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**SECTION 0600** **STORMWATER POLLUTION PREVENTION**

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**SECTION 0600**

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**STORMWATER POLLUTION PREVENTION**

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**0601 INTRODUCTION****0601.1 Purpose**

The purpose of this ordinance is to provide for the health, safety and welfare of the people of Owasso by the regulation of non-stormwater discharges to the City municipal separate storm sewer system (MS4). This ordinance sets forth uniform requirements to regulate the direct or indirect introduction of pollutants into the MS4 in order for the City of Owasso to comply with all applicable state and federal laws including National Pollutant Discharge Elimination System (NPDES) Stormwater Regulations (40CFR Part 122).

**0601.2 Objectives**

- A. Control the direct or indirect introduction of pollutants into the MS4 by stormwater discharges from any source or user;
- B. Control the introduction into the MS4 of any spills, dumped or disposed material other than stormwater;
- C. Prohibit illicit connections and illegal discharges to the MS4;
- D. To establish legal authority for inspection, surveillance and monitoring of the MS4 to ensure compliance and identify noncompliance with this ordinance.

**0601.3 Stormwater Pollution Prevention Plan (SP3)**

- A. The SP3 shall be submitted at the Pre-Development Conference and shall conform to applicable state and federal requirements and this Section. The plan shall include a copy of Notice of Intent (NOI) to ODEQ, the Erosion and Sediment Control Plan (Subsection 0604) and the site grading plan. Submittal procedures are included in Section 0110, General, Paragraph 0114.4B.
- B. Review and approval of the SP3 is a prerequisite to issuance of the Earth Change Permit.

**0602 DEFINITIONS**

The following definitions shall apply to this section of these Engineering Design Criteria:

Best Management Practice (BMP): the best available practices or devices used singly or in combination to eliminate or reduce pollution entering the MS4.

Discharge: to cause or allow any release, spill, drain, dump or pour of any pollutants into the MS4.

Illicit Discharge: any discharge to the MS4 not composed entirely of stormwater except those allowable discharges listed in Paragraph 0603.1.

Illicit Connection: any drain or conveyance, either surface or subsurface, which allows an illegal discharge to enter the MS4.

Municipal Separate Storm Sewer System (MS4): a conveyance or system of conveyances (including streets, curbs, gutters, storm drains, catch basins, natural and manmade channels and ditches) owned by the City of Owasso and designed for collection and conveying stormwater.

Notice of Intent (NOI): Written notice given to the ODEQ (on the prescribed form) prior to start of site work which involves earth moving activity. The NOI shall be followed by a Notice of Termination (NOT) following completion of such work.

NPDES: the National Pollutant Discharge Elimination System administered by the U.S. Environmental Protection Agency (EPA). OPDES refers to the state of Oklahoma arm for this regulation.

ODEQ: Oklahoma Department of Environmental Quality. The State of Oklahoma regulatory and enforcement agency for environmental concerns operating under the direction of the Environmental Protection Agency.

OPDES: Oklahoma Pollutant Discharge Elimination System. The state arm of NPDES under the direction of ODEQ.

Person: any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity or their legal representatives, agents or assigns.

Pollutant: any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, wrecked or discharged equipment, grass clippings, rock, sand, cellar dirt, soil, sediments, building materials, industrial or agricultural waste.

Pollution: man-made or man-induced alteration to the physical, chemical, biological or radiological properties of water.

Premises: any plot or tract of property, regardless of size or plat, owned or used by any person.

Stormwater: any flow occurring during or following any form of natural precipitation.

User: any source of direct or indirect discharge to the City of Owasso Municipal Separate Storm Sewer System.

