0.1-foot increase in stage due to any loss of flood conveyance or storage and no more than a ten percent (10%) increase in velocities.

20.33 - Grading: The excavation or or any combination thereof and shall include the conditions resulting from any excavation or

20.34 - Hydrograph: A graph showing for a given location on a stream or conduit, the flow rate with respect to time.

20.35 - Hydrograph Method: This method estimates runoff volume and runoff hydrographs for the point of interest by generating hydrographs for individual subareas, combining them, and routing them through stream lengths and reservoir structures. Factors such as rainfall amount and distribution, runoff curve number, time of concentration, and travel time are included.

20.36 - Impervious Surface: That area of property that is covered by materials other than soil and vegetation and that has no intended capacity to absorb stormwater, such as parking lots, driveways, sidewalks, patios, tennis courts, roofs and other structures.

20.37 - Infiltration: The passage or movement of water into the soil surfaces.

20.38 - Loessal Soil: A sediment, commonly non-stratified and unconsolidated, composed predominately of silt sized particles with accessory clay and sand.

20.39 - Lot: An individual platted parcel in an approved subdivision.

20.40 - Major Drainage System: That portion of a drainage system needed to store and convey flows beyond the capacity of the minor drainage system

20.41 - Minor Drainage System: That portion of a drainage system designed for the convenience of the public. It consists of street gutters, storm sewers, small open channels, and swales and, where manmade, is to be designed to handle the 10-year runoff event.

20.42 - Mitigation: Mitigation is when the prescribed controls are not sufficient and additional measures are required to offset the development, including those measures necessary to minimize the negative effects which stormwater drainage and development activities might have on the public health, safety and welfare. Examples of mitigation include, but are not limited to compensatory storage, soil erosion and sedimentation control, and channel restoration.

20.43 - Natural: Conditions resulting from physical, chemical, and biological processes without intervention by man.

20.44 - Natural Drainage: Channels formed in the existing surface topography of the earth prior to changes made by unnatural causes.

20.45 - One Hundred-Year Event: A rainfall, runoff, or flood event having a one percent (1%) probability of equaled or exceeded in any given year. A 24-hour storm duration is assumed unless otherwise noted.

20.46 - Parcel: All contiguous land in one ownership.

20.47 - Peak Flow: The maximum rate of flow of water at a given point in a channel or conduit.

20.48 - Permittee: Any person to whom a building permit or a development permit is issued.

20.49 - Person: Any individual, firm or corporation, public or private, the State of Illinois and its agencies or political subdivisions, the United States of America, and its agencies or political subdivisions, and any agent, servant, officer or employee of any of the foregoing.

20.50 - Plan Commission: Plan Commission shall mean the Plan Commission of the Village of Coal Valley, Illinois, as created and with the jurisdiction as set forth in Article XVIII, Section 5, of ordinance, "Village of Coal Valley Zoning Ordinance."

20.51 - Positive Drainage: Provision for overland paths for all areas of a property including depressional areas may also be drained by storm sewer.

20.52 - Prime Farmland: Prime farmland is land that is best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It is either used for food or fiber or is available for those uses. The soil qualities, growing season and moisture supply are those needed for a well-managed soil to economically produce a sustained high yield of crops. Prime farmland produces the highest yields with minimum inputs of energy and economic resources, and farming it results in the least damage to the environment.

20.53 - Property: A parcel of real estate.

20.54 - Retention Basin: A facility designed to completely retain a specified amount of stormwater runoff without release except by means of evaporation, infiltration, emergency bypass or pumping.

~~20.55 - Rock Island County SWCD/RICSWCD: -Rock Island County Soil & Water Conservation District.~~

~~20.556 - Sedimentation:~~ The process that deposits soils, debris, and other materials either on other ground surfaces or in bodies of water or stormwater drainage systems.

~~20.567 - Site:~~ A parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.

~~20.578 - Slope Disturbance Line:~~ The line which delineates relatively level building areas from areas where slopes exceed 7 percent (7%) and where special precautions must be taken.

~~20.589 - Stormwater Drainage System:~~ All means, natural and manmade, used for conducting stormwater to, through or from a drainage area to the point of final outlet from a property. The stormwater drainage system includes but is not limited to any of the following: conduits and appurtenance features, canals, channels, ditches, streams, culverts, streets, storm sewers, detention basins, swales and pumping stations.

~~20.5960 - Stormwater Runoff:~~ The waters derived from melting snow or rain falling within a tributary drainage basin which are in excess of the infiltration capacity of the soils of that basin which flow over the surface of the ground or are collected in channels or conduits.

20.6061 - Storm Sewer: A closed conduit for conveying collected stormwater.

20.612 - Stream: Any river, creek, brook, branch, flowage, ravine, or natural or man-made drainageway which has a definite bed and banks or shoreline, in or into which surface or groundwater flows, either perennially or intermittently.

20.623 - Stripping: Any activity which removes the vegetative surface cover including tree removal, by spraying or clearing, and storage or removal of topsoil.

20.634 - Ten-Year Event: A runoff; rainfall, or flood event having a ten percent (10%) chance of occurring in any given year. A 24-hour storm duration is assumed unless otherwise note.

20.645 - Time of Concentration: The elapsed time for stormwater to flow from the most hydraulically remote point in a drainage basin to a particular point of interest in that watershed.

20.656 - Tributary Watershed: All of the land surface area that contributes runoff to a given point.

20.667 - Two-Year Event: A runoff; rainfall, or flood event having a fifty percent (50%) chance of occurring in any given year. A 24-hour storm duration is assumed unless otherwise noted.

20.678 - Vacant: Land on which there are no structures or only structures which are secondary to the use or maintenance of the land itself.

20.689 - Village: Village of Coal Valley, Illinois.

20.690 - Village Attorney: Attorney for the Village of Coal Valley, Illinois.

20.701 - Village Engineer: Engineer for the Village of Coal Valley, Illinois.

20.712 - Watershed: All land area drained by, or contributing water to, the same stream, creek, ditch, lake, marsh, stormwater facility, groundwater or depressional area.

20.723 - Wet Basin: A detention basin designed to maintain a permanent pool of water after the temporary storage of stormwater runoff

20.734 - Wetlands: Wetlands are defined by regulation as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." For general, but not inclusive locations of designated wetlands refer to mapping prepared jointly by the U.S. Department of Interior, Fish and Wildlife Service and the Illinois Department of Natural Resources, Office of Resource Conservation; National Wetlands Inventory Mapping, 1987. More specific wetland information is published in the Rock River Wetlands Special Area Management Plan, by the Bi-State Regional Commission in cooperation with the Natural Resources Conservation Service (NRCS), the US Fish and Wildlife Service and the US Army Corps of Engineers. The

applicant may be required to provide a field investigation by a qualified wetland delineator.

20.745 - Zoning Officer: Zoning Officer for the Village of Coal Valley, Illinois, "i" the powers and duties as set forth in Article XVIII, Section 2, of "Village of Coal Valley Zoning Ordinance."

Article ID- Stormwater Drainage and Detention:

Section 30 - Drainage Plan Submittal Requirements: Each applicant shall submit the following information, to ensure that the provisions of this ordinance are met. The submittal shall include sufficient information to evaluate the environmental characteristics of the property, the potential adverse impacts and benefits of the development on water resources both on-site and off-site, and the effectiveness of the proposed drainage plan in managing stormwater runoff and meet the provisions of Article I, Section 11. The applicant shall certify on the drawings that "clearing, grading, drainage, and construction shall be accomplished in strict conformance with the drainage plan. The following information shall be submitted for both existing and proposed property conditions for all new developments or re-developments that meet or exceed the minimum requirements of Article I, Section 12.

30.01 - Drainage Plan Requirements: A topographic survey of the property at two-foot (2) contours unless otherwise specified or approved by the Village Engineer. The plan map shall be keyed to a consistent datum specified by the Village. If the mapping is compiled using a digital format and the Global Positioning System (GPS), the applicant "i" provide both paper and digital copies including GPS points.

