a) Statement of purpose; administrator and definition of terms.

(1) Purpose of this Chapter/Section:

(a) To provide guidance to City Staff, landowners, developers, builders, and other interested parties relative to the Stormwater Detention and Runoff Control requirements of the City of Universal City;

(b) To specify the general Stormwater Detention and runoff Control requirements. Detailed requirements are included in the City of Universal City Detention Ponds and Permanent Stormwater Quality Best Management Practices Design Criteria Manual;

(c) To provide adequate measures for the detention and distribution of stormwater in a manner that minimizes the possibility of adverse impacts of water quantity and velocity after development;

(d) To minimize flooding of structures, preserve natural waterways, protect wildlife habitat, enhance the recharge of groundwater, and maintain the function of critical environmental features;

(e) Protect watercourses and their associated watersheds within the City of Universal City’s jurisdiction in a manner that preserves the significant and irreplaceable recreational and aesthetic resources, and the economic and environmental health of the city;

(f) To promote development activities in a comprehensive, sound, safe, sensitive and innovative manner to reduce the impacts of concentrated surface water runoff, erosion and sedimentation of streams and channels, potential flooding of structures, and disturbance of natural habitat for wildlife;

(g) To encourage retention of the 100-year floodplains as natural drainage ways; minimize new, permanent construction in the 100-year floodplains and natural drainage ways, and avoid unnecessary straightening, bank clearing or channelizing of those natural waterways through:

(i) Prohibition of any new construction or fill in the 100-year floodplain;
(ii) Preservation of natural waterways to include existing trees;

(iii) Preservation of areas containing riparian habitat;

(iv) Provision of earthen channels rather than concrete-lined channels;

(v) Maintenance of buffer areas parallel to the natural drainage ways;

(vi) Achieve reduction in on-site impervious cover on adjacent properties as permitted by the City’s Zoning Ordinance (Section 4-5);

(h) Adopt effective stormwater detention and runoff control practices throughout the City and its many watersheds to include site specific measures designed to:

(i) Minimize increased stormwater runoff from new development or redevelopment;

(ii) Provide for the continuation of stream flows through the watersheds at current or planned levels;

(iii) Require on-site stormwater detention facilities, or participate in regional detention facilities as appropriate;

(i) To ensure the long-term operation and maintenance of all stormwater management facilities

(2) The administrator of this Chapter shall be the Development Services Director.

(3) This Chapter shall be enforced by staff appointed by the Development Services Director.

(4) Definitions
The following terms shall have the following meanings for the purpose of this Chapter:

*Buffer areas:* A designated area around a stream, waterbody, drainageway, or stormwater facility as defined by a City approved guidance or criteria manual.

*Community Association:* See Homeowner’s Association

*Developer:* Any person or legal entity, individual or corporate, including an owner, operator, contractor, or subcontractor, any or all of whom may be engaged in,
consent to, or actually perform a construction project or construction activity.

*Development:* As defined in the Post-Construction Stormwater Quality Management Ordinance.

*Design Surface Elevation:* Design water surface elevation (see water surface elevation)

*DSE:* Design Surface Elevation

*Development Services Director:* As defined in the Post-Construction Stormwater Quality Management Ordinance.

*ETJ:* Extraterritorial Jurisdiction.

*Extraterritorial Jurisdiction.* As defined in the Post-Construction Stormwater Quality Management Ordinance.

*Flood or flooding:* As defined in the Flood Control Ordinance.

*Floodplain:* As defined in the Flood Control Ordinance.

*Homeowner’s Association:* An incorporated or unincorporated association owned by or whose members consist primarily of the owners of the property covered by a dedicatory instrument and through which the owners, or the board of directors or similar governing body, manage or regulate the single family residential subdivision that has as one of its purposes the continued care and maintenance of all commonly-owned properties within the subdivision, particularly the areas established for stormwater management facilities and the authority and means to impose binding assessments upon the lot owners for that purpose.

*Impervious surface or cover:* As defined in the Post-Construction Stormwater Quality Management Ordinance.

*Improved.* As defined in the Post-Construction Stormwater Quality Management Ordinance.