## **0603 REGULATIONS**

### **0603.1 Allowable Discharges**

The following discharges are allowed unless they are determined by the Engineer to cause contamination of stormwater, surface water or ground water; cause overload or damage to the MS4; endanger public health and safety; or cause the City to violate its Oklahoma Department of Environmental Quality (ODEQ) issued stormwater permit or any applicable state or federal permit:

- A. Potable water discharges, including potable water line flushing
- B. Uncontaminated groundwater
- C. Uncontaminated water from crawl space and footing drains
- D. Flows from riparian habitats, wetlands, springs or streams
- E. Irrigation water
- F. Residential car washing (including charity car washes)
- G. Air conditioner condensate
- H. Discharges resulting from City operations, including street washing, fire fighting, maintenance and repair work
- I. Any discharge covered by a current OPDES/NPDES permit so long as the discharge is not in violation of the permit or Paragraph 0603.1 of this ordinance
- J. Discharges containing chemicals applied according to manufacturer instructions for legitimate residential or commercial use, including legal pesticides, herbicides and fertilizers
- K. Runoff from agricultural activities, including residential gardening
- L. Any other type of discharge determined allowable by the Engineer
- M. Dechlorinated swimming pool discharges

#### **0603.2 Prohibited Discharges**

It is prohibited to discharge, allow to discharge, or cause the discharge of any of the following to the MS4:

- A. Non-stormwater discharges except those listed in Paragraph 0603.1.
- B. Any material other than stormwater, which is stored, spilled, or disposed of in such a manner that causes pollutants to be discharged; such as discarded building materials, soil, silt, sediment, vehicle washwater, litter, yard waste, chemicals or any other pollutant.
- C. Any illicit discharge.

#### **0603.3 Portable Spray Washing**

Discharges to the MS4 resulting from cleaning of vehicle exteriors, parking lots, driveways and other paved areas with portable spray washers are allowed with the following requirements:

- A. Only bio-degradable cleaners are used;

- B. The operator must use best management practices (BMPs) to prevent or reduce the discharge to the MS4;
- C. All other provisions of Paragraph 0603.1 are met.

#### **0603.4 Construction Activities**

- A. All earth disturbing construction activities, including developing, grading, excavating, paving, landfilling, berming and diking, shall be performed in such a manner as to minimize erosion and the discharge of sediment and other pollutants into the MS4. All such activities are also subject to the requirements of the City of Owasso Engineering Design Criteria for street, storm drainage, water lines and sanitary sewers, the City of Owasso Code of Ordinances and Subsection 0604.
- B. During construction; Developers, property owners, builders, and Contractors shall be required to keep streets, gutters, inlets, drainage pipes, swales, ditches, drainage channels, emergency drainage swales and all drainage devices and structures clean and free from debris, sedimentation, soil, and any deleterious materials. Barriers shall be placed around area inlets prior to and subsequent to placement of pavement. Any failure to meet this requirement shall, upon sufficient notice and failure to immediately correct the notified condition, constitute grounds for initiation of enforcement action, including, but not limited to, stopping all work until correction is completed.
- C. Developers, builders, property owners, or their legal agents, upon receipt of notice by the City of Owasso that repair or maintenance is required within a channel lying within their property, shall be responsible for effecting such repair or maintenance within the time specified, or the City shall have repair and maintenance performed at the expense of the property owner unless it can be proven that the damage was caused by another entity.

#### **0603.5 NPDES Permitted Activities**

Any person, business or entity that performs an activity which requires an NPDES Stormwater Permit shall make available to the City copies of permits, applications and any other records or correspondence pertaining to the aforementioned permit.

#### **0603.6 Records**

Any person, business or entity which discharges or causes to be discharged stormwater to the MS4 may be required to provide the City with copies of any records or correspondence determined to be necessary to ensure compliance with this ordinance.

#### **0603.7 Best Management Practices (BMP)**

If a discharge to the City MS4 has the potential to cause pollution to the MS4 or local water bodies, BMP(s) must be employed to prevent or reduce the pollution using methods contained in Subsection 0604. Additionally, BMP(s) shall be used to prevent spills or other accidental introduction of pollutants into the MS4.

### **0603.8 Spill Reporting**

Within one hour of discovery, oral notification must be made to the Engineer of any spill, release or other event which has or will likely result in a discharge of pollutants into the MS4. Notification shall include the location, time, type and volume of the event as well as corrective actions taken. Written notification to the Engineer shall be made within five (5) days of the event.