30.011 - Mapping and Descriptions: An existing drainage and proposed drainage plan for the property and one hundred (100) feet surrounding the property at a scale of not more "n" one hundred (100) feet to one "inch, and including the following: Unless otherwise specified by the Village Engineer

- a.) Property boundary, dimensions, and approximate acreage;
- b.) Building setback lines;
- c.) All existing and proposed structures and sizes;
- d.) Square feet of existing and proposed impervious surface;
- e.) All existing, or proposed easements;
 - " All existing, abandoned, or proposed water or monitoring wellhead locations;
- g.) All "ni"r" or combined sewer lines and septic systems;
- h.) The banks and centerline of streams and channels;

- i.) Shoreline of lakes, ponds, and detention basins with normal water level elevation;
- j.) Farm drains and tiles;
- k.) Soils classifications;
- l.) Location, size and slope of stormwater conduits and drainage swales;
- m.) Depressional storage areas;
- n.) Detention facilities;
- o.) Roads, streets and associated stormwater inlets including finished grades;
- p.) Base flood elevation, flood fringe, and regulatory floodway;
- q.) Basis of design for the final drainage network components;
- r.) A statement giving any applicable engineering assumptions and calculations;
- r.) A vicinity map showing the relationship of the site to its general surroundings at a scale of not less than two thousand (2,000) feet to one (1) inch (1:24,000);
- t.) Title, scale, north arrow, legend, seal of Licensed Professional Engineer, date, and name of person preparing plans;
- u.) Cross-section data for open channel flow paths and designated overland flow paths;
- v.) Direction of storm flows;
- w.) Flow rates and velocities at critical points in the drainage system;
- x.) A statement by the design engineer of the drainage system's provision for flood events greater than the 100-year, 24-hour runoff;
- .) A statement of certification of drainage plans, calculations, and supporting data by a Licensed Professional Engineer;
- z.) Abandoned mine location and type; and
- aa.) Subwatershed boundaries within the property.

30.012 - Environmental Features: A depiction of environmental features of the property and immediate vicinity including the following:

- a.) The limits of designated regulatory and non-regulatory wetland areas;
- b.) The location and limits of abandoned mining activity;
- c.) The location of trees greater than eight (8) inches in diameter;
- d.) Any designated natural areas, prime farmland; and
- e.) Any proposed environmental mitigation features.

Section 31 - Minimization of Increases in Runoff Volumes and Rates: In the selection of a drainage plan for a new development or redevelopment, the applicant shall evaluate and implement site design features which minimize the increase in runoff volumes and rates from the site and addresses the water quality treatment requirements of this ordinance. The applicant's drainage plan submittal shall include evaluations of site design features which are consistent with the following hierarchy:

- a.) Preservation of regulatory floodplains, flood prone and wetland areas;
- b.) Minimize impervious surfaces on the property, consistent with the needs of the project;
- c.) Attenuate flows by use of open vegetated swales and natural depressions and preserves the existing natural stream channel;
- d.) Infiltration of runoff on-site;
- e.) Provide stormwater retention structures;
- f.) Provide wet or wetland detention structures;
- g.) Provide dry detention structures; and
- h.) Construct storm sewers.

Section 32 - Water Quality and Multiple Uses: The drainage system should be designed to minimize adverse surface and groundwater quality impacts off-site and on the property itself. Detention basins shall incorporate design features to capture stormwater runoff pollutants. In particular, designers shall give preference to wet bottom and wetland type designs and all flows from the development shall be routed through the basin (i.e. low flows shall not be bypassed). Detention of stormwater shall be promoted throughout the property's drainage system to reduce the volume of stormwater runoff and to reduce the quantity of runoff pollutants.

The drainage system should incorporate multiple uses where practicable. Uses considered compatible with stormwater management include open space, aesthetics, aquatic habitat, recreation (boating, fishing, trails, playing fields), wetlands and water quality mitigation.

Section 33 - Design Criteria, Standards, and Methods:

33.01 - Release Rates: The drainage system for new developments or redevelopments shall be designed to control the peak rate of discharge from the property for the 2- year, 24- hour and 100 year, 24-hour events to pre project levels which shall not cause an increase in flooding or channel instability downstream when considered in aggregate with other developed properties and downstream drainage capacities. The peak discharge rate from events less than or equal to the 2- year, 24-hour event and the peak discharge rate for the 100-year, 24-hour event shall be determined by the Village Engineer.

33.011 - Detention Basin Outlet Design: Backwater on the outlet structure from the downstream drainage system shall be addressed when designing the outlet.

33.02 - Detention Storage Requirements: The design maximum storage to be provided in the detention basin shall be based on the runoff from the runoff difference before and after development from the 100- year, 24-hour event. All detention basin storage shall be computed using Hydrograph Methods utilizing reservoir routing (also called modified pulse or level pool) or equivalent method as described in Section 33.04.

33.03 - Drainage System Design and Evaluation: The following criteria should be used in evaluating and designing the drainage system. The design shall provide capacity to pass the 10-year, 24- hour peak flow in the minor drainage system and an overload flow path for flows in excess of the design capacity. Whenever practicable, the stormwater systems shall not result in the interbasin transfer of drainage unless no other alternative exists.

33.031 - Design Methodologies: Major and minor conveyance systems for areas up to 10 acres, may be designed using the Rational Formula. The Rational Formula may also be used in sizing the minor drainage system for larger sites up to 100 acres. Runoff hydrograph methods as described in Section 33.04 must be used for major drainage system design for all systems with greater than 10 acres of drainage area and for the design of all detention basins.

33.032 - Positive Drainage: Whenever practicable, all developments must be provided an overland flow path that shall pass the 100- year, 24-hour flow at a stage at least one (1) foot below the lowest foundation grade in the vicinity of the flow path. Overland flow paths designed to handle flows in excess of the minor drainage system capacity shall be provided drainage easements. Street ponding and flow depths shall not exceed curb heights.

33.04 Methods for generating runoff hydrographs: Runoff hydrographs shall be developed incorporating the following assumptions of runoff amounts and antecedent moisture.

33.041 - Rainfall: Unless a continuous simulation approach to drainage system hydrology is used, design rainfall events shall be based on the Illinois State Water Survey's Bulletin 70. The first quartile point rainfall distribution shall be used for the design and analysis of conveyance systems with critical durations less than or equal to 12 hours; The third quartile point runoff distribution shall be used for the design and analysis of detention basins and conveyance system with critical durations greater than 12 and less than or equal to 24 hours. The fourth quartile distribution shall be used in the design and

analysis of systems with durations greater than 24-hours. The first, third and fourth quartile distributions described by Huff are presented in Table 37 of bulletin 70. Refer to Table 13 of Bulletin 70 for rainfall depth, duration, and frequency. The NRCS Type II distribution may be used as an alternate to the Huff distributions.

33.042 - Antecedent Moisture: Computations of runoff hydrographs, which do not rely on a continuous accounting of antecedent moisture conditions, shall use wet antecedent moisture condition as a minimum.

33.05 - Agriculture Tiles and Sanitary Sewers: Connections to sanitary sewers or existing agricultural stormwater management system (tiles) shall not be permitted for new developments. However, in exceptional circumstances and with the approval of the Village Engineer, connections to existing agricultural stormwater management systems may be allowed if the applicant demonstrates that the existing system, has adequate hydraulic capacity, and structural integrity. Additionally, development meeting the criteria in Section 33 shall either obtain a maintenance agreement or deed or plat restriction covering the entire downstream drain tile in accordance to be determined of this ordinance before a connection to that system is permitted. Field tile systems disturbed during the process of land development must be reconnected by those responsible for their disturbance unless the approved drainage plan incorporates the tiles in the land development design.

33.06 - Wet Detention Basin Design: Wet detention basins shall be designed to remove stormwater pollutants, to be safe, to be aesthetically pleasing, and as much as feasible to be available for recreational use.

33.061 - Wet Basin Depths: Wet basins shall be at least three feet deep, excluding near-shore banks and safety ledges. If fish habitat is to be provided, they shall be at least ten (10) feet deep over twenty-five (25%) percent of the bottom area to prevent winterkill.

33.062 - Wet Basin Shoreline Slopes: The side slopes of wet basins at the normal pool elevation shall not be steeper than five to one (5 to 1 horizontal to vertical). It is recommended that native aquatic vegetation be established around the perimeter to provide protection from shoreline erosion.

33.063 - Permanent Pool Volume: The permanent pool volume in a wet basin at normal depth shall be equal to the runoff volume from its watershed for the 2 year, 24-hour event as a minimum.

33.064 - Wet Basin Inlet and Outlet Orientation: The distance between detention inlets and outlets shall be maximized. Inlet and outlets shall be at opposite ends of the basin providing that the orientation does not create undue hardship based on topography or other natural constraints. Designers are encouraged to use baffles or berms in the basin bottom to prevent short-circuiting. There shall be no low flow bypass between the inlet and outlet. Paved low flow channels shall not be used. The minimum flow length shall be ten (10) feet with a recommended minimum ratio of two to one (2:1) for width.

33.07 - Dry Detention Basin Design: In addition to the other requirements of this ordinance, dry basins shall be designed to remove stormwater pollutants, to be safe, to be aesthetically pleasing and as such as feasible to be available for multiple uses.

33.071 - Dry Basin Drainage: Dry basins shall be designed so that eighty percent (80%) of their bottom area shall have standing water no longer than seventy-two (72) hours for any runoff event less

than the 100-year, 24-hour event. Grading plans shall clearly distinguish the wet portion of the basin bottom. Underdrains directed to the outlet may be used to accomplish this requirement.