*Municipal Separate Storm Sewer System.* As defined in the Post-Construction Stormwater Quality Management Ordinance.

*National Pollutant Discharge Elimination System.* As defined in the Post-Construction Stormwater Quality Management Ordinance.

*New Development:* As defined in the Post-Construction Stormwater Quality Management Ordinance.

*Ordinance:* This ordinance in its entirety.

*Operator or owner:* Owner or operator of any “facility or activity” subject to regulation under this chapter.
**Person:** As defined in the Post-Construction Stormwater Quality Management Ordinance.

**Plans:** A set of construction or as-built drawings sealed by a professional engineer that describe stormwater detention and runoff control facilities.

**Property Owner's Association:** See Homeowner's Association

**Redevelopment:** As defined in the Post-Construction Stormwater Quality Management Ordinance.

**Regional Stormwater Detention Facilities:** Stormwater facilities strategically located within the City as part of the Regional Stormwater Detention Program.

**Regional Stormwater Detention Program:** A stormwater program that follows the goals, objectives and standards as outlined this ordinance.

**RSWDP:** Regional Stormwater Detention Program

**RSWDF:** Regional Stormwater Detention Facility

**Stormwater.** Stormwater runoff, snow melt runoff, and surface runoff and drainage.

**Water Surface Elevation:** As defined in the Flood Control Ordinance.

**Texas Pollutant Discharge Elimination System.** A program to issue authorizations to discharge pollutants into waters of the state if certain conditions are met.

**TPDES:** Texas Pollutant Discharge Elimination System

**Unimproved.** As defined in the Post-Construction Stormwater Quality Management Ordinance.

b) **General Provisions and Stormwater Management Plan.**

The applicability, stormwater management requirements and resolution of issues shall be as follows:

1. The provisions of this section shall apply to any application for subdivision plat or commercial building permit approval except as otherwise provided by this chapter.

2. For any subdivision plat or commercial building permit submitted to the City after the effective date of this Ordinance, a stormwater management plan shall be provided in accordance with this Ordinance and the *City of Universal City Detention Ponds and Permanent Stormwater Quality Best Management Practices Design Criteria Manual*. The plan shall be sealed by a professional.
engineer and include an operation and maintenance schedule for stormwater facilities.

(3) Subdivision plats are governed by Sec. 4-2, Article II, and Commercial building permits are governed by Sec. 4-6 or the Universal City Codes of Ordinances. Any issues that arise from the technical aspects of this Ordinance shall be resolved by the Development Services Director and/or his designee in accordance with City of Universal City ordinances, policies, and procedures. Final Authority for enforcement of this Ordinance rests with the City Manager and/or his designee.

c) Regional Stormwater Detention Program.
The following general program goals, requirements and design standards shall apply to all activities pursuant to Section (b) of this chapter:

(1) Program Goals and Requirements.

(a) The City has determined that regional stormwater detention is preferable to site specific detention providing sites are available for such regional stormwater facilities in the same watershed, and providing the applicant contributes an appropriate amount of funds (fee-in-lieu-of construction) to the City (or constructing entity if not the City) to approximate the cost of constructing such facilities on-site. On an annual basis the City Council shall review and set the fees to be paid in lieu of construction. Those fees will vary based upon the type of development, amount of runoff, and anticipated contribution from the development site to the City’s receiving streams and waterways.

(b) The regional stormwater detention provides for the administration, planning, design, construction, and operational management of regional stormwater detention facilities (RSWDF). Regional stormwater detention uses a watershed-wide approach to analyze potential flooding problems, identify appropriate mitigation measures and select site locations and design criteria for RSWDF. These RSWDF include, but are not limited to, regional detention ponds, creek and drainage way expansion and enhancement, storm sewer systems, bridges, culverts, and other improved conveyance structures.

(c) The regional stormwater detention program allows owners, developers, and builders to participate in the program rather than constructing the on-site detention controls required by this section, where the resulting use of a RSWDF will not produce a significant adverse impact to other properties downstream of the development due to the increased runoff from the proposed development.
(d) Options available to owners, developers, and builders to participate in the Regional Stormwater Detention Program (RSWDP) include:

(i) Payment of a fee in lieu of on-site detention. The fee schedule will be adopted by the Universal City Council on an annual basis.