## **0604 EROSION AND SEDIMENT CONTROL**

### **0604.1 Purpose**

- A. This chapter includes standards and requirements for erosion and sedimentation control for construction areas greater than 1 acre in size (City Earth Change Permit). For larger construction areas over 5 acres, discharges for stormwater are also regulated under an Environmental Protection Agency (EPA) National Pollution Discharge Elimination System (NPDES) Permit for stormwater discharges from industrial activities.
- B. The primary concern of the City is minimizing erosion and sedimentation damage during the period of site construction activities until final landscaping and erosion control measures are effectively in place. During site construction, soil loss and consequent damage to adjacent property, receiving streams and reservoirs can increase 100 to 1,000 times over that of the preconstruction environment. Eroded soil endangers water resources by reducing water quality and causing siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair and maintenance of the storm sewer system.

### **0604.2 Regulations**

- A. The control of erosion and sedimentation from construction activities shall be in accordance with this Section and NPDES General Permits for Stormwater Discharges from Construction Sites in the September 9 and September 25, 1992, Federal Register, as amended by later legislation.
- B. The EPA Region VI (including Oklahoma) adopted an NPDES General Permit for Stormwater Discharges Associated with Industrial Activity, which includes discharges from construction areas greater than 5 acres in size. The objective of the General Permit is to improve water quality by reducing pollutants in stormwater discharges. Authorization to discharge under the General Permit is obtained by submitting a Notice-of-Intent (NOI) along with supplemental information, which is briefly described in this Section.
- C. No person may engage in any earth disturbing activities, including developing, grading, excavating, paving, landfilling, berming or diking without first obtaining an Earth Change Permit from the City of Owasso. The permit will remain in effect until construction activities have ceased and permanent erosion control measures, including establishment of vegetative cover, are complete.
- D. Prior to commencing any earth disturbing activity, temporary erosion control measures must be installed. Best Management Practices (BMPs) must be selected

which will reduce erosion and off-site transport of sediment to the maximum extent practicable.

- E. All streets and storm sewers must be kept free of sediment, discarded building material, litter, chemicals, fuels, or fluids. BMPs must be maintained in good and effective condition at all times. BMPs may not be modified or removed without first obtaining approval from the City.
- F. The Developer/property owner and Contractor designated by the Developer are responsible for implementation of and compliance with, the Erosion and Sedimentation Control Plan, and maintenance of erosion control devices. The Developer or the designated Contractor must apply for the Earth Change Permit. If no Contractor is designated, the Contractor having day-to-day operational control of the site is considered to be designated by the Developer.
- G. Commercial or residential construction sites less than one acre, but which are part of a common plan of development larger than one acre, are required to maintain erosion and stormwater pollution prevention measures (BMPs) implemented during development. The BMPs may be modified or temporarily removed with approval of the City. If BMPs are absent or not effective, the property owner or designated Contractor will, at a minimum, install BMPs to keep streets, drainageways, and storm drains free from sediment or other construction material or debris.

#### **0604.3 Exemptions**

Exemptions from the erosion control submittal process may be granted by the City for disturbed site areas that are exempted from the General Permit. A summary of these exemptions is presented below.

- A. Bona fide agricultural and farming operations.
- B. Customary and incidental routine grounds maintenance, landscaping, and home gardening.
- C. Emergency repairs of a temporary nature made on public or private property.
- D. Sites determined by the City to have no significant impact on stormwater quality.

#### **0604.4 Submittals**

- A. Permit applications
  - 1. All new development disturbing more than 1 acre and not meeting the exemptions listed in Paragraph 0604.3 shall have prepared and implemented an Erosion and Sedimentation Control Plan. The plan shall be prepared and submitted to the Engineer to be reviewed and approved in accordance with the criteria presented in this section prior to any site work.
  - 2. New development disturbing an area greater than 1 acre must also obtain authorization to discharge under OKR10 or the EPA Region VI NPDES General

Permit for Stormwater Discharges from Industrial Activities. For additional information, contact Oklahoma Department of Environmental Quality.