33.072 - Velocity Dissipation: Velocity dissipation measures shall be incorporated into dry basin designs to minimize erosion at inlets and outlets and to minimize resuspension of pollutants.

33.073 - Dry Basin Inlet and Outlet Orientation: Shall be the same as Article III, Section 33.064.

33.074 - Temporary Sediment Trap: A sediment trap shall be constructed at each major inlet to a dry basin during construction. The temporary sediment trap should be designed in accordance with criteria in the Illinois Urban Manual.

33.08 - Existing Depressional Areas: Existing depressional storage volume shall be maintained and the volume of detention storage provided to meet the requirements of this ordinance shall be in addition to existing storage.

33.09 - Minimum Detention Outlet Size: Where a single pipe outlet or orifice plate is to be used to control discharge, it shall have a minimum diameter of twelve (12) inches. If design release rates call for smaller outlets, a design that minimizes the possibility of clogging shall be used. Minimum outlet restrictor size shall be 4" provided there is adequate downstream capacity. Detention volumes for a development shall be dictated by adherence to the release rates specified in Section 33.01.

33.10 - Detention in Flood Plains: The placement of detention basins within the flood plain is strongly discouraged because of questions about their reliable operation during flood events. However, the stormwater detention requirements of this ordinance may be fulfilled by providing detention storage within flood fringe areas on the project site provided the following provisions are met as well as compliance with Article I, Section 11.

33.1001 - Detention in Flood Fringe Areas: The placement of a detention basin in a flood fringe area shall require compensatory storage for 1.5 times the volume below the base flood elevation occupied by the detention basin including any berms. The release from the detention storage provided shall still be controlled consistent with the requirements of this section. The applicant shall demonstrate its operation for all stream-flow and flood plain backwater conditions. Excavations for compensatory storage along watercourses shall be opposite or adjacent to the area occupied by detention. All flood plain storage lost below the existing ten-year flood elevation shall be replaced below the existing ten-year elevation. All flood plain storage lost above the existing ten-year flood elevation shall be replaced above the existing ten-year flood elevation. All compensatory storage excavations shall be constructed to drain freely and openly to the watercourse and comply with Article I, Section 11.

33.1002 - Detention on Prime Farmland: The placement of detention basins shall avoid the utilization of prime farmland. All detention basin construction shall examine potential impacts to

adjacent agricultural land and shall address measures that shall be implemented to eliminate such impacts and comply with Article I, Section 11.

33.1003 - Detention in Floodways: Detention basins shall be placed in the floodway only in accordance with Article ID, Section 33.1004.

33.1004 - On-Stream Detention: On-stream detention basins are discouraged but allowable if they provide regional public benefits and if they meet the other provisions of this ordinance with respect to water quality and control of the 2-year and 100-year, 24-hour events from the property. Further criteria are presented in Article III Section 34 of this ordinance. If on-stream detention is used in watersheds larger than one square mile, the applicant will use hydrographic modeling to demonstrate that the design will not increase the water level for any properties upstream or downstream of the property. Also, impoundment of the stream as part of on-stream detention:

- a.) Shall not prevent the migration of indigenous fish species, which require access to upstream areas as part of their life cycle, such as for spawning;
- b.) Shall not cause or contribute to the degradation of water quality or stream aquatic habitat;
- c.) Shall include a design calling for gradual bank slopes, appropriate bank stabilization measures, and a pre-sedimentation basin;
- d.) Shall not involve any stream channelization or the destruction of wetlands;
- e.) Shall require the implementation of an effective non-point source management program throughout the upstream watershed which shall include as a minimum: run-off reduction "Best Management Practices" (BMP's) consistent with Article III, Section 31; 2 year, 24 hour detention / sedimentation basins for all development consistent with Article III, Section 33.074;
- f.) Shall not occur downstream of a wastewater discharge;
- g.) Shall not contribute to the duration or flood frequency of any adjacent land, and
- h.) Shall comply with Article I, Section 11.

33.11 - Drainage Into Wetlands, Rivers, Streams, Lakes, Ponds, and Depressional Storage

Areas: Wetlands, lakes, ponds and depressional storage areas shall be protected from damaging modifications and adverse changes in runoff quality and quantity associated with land developments.

In addition to the other requirements of this ordinance, the following requirements shall be met for all developments whose drainage flows into wetlands, rivers, lakes, ponds or depressional storage areas:

33.1101 - Detention in Wetlands, Rivers, Streams, Lakes, Ponds or Depressional Storage Areas:

Existing wetlands, rivers, lakes, ponds or depressional storage areas shall not be modified for the purposes of stormwater detention unless it is demonstrated that the proposed modification will maintain or improve its habitat and ability to perform beneficial functions and shall comply with Article I, Section 11. Existing storage and release rate characteristics of wetlands, rivers, lakes, ponds or depressional storage areas shall be maintained and the volume of detention storage provided to meet the requirements of the section shall be in addition to existing storage.

33.1102 - Sediment Control: The existing wetlands, rivers, lakes, ponds, or depressional storage areas shall be protected during construction and as further regulated in Article IV of this ordinance, and shall not be filled.

33.1103 - Alteration of Drainage Patterns: Site drainage patterns shall not be altered to substantially decrease or increase the existing area tributary to wetlands, rivers, lakes, ponds or depressional storage areas. Drainage patterns shall not be altered by development to direct runoff offsite to other natural drainage outlets existing prior to development.

33.1104 - Detention/Sedimentation: All runoff from the development shall be routed through a preliminary detention/sedimentation basin designed to capture the two-year, 24-hour event and hold it for at least 24 hours, before being discharged to the wetland, river, lake, pond, or depressional storage area. This basin shall be constructed before property grading begins and shall be maintained throughout the construction process. In addition, the drainage hierarchy defined in Article I Section 30 should be followed to minimize runoff volumes and rates being discharged to the wetland, river, stream, lake, pond, or depressional storage area and as further regulated in Article II and Article IV of this ordinance.

33.1105 - Vegetated Buffer Strip: A buffer strip of at least 25 feet in width, preferably vegetated with native plant species, shall be maintained or restored around the periphery of a wetland, river, stream, lake, pond or depressional storage area

33.1106 - Loessal Soils: Care must be taken to avoid open flow discharges of stormwater over silt (Loessal) soils due to high potential for erosion.

33.1107 - Abandoned Mines: The following requirements apply for new developments or re-developments where abandoned mines are determined to be present:

- a.) A stormwater detention basin shall not be placed in or over an abandoned mine;
- b.) Stormwater detention basins shall not be located closer than one hundred (100 feet) from the opening of an abandoned mine;
- c.) The outflow from a stormwater detention basin, channel, ditch or any stormwater runoff generated as a result of a new development or redevelopment shall not empty into or be directed, redirected by any means into or through any abandoned mine;
- d.) After the review of the stormwater drainage plan, the Village Engineer may

determine that more detailed information is required, an abandoned mine evaluation may be required. An abandoned mine evaluation which addresses the geologic, engineering and environmental factors resulting from a new development or redevelopment be performed by a professional with experience and expertise in abandoned mine topography, whom shall certify the results of the evaluation. This evaluation shall be the responsibility of the applicant and performed at no cost to the Village. After a review of this evaluation and with the consultation of the Rock Island Soil and Water Conservation District, the Village Engineer may either approve or disapprove the drainage plan as submitted;

- e.) Whenever an abandoned mine is discovered or it becomes apparent that the abandoned mine has not yet been identified, it shall be reported to the Rock Island Soil and Water Conservation District; and
- f.) Shall comply with Article I, Section 11.

33.12 - Street Detention, Parking Lot Detention, and Culvert Drainage:

33.1201 - Street Detention: If streets are to be used as part of the minor or major drainage system, ponding depths shall not exceed curb heights and shall not remain flooded for more than eight (8) hours for any event less than or equal to the 100-year, 24-hour event.

33.1203 - Parking Lot Detention: The maximum stormwater ponding depth in any parking area shall not exceed six (6) inches for more than four (4) hours.

33.1203 - Culvert, Road and Driveway Crossings: Sizing of culvert crossings shall consider entrance and exit losses as well as tailwater conditions on the culvert.

33.13 - Infiltration Practices: To effectively reduce runoff volumes, infiltration practices including basins, trenches, and porous pavement and shall follow criteria in the Illinois Urban Manual Article I, Section 11. An appropriate sediment control device shall be provided to remove coarse sediment from stormwater flows before they reach infiltration basins or trenches. Stormwater shall not be allowed to stand more than seventy-two hours over eighty percent of the dry basin's bottom area for the maximum design event to be ex-filtrated. The bottom of infiltration basins or trenches shall be a minimum of three feet above the seasonally high groundwater and bedrock level. Engineering calculations demonstrating infiltration rates shall be included with the application.