(ii) Construction of a RSWDF to mitigate an existing flooding problem with contributions from the City and/or other property owners.

(iii) Participation in the construction of a RSWDF by another owner, developer, or builder so as to mitigate increased stormwater runoff anticipated by the ultimate development of the watershed.

(iv) Other methods authorized by the City Manager or his designee.

(e) To determine a significant adverse impact for the purposes of this section, the following criteria will be used to analyze the receiving stormwater detention facility for two thousand (2,000) linear feet downstream of the project or to the nearest downstream RSWDF, whichever is less. The two thousand (2,000) linear feet is based on an estimate that this length will approximate a one hundred-acre drainage area. The one hundred-acre drainage area represents the lower limit for a 100-year frequency stormwater facility design.

(i) The design surface elevation (DSE) in the receiving stream or drainage way may not be increased within the two thousand (2,000) linear feet from the development unless the increased DSE is contained within an easement or right-of-way or the receiving stream or drainage way has sufficient capacity to contain the increased DSE without causing flooding to any habitable structure.

(ii) Where low water crossings exist within the study area, the DSE cannot be increased above the level of the 100-year ultimate development water surface at the low water crossing. The increase in flow at the low water crossing for the five-year, twenty-five-year and 100-year frequency design must not reclassify the low water crossing from a safe to a dangerous condition crossing. If the increased DSE exceeds this criterion, the development can improve the low water crossing in accordance with
City standards in lieu of providing for onsite controls or paying a fee.

(iii) Where a development is upstream of an existing San Antonio River Authority (SARA) flood control facility or other detention facility constructed prior to 2008, analyses must be provided to ensure that capacity exists within the facility to accommodate the increased runoff from the proposed development.

(iv) The City may reject a Developer's request to participate in the RSWMP and require on-site detention. The city's decision will be based on the knowledge of significant adverse impacts that would be created within the watershed by the proposed development regardless of the distance from the development to the area impacted. The city may also reject a request for participation when it is not in the best interests of the RSWDP. It is recommended that the developer meet with the Director of Development Services or her designee to discuss participation options prior to commencing a project. This preliminary meeting in no way relieves the landowner, developer, or builder of his responsibility to prepare the necessary engineering documentation to support his request for participation.

(f) The stormwater development fee in lieu of on-site detention must be paid prior to a plat being released for recordation by the City or the issuance of a commercial building permit. The fee shall be determined in accordance with stormwater management fees established by the City Council.

(g) **Responsibility to Accept Stormwater.** The owner or developer of property to be developed shall be responsible for the conveyance of all stormwater flowing to the property from any source. This responsibility includes the stormwater flowing onto the property by any other developed property as well as the drainage naturally flowing through the property by reason of topography. Future upstream development shall be accounted for by assuming ultimate development when sizing drainage ways and facilities as specified in this section.

(2) **General Design Criteria and Standards.**

(a) **System Criteria.** The criteria, standards, and methods for calculation of system improvements, additions, and
enhancements can be found in the *City of Universal City Detention Ponds and Permanent Stormwater Quality Best Management Practices Design Criteria Manual*. Copies of this document are available from the City Secretary, the Director of Public Works, and the Director of Development Services. The general requirements are as follows:

(i) All stormwater management facilities, or combination of facilities, shall be designed for ultimate development based upon a 100-year storm.

(ii) Detention facilities and streets are exceptions to the frequency criteria cited above. Detention facility outflows will be designed to operate effectively for a five-year, twenty-five-year and 100-year frequency storms.

(iii) The three (3) development conditions that shall be analyzed for each development are:

(a) Existing Conditions. This refers to current development conditions in the watershed and on-site. Use existing conditions as the baseline analysis for determining the impact of development.

(b) Proposed Conditions. This refers to existing conditions with the proposed development added. Use proposed conditions to determine if the increased runoff from the proposed development results in an adverse impact to other properties.