3. Approval by the Engineer of the Erosion and Sedimentation Control Plan Report is required prior to issuance of an Earth Change Permit. Since the drainage plan has considerable impact on site grading, erosion control planning and drainage planning should be a concurrent process. However, for some developments, site grading to an interim condition may be desired. To account for cases where site grading will precede final drainage planning, the Erosion and Sedimentation Control Plan Report may be submitted as a Preliminary Erosion and Sedimentation Control Plan Report. Subsequently, the plan will need to be modified to reflect grading changes necessitated by final drainage design.

**B. Erosion and Sedimentation Control Report**

1. Purpose: The purpose of the Erosion and Sedimentation Control Plan Report is to identify and define conceptual solutions to the problems which may occur on site and off site as a result of the development. In addition, those problems anticipated on site and off site during development must be addressed in the report. All reports shall be typed on 8½" x 11" paper and bound together. The drawings, figures, plates, tables, and site plan shall be bound with the report or included in a folder/pocket at the back of the report.
2. Report contents: The narrative report shall contain the applicable information listed:
  - a. Information: Name, address, and telephone number of the applicant, landowner, Developer, and engineer.
  - b. Project description: Briefly describe the nature and purpose of the land disturbing activity, the amount of grading involved, and project location including section, range, and township.
  - c. Existing site conditions: A description of the existing topography, vegetation, and drainage.
  - d. Immediate adjacent areas: A description of neighboring areas such as streams, lakes, residential areas, roads, etc., which might be affected by the land disturbances.
  - e. Soils: A brief description of the soils on the site giving such information as soil names, mapping unit, erosion tendencies, permeability, hydrologic soil group, depth, texture, and soil structure. (This information may be obtained from the SCS soil survey for Tulsa and/or Rogers County).
  - f. Erosion and sediment control measures: A description of the methods which will be used to control erosion and sedimentation on the site.
  - g. Permanent stabilization: A brief description, including specifications, of how the site will be stabilized after construction is completed. This information is optional for the initial report but may be required for the report addendum.

- h. Stormwater management considerations: Explain how stormwater will be handled. Determine detention requirements. This information is optional for the initial report but may be required for the report addendum.
  - i. Maintenance: A schedule of regular inspections and repair of erosion and control structures should be set forth. This information is optional for the initial report but may be required for the report addendum.
3. Drawing contents:
- a. General location map: A map shall be provided in sufficient detail to indicate the location of the project site. The map should be at a scale of 1" = 1000' to 1" = 2000' and should indicate the project site in relation to existing topography, transportation features, and land boundaries. The map shall show the drainage area of land tributary to the site. The drawing shall be a multiple of 8½" x 11".
  - b. Sediment and erosion control plan: Map(s) of the proposed development at a scale of 1" = 20' to 1" = 200' on 22" x 34" drawing sheets shall be included. These maps shall be included in the Erosion and Sedimentation Control Plan as well as all sets of construction plans. The plan shall show the following:
    - (1) A boundary line survey of the site on which the work is to be performed.
    - (2) Existing topography at a maximum of two-foot (2) contour intervals. The contours shall extend a minimum of 100 feet beyond the property line (if available).
    - (3) Proposed topography at a maximum of two-foot (2) contour intervals.
    - (4) Location of all existing structures and natural features on the site.
    - (5) Location of all structure and natural features on the land adjacent to the site and within a minimum of 100 feet of the site boundary line. The map shall show the location of the storm sewer, channel, or creek receiving storm runoff from the site.
    - (6) Location of any proposed additional structures of development on the site, if known.
    - (7) Limits of clearing and grading - Areas which are to be cleared and graded.
  - c. Detailed drawings: Detailed drawings and structural practices used that are not referenced in the Engineering Design Criteria and other information or detail as may be reasonably required by the City. The size of drawings shall be a multiple of 8½" x 11".