33.1301 - Vegetated Filter Strips and Swales: To effectively filter stormwater pollutants and promote infiltration of runoff, sites should be designed to maximize the use of vegetated filter strips and swales, shall be designed to follow criteria in the Illinois Urban Manual, Whenever practicable, runoff from impervious surfaces should be directed onto filter trips and swales comprised of native grasses and forbs before being routed to a storm sewer or detention basin.

33.14 - Safety Considerations: The drainage system components, especially all detention basins, shall be designed to protect the safety of any children or adults coming in contact with the system during

runoff events and shall comply with Article I, Section 11.

33.1401 - Side Slopes: The side slopes of all detention basins at 100-year, 24-hour capacity shall be as level as practicable to prevent accidental falls into the basin and for stability and ease of maintenance. Side slopes of detention basins and open channels shall not be steeper than three (3) to one (1) (horizontal to vertical).

33.1402 - Safety Ledge: All wet detention basins shall have a level safety ledge at least four feet in width 2.5 to 3 feet below the normal water depth.

33.1403 - Velocity: Velocities throughout the surface drainage system shall be controlled to safe levels taking into consideration rates and depths of flow.

33.1404 - Overflow Structures: All stormwater detention basins shall be provided with an overflow structure capable of safely passing excess flows at a stage at least one foot below the lowest foundation grade in the vicinity of the detention basin. The design flow rate of the overflow structure shall be equivalent to the 100-year, 24-hour inflow rate.

33.15 - Maintenance Considerations: The stormwater drainage system shall be designed to minimize and facilitate maintenance. Turfed side slopes shall be designed to allow lawn-mowing equipment to easily negotiate them. Wet basins shall be provided with alternate outflows, which can be used to completely drain the pool for sediment removal. Pumping may be considered if drainage by gravity is not feasible. Pre-sedimentation basins shall be included, where feasible, for localizing sediment deposition and removal. Site access for heavy equipment shall be provided. Use of native vegetation is strongly encouraged to reduce maintenance, increase wildlife habitat, and to provide other benefits.

33.1501 - A maintenance plan for the ongoing maintenance of all stormwater management system components including wetlands is required prior to plan approval. The plan shall include:

- a.) Maintenance tasks;
- b.) The party responsible for performing the maintenance tasks;
- c.) A description of all permanent public or private access maintenance easements and overland flow paths, and compensatory storage areas; and
- d.) A description of dedicated sources of funding for the required maintenance.

Section 34 - Accommodating Flows From Upstream Tributary Areas: Stormwater runoff from areas tributary to the property shall be considered in the design of the property's drainage system. Whenever practicable, flows from upstream areas that are not to be detained should be routed around the basin being provided for the site being developed.

34.01 - Upstream Areas Not meeting Ordinance Requirements: When there are areas not meeting the storage and release rates of this ordinance, tributary to the applicant's property, regionalized

detention on the applicant's property shall be explored by the applicant. The following steps shall be followed:

- a.) The applicant shall compute the storage volume needed for his property using the release rates of Article III, Section 33, the applicant's property area, and the procedures described in Article III, Section 32;
- b.) Areas tributary to the applicant's property, not meeting the storage and release rate requirements of this ordinance, shall be identified; and
- c.) Using the areas determined above plus the applicant's property area, total storage needed for the combined properties shall be computed.

Allowable release rates shall be computed using the combined property areas. Storage shall be computed as described in Article III, Section 33. If tributary areas are not developed, a reasonable fully developed land cover, based on local zoning, shall be used for the purposes of computing storage.

Once the necessary combined storage is computed the Village may choose to pay for over-sizing the applicant's detention basin to accommodate the regional flows. The applicant's responsibility will be limited to the storage for his property as computed above. If regional storage is selected by the Village then the design produced in Article III, Section 32 shall be implemented. If regional storage is rejected by the Village the applicant shall bypass all tributary area flows around the applicant's basin whenever practicable. If the applicant must route upstream flows through his basin and the upstream areas exceed one-square mile in size, the applicant must meet the provision of Section 33.1004 for on-stream basins.

34.02 - Upstream Areas Meeting Ordinance Requirements: When there are areas which meet the storage and release rate requirements of this ordinance, tributary to the applicant's property, the upstream flows shall be bypassed around the applicant's detention basin if this is the only practicable alternative. Storage needed for the applicant's property shall be computed as described in Article III, Section 34.01. However, if the Village decides to route tributary area flows through an applicant's basin, the design stormwater releases shall be based on the combined total of the applicant's property plus tributary areas. It must be shown that at no time will the runoff rate from the applicant's property exceed the allowable release rate for his/her property alone.

Section 35 - Early Completion of Detention Facilities: Where detention, retention, or depressional storage areas are to be used as part of the drainage system for a property, they shall be constructed as the first element of the initial earthwork program. Any eroded sediment captured in these facilities shall be removed by the applicant on a regular basis and before project completion in order to maintain the design volume of the facilities,

Section 36 - Fee in Lieu of Detention: All new development or redevelopment not exceeding fifteen thousand (15,000) square feet of impervious surface may pay a fee of \$10,000 for each acre-foot of detention which would be required under this ordinance rather than in detention facilities on the

property, unless specifically directed to do otherwise by the Zoning Officer. The Village, also shall have the option of requiring a fee of \$10,000 for each acre-foot of detention needed in lieu of the applicant building a basin on-site provided a new development or re-development project exceeds fifteen thousand (15,000) square feet of impervious surface, provided the property can discharge stormwater to the Village storm drainage system, if applicable.

In instances where regional benefits and economies of scale can be achieved, it may be permissible for adjacent properties to utilize a common regional detention basin. Applicants shall have the option of paying a fee of \$10,000 for each acre-foot of detention required so that the Village can build regional facilities or the applicants can jointly build the necessary facilities themselves.

Article IV SOIL EROSION AND SEDIMENT CONTROL:

Section 40 Findings: The Village hereby finds that:

- a.) The soil types found in the Village Illinois are susceptible to erosion and left unprotected could cause severe loss of soil resultant damage to property;
- b.) The topography of the Village contains areas with steep slopes upon which, if clearing of trees and/or inappropriate construction takes place, could result in severe erosion and slope stability problems, which could result in damage to property;
- c.) Excessive quantities of soil may erode from areas undergoing development for certain non-agricultural uses including but not limited to the construction of dwelling units, commercial buildings and industrial plants, the building of roads and highways, the modification of stream channels and drainageways, and the creation of recreational facilities;
- d.) The washing, blowing, and falling of eroded soil across and upon roadways endangers the health and safety of users thereof, by decreasing vision and reducing traction of road vehicles;
- e.) Soil erosion necessitates the costly repairing of gullies, washed out fills, and embankments;
- f.) Sediment from soil erosion clogs drainage systems and pollutes rivers, streams, lakes, wetlands, and reservoirs;
- g.) Sediment limits the use of water and waterways for most beneficial purposes, promotes the growth of undesirable aquatic weeds, destroys fish and other desirable aquatic life, and is costly and difficult to remove; and
- h.) Sediment reduces the channel capacity of waterways and the storage capacity of flood plains and natural depressions, resulting in increased chances of flooding at risk to public health and safety.

Section - 41 - General Principles: It is the objective of this ordinance to control soil erosion and sedimentation caused by development activities, including clearing, grading, stripping, excavating, and filling of land, in the Village. Measures taken to control soil erosion and off-site sediment runoff shall be adequate to assure that sediment is not transported from the site by a storm event of ten-year, 24-hour frequency or less. The following principles shall apply to all new development or redevelopment activities within the Village and to the preparation of the submissions required under Article IV, Section 42 of this ordinance:

- a.) New development or redevelopment shall be related to the topography and soils of the site so as to create the least potential for erosion. Areas of steep slopes greater than seven percent (7%) where high cuts and fills maybe required are to be avoided wherever possible, and natural contours should be followed as closely as possible,
- b.) Natural vegetation shall be retained and protected wherever possible. Areas immediately adjacent to natural watercourses, lakes, ponds, and wetlands are to be left undisturbed wherever possible. Temporary crossings of watercourses, when permitted, must include appropriate stabilization measures,
- c.) Special precautions shall be taken to prevent damages resultant from any necessary development activity within or adjacent to any stream, lake, pond, abandoned wetland or mine. Preventive measures shall reflect the sensitivity of these areas to erosion and sedimentation,
- d.) The smallest practical area of land should be exposed for the shortest practical time during development,
- e.) Sediment basins or traps, filter barriers, diversions, and any other appropriate sediment or runoff control measures shall be installed prior to site clearing and grading and maintained to remove sediment from run-off waters from land undergoing development,
- f.) The selection of erosion and sediment control measures shall be based on assessment of the probable frequency of climatic and other events likely to contribute to erosion, and on evaluation of the risks, costs, and benefits involved,
- g.) In the design of erosion control facilities and practices, aesthetics and the requirements of continuing maintenance must be considered,
- h.) Provisions shall be made to accommodate the increased run-off caused by changed soil and surface conditions during and after development. Drainageways should be designed so that their final gradients and the resultant velocities and rates of discharge do not create additional erosion on-site or downstream,

- i.) Permanent vegetation and structures shall be installed and functional as soon as practical during development,
- ☐☐☐ Those areas being converted from agricultural purposes to other land uses shall be vegetated with an appropriate protective cover prior to development,
- k.) All waste generated as a result of site development activity shall be properly disposed of and shall be prevented from being carried off the site by either wind or water,
- l.) All construction sites shall provide measures to prevent sediment from being tracked onto public or private roadways, and
- m.) All temporary soil erosion and sediment control practices shall be maintained to function as intended until the contributing drainage area has been permanently stabilized at which time they shall be removed.