(c) Ultimate Conditions. This refers to ultimate development conditions within the watershed used to design the drainage facilities. This condition may be used in lieu of subsection 2. above, to determine if the increased runoff from the ultimate watershed development results in an adverse impact to other properties.

(b) *Positive Overflow Pathways*. For commercial development, the on-site drainage systems shall be designed to ensure that a positive overflow pathway is provided from all points on the site to the nearest stormwater conveyance facility. The overflow pathway must be delineated on a plan that shows all existing or proposed structures on the site plan to ensure that such buildings are not impacted by that overflow pathway.
(c) **New Development.** Peak stormwater runoff rates from all new development shall be less than or equal to the peak runoff rates from the site's predevelopment conditions for the five-year, twenty-five-year and 100-year design storm events.

(d) **Redevelopment.** Peak stormwater runoff rates from an area of redevelopment shall be less than or equal to the peak runoff rates produced by existing development conditions for the five-year, twenty-five-year and 100-year design storm events.

(e) **Drainage Easements/Rights-of-Way.**

(i) **Applicability.** Where a subdivision is traversed by a watercourse, drainage way, natural channel or stream, an easement or right-of-way shall be provided conforming substantially to the limit of such watercourse, plus additional width as outlined below.

(ii) **Requirements.** Easement or right-of-ways are required for the following stormwater management facilities:

(a) Natural Watercourses and/or 100-year Floodplains;

(b) Regional Detention Facilities;

(c) Concrete Lined Channels;

(d) Vegetated Earth Channels;

(e) Storm Sewers.

(f) **Natural Watercourses or Floodplains.** Easements for natural watercourses shall include as a minimum the 100-year floodplain. In floodplain areas where ongoing maintenance is required or the floodplain will be reserved for use by the public, the drainage easements shall be maintained by a public entity and the property will be dedicated to the city as a multi-use drainage easement. A drivable access way shall be provided in floodplain easements for the length of the easement when regular maintenance of the floodplain is required. Diversion of stormwater away from the natural watercourse will not be allowed except within the boundaries of the property controlled by the developer, provided that the diverted water is returned to the watercourse within which it would naturally have been flowing prior to leaving the developer's
property. An analysis of the routing and timing of the diverted stormwater must be performed to show that the peak flow rate in the receiving watercourse has not been increased as a result of the diversion.

(g) Maintenance Access Right-of-Way. An unobstructed access right-of-way connecting the drainage easement with an alley or roadway parallel to or near the easement shall be provided at a minimum spacing of one (1) access right-of-way for every one thousand-foot interval along the length of the drainage way. The access right-of-way shall be a minimum of fifteen (15) feet in width, have a hard surface drive, and be maintained clear of obstructions that would limit maintenance vehicle access. If the flow line of the designed channel incorporates grade control structures or vehicular bridges that would prevent maintenance equipment from accessing that portion of the channel, additional access points may be required. The proposed drainage way shall have ramps in the side slopes near the access points that would allow maintenance equipment to descend to the floor of the channel or drainage way. The maximum allowable ramp slope for vehicular access is seven to 1 (7:1). Access points adjacent to roadways or alleys shall be provided with a post and cable feature with padlock to prevent unauthorized use.

(h) Lot and Property Line Crossings. In those cases where drainage easements cross lot and property lines, a statement shall be added to the plat or site-plan that no fencing or structures will be allowed on or across such drainage easements.

(i) Fencing. Fencing is not allowed to cross drainage easements unless a floodplain development permit is obtained from the Director of Development Services for the City. Property fences must be placed outside of or on the edge of the 100-year floodplain. Only wrought iron fencing material will be allowed.

(j) Lower Elevation of Site. All developments shall provide for adequate drainage outfall at the lower end of the site into an existing drainage way, drainage easement or right-of-way, or to the centerline of an existing natural drain. Where proposed streets, storm sewers, or open channels do not discharge into a natural low or into an existing drainage easement, facilities and drainage easements of adequate width to contain the design discharge shall be constructed and dedicated to the centerline of an existing natural low within the same watershed. However, where the natural low lies within the developer's property, the developer will be required only to plat an easement to the centerline of
the natural low, provided that the easement is adequate to accommodate the facilities that will be built in conjunction with the future development of that property.