#### 0604.5 Temporary Structural Best Management Practices (BMPs)

The following are City of Owasso preferred BMPs for temporary control of sedimentation during construction. More information can be found at the following EPA website: [http://www.epa.gov/npdes/menuofbmps/con\\_site.htm](http://www.epa.gov/npdes/menuofbmps/con_site.htm)

- A. Dikes: The dikes included in this section are the following:
  - 1. Diversion dikes: Diversion dikes divert flows around an area.
  - 2. Interceptor dikes: Interceptor dikes intercept flows across an area.
  - 3. Perimeter dikes: Perimeter dike protect an area from flows entering or exiting.
  - 4. Minimum dike area: The design drainage area for dikes shall not exceed 5 acres.
  - 5. Minimum dike dimensions:
    - a. Top width: 2 feet
    - b. Height: 1.5 feet
    - c. Side slopes: 5:1 maximum
  
- B. Swales:
  - 1. Interceptor swale: Swale to transport flows across an area.
  - 2. Perimeter swale: Swale to transport flows around an area.
  - 3. Minimum swale area: The design drainage area for swales shall not exceed 5 acres.
  - 4. Minimum swale dimensions: The minimum dimensions shall be:
    - a. Bottom width: 4 feet
    - b. Depth: 1 feet min.
    - c. Grade: 1% min.
    - d. Slopes: 2:1 or flatter
  
- C. Silt fence: Silt fences shall be constructed near the perimeter of a disturbed area to intercept sediment while allowing water to percolate through. Silt fences may not be used where there is a concentration of water in a channel or other drainage. The following criteria are applicable:
  - 1. Drainage area: 2-acre maximum per run (installation) of fabric
  - 2. Height: 30 inches minimum

3. Material: Burlap, polypropylene fabric or nylon reinforced polyester netting.
  4. Support: Wooden stakes or steel fence posts at 8 feet maximum spacing.
- D. Straw bale dikes: Straw bale dikes shall not be used in lieu of silt fence to protect extensive areas. Approved uses include ditch sediment sumps, support for silt fence in areas where floodwater overtopping might be possible and for protection of grated inlets prior to paving.
- E. Area inlet protection: Fiber rolls or similar barriers shall be placed around area inlets to prevent silt from entering the stormwater collection system. Such protection shall be installed around inlets prior to, and also subsequent to, paving around the inlets when construction activities may deposit mud and silt on the newly place pavement.
- F. Entrances: A stabilized construction entrance shall be built to reduce or eliminate the tracking or flowing of sediment onto public rights of way. This entrance shall be the full width of the road or access structure leading to the site and have to be at least 50 feet long with 6-inch thick aggregate. The entrance shall be maintained at all times.
- G. Stone outlets: A stone outlet structure shall be constructed in areas where the entire drainage area to the structure is not stabilized or where there is a need to dispose runoff at a protected outlet or where concentrated flow for the duration of the period of construction needs to be diffused.
- H. Paved chute: A grade stabilization structure in the form of a paved chute or flume shall be constructed to prevent erosion, where concentrated flow of surface runoff is to be conveyed down a slope. The maximum allowable drainage area upstream of such a structure shall not exceed 36 acres.
- I. Pipe slope drain: A grade stabilization structure in the form of a pipe slope drain shall be constructed to prevent erosion, where concentrated flow of surface runoff is to be conveyed down a slope. The maximum allowable drainage area upstream of such a structure shall not exceed 5 acres.
- J. Temporary sedimentation basin: Storm water detention facilities may be used temporarily as sediment basins.
1. A temporary outlet structure for the stormwater detention facility to work as a sediment pond shall be constructed.
  2. At the end of the construction activity, the Developer shall make sure that the outlet structure shall meet the design requirements of a stormwater detention facility.
  3. Condition of the detention facility that is used as a sediment pond during construction shall meet the following requirements at the time of acceptance:
    - a. It shall be completely cleaned by the Developer and be rid of any immediate maintenance.
    - b. It shall meet all design standards.