Section 42 - Soil Erosion and Sediment Control Plan Submittal Requirements: Each applicant shall submit the information depending on development size, as regulated to ensure that the provisions of this ordinance are met. The submittal shall include sufficient information to evaluate the environmental characteristics of the property, the potential adverse impacts of the development related to erosion both on-site and off-site, and the effectiveness of the proposed erosion and sediment control plan in reducing sediment loss and meet the provisions of Article I, Section 11. The applicant shall certify on the drawing that all clearing, grading, drainage, and construction shall be accomplished in strict conformance with the erosion and sediment control plan. The following information shall be submitted for both existing and proposed property conditions; new developments or re-developments meeting the requirements of Article I, Section 12.

42.01 - Soil Erosion and Sediment Control Plan Requirements: Shall meet the requirements of Article III, Section 30.01, Section 30.011, and Section 30.012.

42.011 - Mapping and Descriptions: The existing and proposed erosion and sediment control features of the property and immediate vicinity including:

- a.) As required in Article III, Section 30.01, Section 30.011, and Section 30.012;
- b.) Location of the slope disturbance line;
- c.) Location and description of the soil erosion and sediment control measures to be employed during construction;
- d.) For any structures proposed to be located on the slope side of the slope disturbance line the map shall include the limits of disturbance including

tree removal, soil erosion and sediment control measures during construction, cross section view of any proposed cut or erosion and sediment control measures during construction, details of method (s) proposed for providing slope stability, permanent stormwater control measures, and permanent erosion and sediment control measures all being certified by a registered professional engineer or a "Certified Professional Erosion Control Specialist;"

e.) The predominant soil types on the site, their location, and their limitations for the proposed use as defined by the U.S.D.A. Natural Resources Conservation Service;

The proposed use of the site, including present and planned development, areas of clearing, stripping, grading, excavation and filling; proposed contours, finished grades, and street profiles; the stormwater plan as required in Article II; kinds and locations of utilities, areas and acreages proposed to be paved, sodded or seeded, vegetatively stabilized, or left undisturbed; and the location of trees over eight (8) inches in diameter and their type;

g.) A soil erosion and sediment control plan, including a narrative, shall be submitted showing all measures necessary to meet the objectives of this ordinance throughout all phases of construction. The development of a soil erosion and sediment control plan shall follow the requirements of this ordinance and the procedures in the latest edition of the "Illinois Procedures and Standards for Urban Soil Erosion and Sediment Control" (commonly known as the Greenbook), which is hereby incorporated into this ordinance by reference. The Village ~~in~~ ~~consultation with the RISWCD~~ may waive specific requirements for the content of submissions upon finding that the information submitted is sufficient to show that the work will comply with the objectives and principles of this ordinance. Permanent soil erosion and sediment control features needed at the completion of any development site shall be included in the submittal. The submitted soil erosion and sediment control plan shall include:

- 1.) Location and description, including standard details, of all sediment control measures and specifics of sediment and traps, including outlet details;
- 2.) Location and description of all soil stabilization and erosion control measures, including seeding mixtures and rates, types of sod, method of seedbed preparation (type and extent of tillage, weed control, planting equipment, etc.) expected seeding dates, type, method and rate of lime and fertilizer application (soil fertility testing required), kind and quantity of mulching for both temporary and permanent vegetative control measures, and types of non-vegetative stabilization measures;
- 3.) Location and description of all runoff control measures, including diversions, waterways, and outlets;

- 4.) Location and description of methods to prevent tracking of sediment off-site including construction entrance details, as appropriate;
- 5.) Description of dust and traffic control measures;
- 6.) Locations of stockpiles and description of stabilization methods;
- 7.) Description of offsite fills or borrow volumes, locations and methods of stabilization;
- 8.) Provisions for maintenance of control measures, including type and frequency of maintenance, easements, and estimates of the cost of maintenance; and
- 9.) Identification (name, address, and telephone) of the person(s) or entity which have legal responsibility for maintenance of soil erosion control structures and measures during development and after development is completed.

Section 43 - Design and Operation Standards and Requirements:

The practice standards and specifications outlined in the Soil Erosion and Sediment Control plan shall follow criteria in the latest edition of the Illinois Urban Manual.

- a.) All clearing, grading, stripping, excavating, and filling which is subject to the approval requirements of this ordinance shall be subject to the applicable standards and requirements set forth and/or referenced in this ordinance;
- b.) Responsibility: The permittee shall not be relieved of responsibility for damage to persons or property otherwise imposed by law, and the Village or its officers or agents, including the Directors ~~and Staff of the RISWCD~~ will not be made liable for such damage by the issuance of a permit under this ordinance, (2) compliance with the provisions of that permit or with conditions attached to it by the Village, (3) failure of the Village officials to observe or recognize hazardous or unsightly conditions, (4) failure of the Village officials to recommend denial of or to deny a permit, or (5) exemptions from the permit requirements of this ordinance; and
- c.) Site Design Requirements: Practice standards and specifications for measures outlined in the soil erosion and sediment control plan shall follow criteria in the latest edition of the "Illinois Urban Manual: A Technical Manual Designed for Urban Ecosystem Protection and Enhancement", which is hereby incorporated into this ordinance by reference.

43.01 - Erosion and Sediment Control Design Requirements: New developments or re-developments shall comply with Article IV, Section 42 and meet the following:

43.011 - Control measures shall be constructed to control runoff from the property to such an extent possible that sediment is retained on-site.

43.012 - Temporary on-site control measures required shall be constructed and functional prior to initiating clearing, grading, stripping, excavating or fill activities on the site.

43.013 - Disturbed areas shall be stabilized with permanent measures within seven (7) calendar days following the end of active disturbance, or redisturbance consistent with the following criteria:

- a.) Appropriate permanent stabilization measures shall include seeding, mulching, sodding, with non-vegetative measures as a last resort; and
- b.) Areas having slopes greater than 12% shall be stabilized with sod, mat, or blanket in combination with seeding or equivalent.

43.014 - All temporary and permanent erosion and sediment control practices must be maintained and repaired as needed to assure effective performance of their intended function.

43.015 - All temporary erosion and sediment control measures shall be disposed in a proper manner within thirty (30) days after on-site stabilization is achieved with permanent soil stabilization measures. Trapped sediment and other disturbed soils resulting from the disposition of temporary measures shall be permanently stabilized to prevent further erosion and sedimentation.

43.016 - Site Development Requirements: On-site sediment control measures, as specified by the following criteria, shall be constructed as specified in the referenced handbooks, and functional prior to initiating clearing, grading, stripping, excavating or fill activities on the site.

- a.) For new developments or redevelopments less than one (1) acre, filter barriers (including filter fences, straw bales, or equivalent control measures) shall be constructed to control all on-site runoff. Vegetated filter strips, with a minimum width of twenty-five (25) feet, may be used as an alternative only where runoff in sheet flow is expected;
- b.) For new developments or re-developments more than one (1) acre but less than five (5) acres, a sediment trap or equivalent control measure shall be constructed at the downslope point of the disturbed area,
- c.) For new developments or re-developments greater than five (5) acres, a sediment basin or equivalent control measure shall be constructed at the down slope point of the disturbed area;
- d.) Sediment basin and sediment trap designs shall provide for both "dry" detention

and "wet" detention sediment storage. The detention storage shall be composed of equal volumes of "wet" detention storage and "dry" detention storage and each shall be sized as regulated in Article III, Section 33. The release rate of the basin shall be that rate as regulated in Article III. The elevation of the outlet structure shall be placed such that it only drains the dry detention storage;

- e.) The sediment storage shall be sized to store the estimated sediment load generated from the site over the duration of the construction period with a minimum storage equivalent to the volume of sediment generated in one year. For construction periods exceeding one year, the 1-year sediment load and a sediment removal schedule may be substituted; and
- ☐☐ To the extent possible or as otherwise regulated in this ordinance all desirable trees eight (8) inches in diameter and larger shall be protected for their present and future value for erosion protection and other environmental benefits. Trees that have been selected for preservation shall be marked prior to the beginning of any clearing, grading, stripping, excavation, or filling of the site. A "No" construction zone shall be established and marked at the perimeter of the dripline of each tree which is to be preserved.