(k) Site Design and Grading.

(i) All land disturbing or land filling activities or soil storage shall be undertaken in a manner designed to minimize surface runoff, erosion and sedimentation, and to safeguard life, limb, property and the public welfare in accordance with the Universal City NPDES/TPDES Construction Site Regulation Ordinance, See Chapter 3-10 as amended, and the document entitled "Complying with the Edwards Aquifer Rules; Technical Guidance on Best Management Practices," by Michael E. Barrett, Ph.D., P.E. Center for Research in Water Resources, Bureau of Engineering Research, University of Texas at Austin, (RG-348, June 1999), which documents are hereby incorporated by this reference.

(ii) Erosion and sedimentation controls are required in accordance with the specifications established by the City and enforced by the Storm Water Inspector in compliance with the National Pollution Discharge Elimination System (NPDES) permitting requirements and the Texas version of that known at TPDES.

(iii) Projects shall not be considered complete until restoration has been made in accordance with City, TCEQ, and NPDES requirements.

(iv) A note must be placed on the plat for residential lots, which states that finished floor elevations must be a minimum of eight (8) inches above final adjacent grade. A grading plan shall be prepared and submitted to the City which indicates typical lot grading for all lots in the subdivision using typical FHA lot grading types (A, B, or C). A more detailed grading plan is also acceptable. No more than two (2) average residential lots may drain onto another lot unless a drainage easement is dedicated to contain the runoff.

d) Standards for Stormwater Management Facilities.

(1) Stormwater Detention Facilities.
(a) For projects with an increased impervious area of five (5.0) acres or more, the owner, developer, or builder may elect to construct a stormwater detention facility or pay a fee-in-lieu-of construction to the City in accordance with this Ordinance.

(b) For projects with an increased impervious cover of less than five (5.0) acres, the owner, developer, or builder must pay a fee-in-lieu of constructing a detention facility as described above.

(c) These stormwater detention facilities shall be designed to mitigate peak flow rates to predevelopment or existing development conditions.

(d) Maximum Outflow Rate. The maximum allowable outflow rate from the detention facility must be restricted to the flow rate from the undeveloped or existing development tract for the five-year, twenty-five-year and 100-year frequency. The timing of the hydrograph for stormwater released from the detention facility must be checked against the timing of the flow rate in the first open watercourse to prevent any increase in the peak flow rate in the receiving watercourse. For detention basins constructed in-line on an existing watercourse, the creation of the basin shall not increase flood elevations in the channel upstream of the new development boundaries.

(e) On-Site Detention. On-site detention facilities must be privately owned and shall be maintained by the community association or property owner. A maintenance schedule shall be submitted to the Public Works Department and approved by the Storm Water Inspector prior to approval of CONSTRUCTION PLANS. The City will have the right to do periodic inspections of privately owned and maintained detention facilities to ensure that the maintenance schedule is being implemented. Where a detention facility accepts flows from public facilities such as city right-of-ways, the detention facility will be considered a detention facility serving a public purpose and will be dedicated to the city upon completion and a drainage easement will be dedicated to provide for access to the facility. When a regional detention facility accepts flow from an area exceeding three hundred (300) acres, the facility shall be considered serving a public purpose and shall be dedicated to the city.

(2) Regional Detention Facilities.

(a) **Locating Regional Detention Facilities.** General locations and sizes of regional detention facilities have been
identified in the City’s master drainage plan for the major watersheds in the City's jurisdiction. The ownership of regional detention facilities may either be public or private. The creation of regional detention facilities designed to service one (1) or several developments is encouraged, but not required. In watersheds where public regional detention facilities exist, mitigation of increased stormwater runoff from new construction may utilize these facilities if the new construction is eligible to participate in the RSWMP. Temporary detention may be required for the development until sufficient capacity in the outfall channel is provided to accommodate increased flows. Maintenance of publicly owned facilities will be the responsibility of the city. Maintenance of private facilities is the responsibility of the property owner or the community association and must be specified in the maintenance schedule submitted to the city. A maintenance schedule for both publicly owned and privately owned facilities must be approved by the Storm Water Inspector prior to approval of construction drawings.