- K. Sediment trap: A sediment trap (a small temporary basin usually installed in a drainageway at a storm drain inlet) shall conform to the following criteria:
1. Drainage area: 5-acre maximum
  2. Trap size: At least 1800 cubic feet per acre of drainage.
  3. Embankment:
    - a. Height: 5 feet maximum
    - b. Top Width: 3 feet minimum
    - c. Slopes: 2:1 or flatter

#### **0604.6 Permanent Structural Best Management Practices (BMPs)**

The following are City of Owasso preferred BMPs for permanent control of sedimentation following development construction. More information can be found at the following EPA website: [http://www.epa.gov/npdes/menuofbmps/con\\_site.htm](http://www.epa.gov/npdes/menuofbmps/con_site.htm)

- A. Depending on the project layout, a diversion shall be constructed across a slope less than 15% to:
  1. Prevent runoff from higher areas having a potential for causing erosion and thereby interfere with the establishment of vegetation on lower areas.
  2. Reduce the length of slopes to minimize soil loss.
- B. Diversions need be constructed only below stabilized or protected areas.
- C. Outlets from diversions shall be constructed to discharge in such a manner as not to cause erosion.
- D. Outlets shall be constructed and stabilized prior to the operation of diversion.
- E. Storm drain outlet protection shall be provided when converting pipe flow to channel flow. The reduction in velocity shall be consistent with the roughness coefficient of the receiving waterway. The reduction in velocity may be accomplished by:
  1. Providing mortared rip-rap stabilization;
  2. Providing energy dissipaters;
  3. Providing permanent vegetation; depending on the site specific needs.

#### **0604.7 Vegetative Best Management Practices (BMPs)**

The following are also City of Owasso preferred BMPs for temporary and permanent non-structural control of sedimentation following or during development construction. More information can be found at the EPA website.

- A. General: Vegetative practices can be applied very effectively to control erosion. The practice can be either temporary or permanent depending on the site-specific needs. The specifications for establishing both temporary and permanent vegetation are briefly outlined below.
- B. Temporary practices:
1. Small grains like oats, rye and wheat, and sudans and sorghums are the most feasible temporary vegetation to control erosion for the Owasso area. This practice is effective for areas where soil is left exposed for a period of 6 to 12 months. The time period may be shorter during periods of rainfall erosion.
    - a. Prior to seeding, needed erosion control practices such as diversions, grade stabilization structures, berms, dikes, etc. shall be installed.
    - b. Temporary vegetative practice is usually applied prior to the completion of final grading of the site.
    - c. If the area to be seeded has been recently loosened to the extent that an adequate seedbed exists, no additional treatment is required. However, if the area to be seeded is packed, crusted and hard, the top layer of soil shall be loosened by other suitable means.
    - d. Fertilizer shall be applied at a rate of 600 pounds per acre or 15 pounds per 1000 square foot using 10-20-10 or equivalent.
    - e. Soils known to be highly acidic shall be lime treated.
    - f. Seeding requirements shall be as specified below.

**Planting Rates - Temporary Practices**

<b><u>Plant</u></b>	<b><u>Per Acre</u></b>	<b><u>Per 1000 SF</u></b>	<b><u>Planting Date</u></b>
Annual Ryegrass	40 lbs.	0.9 lbs.	9/15 – 11/30
Elbon Rye	2 bu.	3.0 lbs.	8/15 – 11/30
Wheat	2 bu.	3.0 lbs.	8/15 – 11/30
Oats	3 bu.	2.5 lbs.	8/15 – 11/30
Sorghum	60 lbs.	1.4 lbs.	3/1 - 9/15
Sudan Grass	40 lbs.	0.9 lbs.	4/1 - 9/15

- g. Seeds shall be drilled uniformly.
- h. Seeding implements should be used at right angles to the general slope to minimize erosion.
- i. After 2 to 3 months of planting, the seeded site shall be top dressed with 8 pounds per 1000 square feet or 350 pounds per acre of 33-0-0.
- j. Areas that are not well covered shall be replanted.

- k. The seeded area shall be watered when feasible and needed.
- C. Permanent practices: Bermuda grass, Kentucky 31 Tall Fescue, and Old World Blue Stem are some of the permanent vegetation that could be effectively used to control erosion.
  - 1. Prior to seeding, needed erosion control practices such as dikes, swales, diversions, etc. shall be installed.
  - 2. The subgrade shall be loosened evenly to a depth of 2 to 3 inches and 10-20-10 fertilizer (10 pounds per 1000 square feet or 450 pounds per acre) shall be mixed with the loosened surface soil by discing or other suitable means.
  - 3. Soils known to be highly acidic shall be lime treated.
  - 4. Planting rate requirements shall be as specified below.