43.017 - Stormwater conveyance channels, including ditches, swales, and diversions, and the outlets of all channels and pipes shall be designed and constructed as regulated in Article III ☐ All constructed or modified channels shall be stabilized within 48-hours, consistent with the following standards and as required in the referenced handbooks:

- a.) For grades up to 4 percent, seeding in combination with mulch, erosion blanket, or an equivalent control measure shall be applied. Sod or erosion blanket or mat shall be applied to the bottom of the channel;
- b.) For grades of 4 to 8 percent, sod or an equivalent control measure shall be applied in the channel; and
- c.) For grades greater than 8 percent, rock, riprap, or an equivalent control measure shall be applied over filter fabric or other type of soil protection, or the grade shall be effectively reduced using drop structures.

43.018 - Land disturbance activities in stream channels shall be avoided, where possible, or as regulated in Article III. If disturbance activities are unavoidable, the following requirements shall be met.

- a.) Construction vehicles shall be kept out of the stream channel to the maximum extent practicable. Where construction crossings are necessary, temporary crossings shall be constructed of non-erosive material, such as riprap or gravel;
- b.) The time and area of disturbance of stream channels shall be kept to a minimum.

The stream channel, including bed and banks, shall be stabilized within 48-hours after channel disturbance is completed, interrupted, or stopped; and

- c.) Whenever channel relocation is necessary, the new channel shall be constructed under dry conditions and fully stabilized before flow is diverted, incorporating meanders, pool and riffle sequence, and riparian planting.

43.019 - Storm sewer inlets and culverts shall be protected by sediment traps or filter barriers meeting accepted design standards and specifications.

43.020 - Soil storage piles containing more than 10 cubic yards of material shall not be located with a downslope drainage length of less than 50 feet to a roadway, drainage channel, or abandoned mine. Filter barriers, including straw bales, filter fence, or equivalent, shall be installed immediately surrounding the perimeter of the pile.

43.021 –If dewatering devices are used, discharge locations shall be protected from erosion. All pumped discharges shall be routed through appropriately designed sediment traps or basins, or equivalent and shall not be deposited into an abandoned mine.

43.022 - Each site shall have graveled (or equivalent) entrance roads, access drives, and parking areas of sufficient length and width to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road shall be removed by shoveling or street cleaning (not flushing) before the end of each workday and transported to a controlled sediment disposal area.

Section 44 - Maintenance of Control Measures: All soil erosion and sediment control measures necessary to meet the requirements of this ordinance shall be maintained by the applicant or subsequent land owner during the period of land disturbance and development of the site in a satisfactory manner to ensure adequate performance. The applicant or contractor responsible for maintaining the soil erosion and sediment control practices shall inspect such practices at least once every 7 days or within 24 hours of a precipitation event equal to or exceeding 0.5" of rainfall

Article 1 Long Term Maintenance Responsibility:

Section 50 - Long Term Maintenance Responsibility: Maintenance of stormwater drainage, and soil erosion and sediment control facilities located on private property shall be the responsibility of the owner of that property. Before an appropriate permit is obtained from the Village, the applicant shall execute a maintenance agreement with the Village guaranteeing that the applicant and all future owners of the property will maintain its stormwater drainage and soil erosion and sediment control system. Such agreement shall be recorded with the Recorder of Deeds of the County. The maintenance agreement shall include a schedule for regular maintenance of each aspect of the property's stormwater drainage and soil erosion and sediment control system and shall provide for access to the system for inspection by authorized personnel of the Village. The maintenance agreement shall also stipulate that if the appropriate personnel of the Village, notify the property owner in writing of maintenance problems

which require correction, the property owner shall begin such corrections within twenty-four (24) hours and shall not extend beyond seven (7) calendar days of such notification. If the corrections are not made within this time period the Village may have the necessary work completed and assess the cost to the property owner. The Village shall require a bond to be filed by the property owner for maintenance of the stormwater drainage and soil erosion and sediment control system

Article VI - Inspections:

Section 60 - Inspections: The ~~Rock Island County SWCD~~ Village of Coal Valley shall make inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the site development or erosion and sediment control plan as approved. The ~~Rock Island County SWCD~~ Village of Coal Valley will notify the ~~Village of Permittees of permittees~~ failure to comply with ordinance regulations. Plans for grading, stripping, excavating, and filling work bearing the stamp of approval of the Village ~~and Rock Island County SWCD~~ and shall be maintained at the site during progress of the work. In order to obtain inspections and to ensure compliance with the approved erosion and sediment control plan, the grading or building permit, and this Ordinance, the permittee shall notify the Village ~~and the Rock Island County SWCD~~ within two (2) working days of the completion of the construction stages specified below:

- a.) Upon completion of installation of sediment and runoff control measures (including perimeter controls and diversions), prior to proceeding with any other earth disturbance or grading;
- b.) After stripping and clearing;
- c.) After rough grading;
- d.) After final grading;
- e.) After seeding and landscaping deadlines; nd
- f.) After final stabilization and landscaping, prior to removal of temporary sediment controls.

If stripping, clearing, grading and/or landscaping are to be done in phases or areas, the permittee shall give notice and request inspection at the completion of each of the above work stages in each phase or area. If an inspection is not made and notification of the results given within five (5) working days after notice is received by the Village from the permittee, the permittee may continue work at his/her own risk, without presuming acceptance by the Village. Notification of the results of the inspection shall be given in writing at the site. A duplicate copy shall be kept by the enforcing agency, ~~which is of~~ the Village of Coal Valley ~~and/or the Rock Island County SWCD~~.

Section 61– Special Precautions: If at any stage of the grading of any development site the ~~Village of Coal Valley Rock Island County SWCD~~ determines by inspection that the nature of the site is such that further work authorized by an existing permit is likely to imperil any property, public way, stream, lake,

wetland, or drainage structure, the Village shall require, as a condition of allowing the work to be done, that such reasonable special precautions to be taken as is considered advisable to avoid the likelihood of such peril. "Special precautions" may include, but shall not be limited to, a more level exposed slope, construction of additional drainage facilities, berms, terracing, compaction, or cribbing, installation of plant materials for erosion control, and recommendations of a registered soils engineer and/or engineering geologist which may be made requirements for further work.

61.01 - Where it appears that storm damage may result because the grading on any development site is not complete, work shall be stopped and the permittee required to install temporary structures or take such other measures as may be required to protect adjoining property or the public safety. On large developments or where unusual site conditions prevail, the Zoning Officer shall specify the time of starting grading and time of completion or may require that the operations be conducted in specific stages so as to ensure completion of protective measures or devices prior to the advent of seasonal rains.

Section 62 - Amendment of Plans: Major amendments to stormwater drainage and detention or erosion and sediment control plans shall be submitted to the Zoning Officer ~~and the Rock Island County Soil and Water Conservation District~~. Plan amendments shall be processed and approved or disapproved in the same manner as the original plans. Field modification of a minor nature may be authorized by the Zoning Officer ~~and/or Rock Island County Soil and Water Conservation District~~, by written authorization to the permittee.

Article VII - Permitting:

Section 70 - Application for Permit: Application for a development permit shall be made by the owner of the property or his authorized agent to the Zoning Officer on a form furnished for that purpose. Each application shall bear the name(s) and address(es) of the owner or developer of the site, the contractor(s) and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm. Each application shall include certification that any land clearing, construction, or development involving the movement of earth shall be in accordance with the plans approved upon issuance of the permit.

Section 70.01 - Application Fee: All applications for a development permit shall be accompanied with an application fee as set forth in Exhibit A, attached hereto and incorporated herein. In addition, the applicant shall be responsible for reimbursing the Village for any additional cost necessary for review, inspection, and approval of this project including, but not limited to the engineering services of the Village Engineer. The Zoning Officer shall require a \$500.00 deposit to cover these additional costs.

Section 71 - Bond Required: The applicant for a development permit shall be required to file with the Village a faithful performance bond or bonds, letter of credit, or other improvement security satisfactory to the Village Attorney, in an amount deemed sufficient by the Zoning Officer, and for such period as specified by the Village. These faithful performance bond or bonds, letter of credit, or other improvement security would be used to cover engineering and

inspection costs, and the cost of failure or repair of improvements installed on the site.