**Planting Rates - Permanent Practice**

<u>Plant</u>	<u>Per Acre</u>	<u>Per 1000 SF</u>	<u>Planting Date</u>
Bermuda Grass	22 lbs.	0.5 lbs.	4/1 - 8/15
Fescue	44 lbs.	1.0 lbs.	9/1 - 11/1
Old World Blue Stem	6.1 lbs.	0.14 lbs.	4/1 - 6/30

- 5. Seeds shall be drilled uniformly.
- 6. Seeding implements should be used at right angles to the general slope to minimize erosion.
- 7. Mulch will be used where needed.

The area shall be watered daily or as often as necessary to maintain adequate soil moisture until the plants grow about 1 to 2 inches.

**0605 COMPLIANCE**

**0605.1 Illicit Discharge Sampling and Inspections**

- A. Sampling: When the Engineer or authorized representative has reason to believe that a discharge is an illicit discharge, the Engineer may obtain a suitable sample for analysis. If the discharge is shown to be illicit, full recovery of the cost of sampling and analysis may be made from the responsible party.
- B. Inspections: The Engineer or authorized representative shall be permitted to gain access to any premises or property necessary for the purpose of inspection, sampling, observing or monitoring the MS4 to determine compliance with this ordinance.

## **0605.2 Administrative Enforcement**

- A. Notice of violation: Any violation of the provisions of the ordinance may result in the responsible party being issued a Notice of Violation (NOV) by the City. The NOV will include a description of the violation and include a reasonable time for the violation to be corrected. Failure to comply with the NOV may result in further enforcement action against the responsible party.
- B. Cease and desist: For any violation of the provisions of this ordinance the Engineer may issue an order requiring the responsible party to cease and desist all violations, to immediately come into compliance with the ordinance and to take any necessary remedial action to reduce or eliminate pollution entering the MS4 from the violation.
- C. Administrative fines: Notwithstanding any other section of this ordinance, any person or entity found to be in violation of this ordinance may be fined an amount of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) for each violation or failure to comply. Fines must be paid within fifteen (15) days of receipt of notification.
  - 1. Each day that a violation or failure to comply exists shall constitute a separate and distinct offense.
  - 2. Unpaid fines shall constitute a lien against the person's property.
  - 3. Administrative fines shall not be a prerequisite for other action.
- D. Water service severance: Any person, business or entity that violates the provisions of this ordinance may be subject to severance of water service from the City. Service will recommence at the violator's expense when compliance is achieved or written arrangements to correct the violation(s) is submitted to and approved by the City.
- E. Suspension of permit issuance: Any person, business or entity that violates the provisions of this ordinance will be denied the issuance of any other City permits, approvals or inspections until the violation(s) is corrected or written arrangements to correct the violation(s) are submitted to and accepted by the City.

## **0605.3 Injunction and Criminal Prosecution**

- A. Injunctive relief: Whenever any person, business or entity violates or continues to violate the provision of this ordinance, the Engineer may petition the district court for the issuance of a preliminary or permanent injunction to restrain or compel action on the part of the violator.
- B. Criminal prosecution: Any person, business or entity which violates the provisions of this ordinance shall be liable to criminal prosecution by the City of Owasso in municipal criminal court for a maximum penalty of one thousand dollars (\$1000.00) per violation per day and/or imprisonment for a period of not more than thirty (30) days.

- C. Remedies nonexclusive: The provision of paragraphs 0604.2 and 0604.3 are not exclusive remedies. The City reserves the right to take any, all or any combination of these actions against violators of this ordinance.

**0606 APPLICABLE STANDARD DETAILS**

STRM-18	Erosion Control Behind Street Curb
STRM-19	Straw Bale Dike
STRM-20	Silt Fence

END OF SECTION

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