Section 72 - Review and Approval: Each application for an erosion and sediment control plan shall be reviewed and acted upon according to the following procedures:

- a.) As a condition of this ordinance, the Village shall require the applicant, or designated agent, to consult with ~~the Rock Island County Soil and Water Conservation District (RISWCD)~~ their own engineer(s) on soil erosion and sediment control plans. The applicant shall submit all required items to the ~~RISWCD the same day that the application is made to the~~ Village.

~~The RISWCD shall:~~

- ~~1. Review the applicant's soil erosion and sediment control plans and provide written evaluation to the Village regarding the adequacy (effectiveness) to address the provisions of this ordinance. The RISWCD shall retain the services of a professional trained in the implementation of soil erosion and sediment control practices to perform the services outlined in this section. The RISWCD assess a fee as set forth in Exhibit B, attached hereto, and incorporated herein to be paid by the applicant for performing these services;~~
- ~~2. Attend a pre-construction meeting with the applicant or designated agent to review implementation of erosion and sediment control plans;~~
- ~~3. Conduct onsite inspections during the active construction phases of land development projects to determine whether site development is in compliance with the approved erosion and sediment control plans, and determine adjustments needed to the approved plans. After construction has been completed, determine whether permanent site stabilization has been achieved and identify operation and maintenance needs;~~
- ~~4. Prepare correspondence as needed regarding the effectiveness (or corrective measures needed) or adequacy of soil erosion and sediment control measures, and~~
- ~~5. Consult with land developers, consultants, and contractors concerning the design criteria, installation and maintenance procedures and other information regarding conservation practices recommended under the provisions of this ordinance.~~

The Village of Coal Valley shall:

- 1. After review of the application and required submissions it is found to be in conformance with the provisions of this ordinance, approve the erosion and sediment control plan;
- 2. Approve the erosion and sediment control plan subject to such reasonable

conditions as may be necessary to secure substantially the objectives of this ordinance, and issue the approval subject to these conditions; or

3. Disapprove the erosion and sediment control plan, indicating the deficiencies and the procedure for submitting a revised application and/or submission.

b.) No approval for an erosion and sediment control plan shall be issued for an intended development site unless one or more of the following have been obtained:

1. The development, including but not limited to subdivisions and planned unit development, has been approved by the Village where applicable; or
2. Such permit is accompanied by or combined with a valid building permit issued by the Village Building Official; or
3. The proposed earth moving is coordinated with any overall development program previously approved by the Village for the area in which the site is situated; and
4. All relevant federal and state permits including, but not limited to: NPDES, 404, 401, NRI's, etc. have been received for the portion of the site subject to soil disturbance, and
5. Applicant is successful in the appeals process.

72.01 - Failure of the Zoning Officer to act on an original or revised application within ir (30) days of receipt shall authorize the applicant to proceed in accordance with the plans as filed and in compliance with the regulations contained herein, unless such time is extended by agreement between the Zoning Officer and the applicant. Pending preparation and approval of a revised plan, development activities shall be allowed to proceed in accordance with conditions established by the Zoning Officer.

Section 73 - Expiration of Permit: Every development permit shall expire and become null and void if the work authorized by such permit has not been commenced within one hundred and eighty (180) days, or if not completed by a date which shall be specified in the permit; except that the Zoning Officer may, if the permittee presents satisfactory evidence that unusual difficulties have prevented work being commenced or completed within the specified time limits, grant a reasonable extension of time if written application is made before the expiration date of the permit. The Zoning Officer may require modification of the erosion control plan to prevent n increase in erosion or off-site sediment runoff resulting from any extension.

Section 74 - Scope of Appeals:

74.01 – An appeal may be taken to the Board of Appeals (**Who is the board of Appeals?**) by the applicant, any person or agency which received notice of the filing of the application, or by any person, firm, corporation, office,

department, board or bureau aggrieved by decision of the Zoning Officer. Such appeal shall be taken within such time as shall be prescribed by the Board of Appeals by general rule by filing with the Zoning Officer a notice of appeal specifying the grounds thereof. The Zoning Officer shall forthwith transmit to the Board of Appeals all of the papers constituting a record upon which the Section appealed from was taken.

74.02 - The Factors to be considered on appeal shall include, but need not be limited to, the effects of the proposed development activities on the surface water flow to tributary and downstream lands, any comprehensive watershed management plans, or the use of any retention facilities; possible saturation of fill and unsupported cuts by water, both natural and domestic; runoff surface waters that produce erosion and silting of drainageways; nature and type of soil or rock which when disturbed by the proposed development activities may create earth movement and produce slopes that cannot be landscaped; and excessive and unnecessary scarring of the natural landscape through grading or removal of vegetation.

74.03 - Findings on Appeal:

74.031— An appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Officer certifies to the Board of Appeals (**Who is the board of appeals**), after the notice of the appeal has been filed with that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property.

74.032 –The Board of Appeals (**Who is the board of appeals**) shall select a reasonable time and place for the hearing of the appeal, give due notice thereof to the parties, and shall render a written decision on the appeal without unreasonable delay. The Board of Appeals may affirm or may, upon the concurring vote of four (4) members, reverse wholly or in part or modify the order, requirement, decision, or determination that, in its opinion, ought to be done. To that end, the Board of Appeals shall have all the powers of the officer from whom the appeal is taken. The Zoning Officer shall maintain records of all actions of the Board of Appeals relative to appeals.

Section 75 – Retention of Plans: Plans, specifications, and reports for all site developments shall be retained in original form or on microfilm by the Zoning Officer.

Section 76 – Amendments:

76.01— This ordinance may be amended, provided that in all amendments adopted under the authority of this Section, due allowance shall be made for existing conditions, the conservation of property values, and the direction of building development to the best advantages of the entire community.

76.02 – Initiations of Amendments: Amendments may be proposed by the Village Board, Plan Commission, Village President, or Zoning Official. ~~or the Rock Island County SWCD.~~

76.03 – Application for Amendment: An application for an amendment shall be filed with the Zoning Officer in such form and accompanied by such information as required by the Zoning

Officer. Such application shall be forwarded to the Plan Commission with the request to hold a public hearing on said application for amendment.

76.04 – Hearing on Application: The Plan Commission shall hold a public hearing on each application for an amendment at such time and place as shall be established by the Plan Commission. The hearing shall be conducted and a record of such proceedings shall be preserved in such manner, as the Plan Commission shall, by rule, prescribe from time to time.

76.05 – Notice of Hearing: Notice of time and place of such hearing shall be published at least once in one or more newspapers of general circulation in the Village of Coal Valley not less than fifteen (15) nor more than thirty (30) days before such hearing. Supplemental or additional notices may be published or distributed as the Plan Commission may, by rule, prescribe from time to time.

76.06 – Findings of Fact and Recommendation of the Plan Commission:

76.061 – Within forty-five (45) days after the close of the hearing on a proposed amendment, the Plan Commission shall make written findings of fact and shall submit same together with its recommendations to the Village Board.

76.062 – The Plan Commission shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such amendment is in the public interest.

76.07 – Action by Village Board:

76.071 – The Village Board shall not act upon a proposed amendment to this Ordinance until it shall have received a written report and recommendation from the Plan Commission on the proposed amendment.

76.072 – The Village Board may grant or deny any amendment.

76.073 – The Village Board may request specific changes to a proposed amendment to this Ordinance once it has received a written report and recommendation from the Plan Commission on the proposed amendment. However, before the proposed amendment with the Village Board's specific changes, can be adopted by the Village Board; the proposed amendment with the specific changes must be forwarded to the Plan Commission for another Public Hearing, Findings of Fact, and written recommendation.

76.074 – A proposed amendment or a proposed amendment with specific changes that doesn't receive a written recommendation from the Plan Commission, shall not be adopted except by a concurrence of two-thirds (2/3) of the Village Trustees then holding office.

76.08 – Effect of Denial of Amendment: No application for an amendment that has been denied wholly or in part by the Village Board shall be resubmitted for a period of one (1) year from the date of said denial except on the grounds of new evidence or proof of change of conditions found to be valid by the Plan Commission.

Article VIII - Enforcement:

Section 80 - Stop-Work Order; Revocation of Permit: In the event any person holding a development permit pursuant to this ordinance violates the terms of the permit, or carries on-site development in such a manner as to materially adversely affect the health, welfare, environment, or safety of persons residing or working in the neighborhood of the development site or so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the Zoning Officer shall suspend or revoke the development permit.

80.01 - Suspension of a permit shall be by a written stop-work order issued by the Zoning Officer and delivered to the permittee or his agent or the person performing the work. The stop-work order shall be effective immediately, shall state the specific violations cited, and shall state the conditions under which work may be resumed. A stop-work order shall remain in effect until appealed by the permittee to the Board of Appeals at which time the conditions of Article VII, Section 74 can be met or until the specific violations cited are corrected to the satisfaction of the zoning officer.

80.02 - No development permit shall be revoked until a hearing is held by the Board of Appeals. Written notice of such hearing shall be served on the permittee, either personally or by certified mail return receipt requested, and shall state:

- a.) The reasons for revocation, in clear and concise language; and
- b.) The time, date and place where such hearing will be held.

Such notice shall be served on the permittee at least five (5) days prior to the date set for the hearing. At such hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence on his behalf. At the conclusion of the hearing the Board of Appeals shall determine whether the permit shall be revoked.

Section 81 – Fees: The fee for variances and appeals shall be Seventy-five (\$75.) dollars.

Section 82 - Violations and Penalties: No person shall construct, enlarge, alter, repair or maintain any grading, excavation or or cause the same to be done, contrary to or in violation of any terms of this ordinance. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and each day during which any violation of any of the provisions of this ordinance is committed, continued, or permitted shall constitute a separate offense. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine of not less than Seventy-Five dollar (\$75.00), and nor more than Seven Hundred Fifty dollars (\$750.00) for each offense. In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions of this ordinance shall be required to restore the site to the condition existing prior to commission of the violation, or to bear the expense of such restoration.

Appendix A

Desirable Trees Native to Northwestern Illinois

Ash, Blue, *Fraxinus quadrangulata*
Ash, Green, *Fraxinus pennsylvanica*
Ash, White, *Fraxinus americana*
Birch, River or Red, *Betula nigra*
Coffeetree, Kentucky, *Gymnocladus dioica*
Hackberry, Common, *Celtis occidentalis*
Hickory, Shagbark, *Carya ovata*
Ironwood (Hophornbeam), *Ostrya virginiana*
Larch, American (Tamarack), *Larix laricina*
Linden, American (Basswood), *Tilia americana*
Maple, Black, *Acer nigrum*
Maple, Red or Swamp, *Acer rubrum*
Maple, Sugar or Rock, *Acer saccharum*
Oak, Black, *Quercus velutina*
Oak, Bur, *Quercus macrocarpa*
Oak, Chinkapin, *Quercus muehlenbergii*
Oak, Pin or Swamp, *Quercus pa/ustris*
Oak, Red, *Quercus rubra*
Oak, Swamp White, *Quercus bicolor*
Pecan, *Carya illinoensis*
Redbud, *Cercis canadensis*
Arborvitae, White Cedar, *Thuja occidentalis*
Juniper, Eastern Redcedar, *Juniperus virginiana*
Pine, Easter White, *Pinus strobus*

Appendix B
Desirable Trees Native to Areas COAL VALLEY, Illinois. Additional planting is encouraged.

Baldcypress, *Taxodium distichum*

Beech, European, *Fagus sylvatica* (except)

Buckeye, Red, *Aesculus pavia*

Dogwood, Flowering, *Camusjlorida*

Hickory, Shellbark, *Carya laciniosa* (for wet areas)

Persimmon, Common, *Diospyros virginiana*

Sassafras, Common, *Sassafras albidum*

Sourgwn (Black Tupelo), *Nyssa sylvatica*

Sweetgurn, *Liquidambar styraciflua*

Tuliptree, *Liriodendron tulipifera*

APPENDIX D

Records

ARTICLE II Definitions

Section 1. DEFINITIONS.

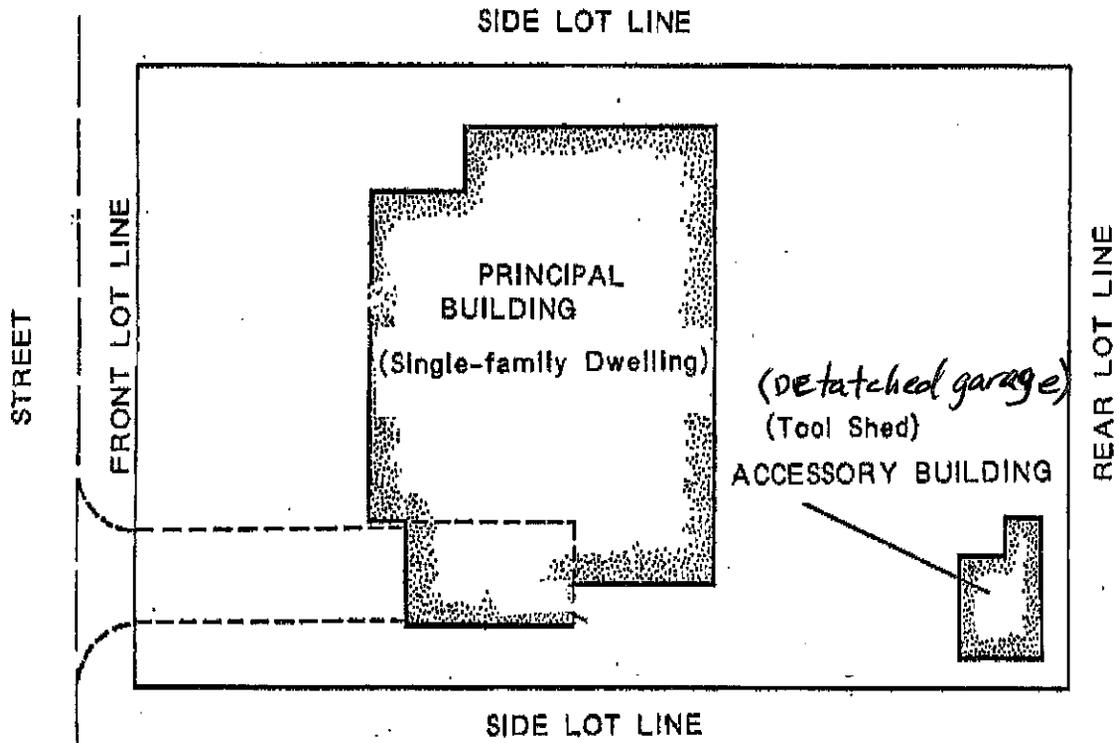
For the purposes of the Ordinance and for the implementation of the revisions contained herein, certain words, terms and phrases are to be interpreted as defined herein. Words used in the present tense shall include the future tense; the singular number includes the plural number, the plural number includes the singular number. The word “lot” , includes the word “plot” or “parcel.” The word “shall” is mandatory; the word “may” is permissive. The masculine pronoun shall include the feminine.

The following words, terms and phrases are hereby defined as follows and shall be interpreted as such throughout the Ordinance. Terms not herein defined shall have the meaning customarily assigned to them.

- 1.000 ACCESSORY BUILDING.** A subordinate structure detached but located on the same lot as the principle building, the use of which is incidental and accessory to that of the principle building.
- 1.001 ADVERTISING DEVICE. An advertising sign, billboard or poster pane which directs attention to a business, commodity, service or entertainment.
- 1.002 ALLEY. A traffic way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street.
- 1.003 AUTOMOBILE LAUNDRY. A building or portion thereof or premises used for the dispensing or offering for sale at retail any automotive fuels or oils, having pumps and storage tanks thereon, or where battery, tire and other similar services are rendered.
- 1.004 AUTOMOBILE SERVICE STATION. A building or portion thereof or premises used for dispensing or offering for sale at retail any automotive fuels or oils, having pumps and storage tanks thereon, or where battery, tire and other similar services are rendered.
- 1.005 BASEMENT. A story having part but not more than fifty (50) percent of its height below the average grade of the adjoining ground (as distinguished from a “cellar”). A basement shall be counted as a story for the purposes of height measurement. (See Appendix A)
- 1.006 BILLBOARD (see “Sign”). A sign which has more than one hundred (100) square feet of display surface and which is either erected on the ground or attached to or supported by a building or structure.
- 1.007 BLOCK. A tract of land bound by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shore-lines of waterways and/or other physical barriers.
- 1.008 BOARDING HOUSE AND LODGING HOUSE. A dwelling other than a hotel or motel where for compensation and by prearrangement for definite periods meals or lodging and meals are provided for three (3) or more, but not exceeding twenty (20), persons on a weekly or monthly basis.
- 1.009 BOARD OF APPEALS. The Zoning Board of Appeals of the Village established in Article XVIII,
- 1.010 BUILDABLE AREA. The space remaining on a lot after the minimum open space, yards and setback requirements have been complied with.
- 1.011 BUILDING. Any structure designed or built for the support, enclosure, shelter or protection of people, animals, chattels or property of any kind.

Principal & Accessory Buildings

R-1 DISTRICT



B-1 DISTRICT