(b) Drainage easements will be provided for all regional detention facilities. The easement will encompass the 100-year pool elevation plus all structural improvements (levees, dykes, berms, outfall structures etc.) necessary to contain the pool. The easement will extend, at a minimum, to the toe of the downstream embankment. Maintenance access (fifteen-foot minimum) will be provided around the facility, outside the limits of the 100-year pool elevation. Ramps, as necessary, with a maximum slope of seven to one (7:1) will be provided for access to the flow line of the facility.

(c) Multi-Use Facilities. Multi-use facilities are encouraged, but not required (multi-use facilities allow for water quality, satisfy NPDES requirements, enhance groundwater recharge, provide open space, provide recreation or other amenities, and/or provide habitat) and may be utilized so long as the facility meets the standards set forth in subsection (a) of this section and does not increase the rate or volume of erosion above that which would result from the use of a facility without multiple uses. The use of multi-use detention facilities to alleviate existing flooding problems, enhance and provide amenities for older neighborhoods, and support the revitalization of economically depressed areas is encouraged in public and private redevelopment initiatives.

(d) Permanent Wet Pool or Pumped Detention Systems. Stormwater retention with permanent wet pool or pumped detention systems will not be acceptable methods of
stormwater mitigation unless the facility will remain privately owned, operated, and maintained.

(3) Storm Sewers.

(a) For all ordinary conditions, storm sewers shall be designed on the assumption that they will flow full under the design discharge; however, whenever the system is placed under a pressure head, or there are constrictions, turns, submerged or inadequate outfall, etc., the hydraulic and energy grade lines shall be computed and plotted in profile. In all cases adequate outfalls shall be provided and the system adequately designed.

(b) No storm sewers shall be less than twenty-four (24) inches in diameter.

(c) Minimum easement widths for storm sewers will be the greater of twenty (20) feet or ten (10) feet on one side and four (4) feet on the other side of the extreme limits of the storm sewer width, whichever is greater. For example, the easement width for a three-barrel, ten-foot wide box culvert with six-inch walls would be \((3 \times 10') + (4 \times 0.5') + (2 \times 6') = 44'\) and that is greater than 15 feet.

(4) Creeks, Drainage Channels and Waterways.

This section addresses proposed improvements or modifications to creeks, drainage channels, and waterways required to convey stormwater runoff from or through the proposed development.

(a) Waterways to Remain Unobstructed. Except as authorized by a development plan approved by the Storm Water Inspector or his designee, no person shall place or cause to be placed any obstruction of any kind in any waterway within the city and its ETJ. The owner of any property within the city, through which any waterway may pass, shall keep the waterway free from any obstruction not authorized by a development plan.

(b) Channel Modifications.

(i) Modifications to existing waterways or newly created open channels may be designed as earth channels or sod channels. Liners other than concrete which enhance the aesthetics or habitat value of the watercourse and which reduce future maintenance requirements are encouraged. Examples include pavers or geosynthetics. Preliminary plans for the applicability of other channel liners shall be reviewed with the director of
public works or his representative prior to the submittal of construction plans for approval.

(ii) Natural Unimproved Creeks and Waterways. Runoff that results from upstream development and is discharged to an unimproved creek or waterway can cause flood damage to properties adjacent to and downstream of the creek or waterway. Natural undeveloped waterways do not receive regular maintenance. Design of natural waterways shall take into consideration fluvial geomorphologic principals and practices. Consulting engineers and development review officials shall work to resolve potential downstream impact issues.

(c) **Maintenance.** Design of new channels or alterations to existing channels shall consider future maintenance requirements. A maintenance schedule for any private channel shall be submitted to and approved by the Storm Water Inspector prior to approval of construction plans. Maintenance requirements of concrete swales consist of de-silting activities, prevention of vegetation establishment in construction joints, and repair of concrete as necessary. Maintenance of earthen channels includes regular observation and repair, as necessary, avoidance of erosion and scouring, and removal of silt deposits, as necessary to maintain approved design cross sections. Property owners shall be responsible for maintaining the vegetation in a newly planted channel until coverage is established throughout eighty-five (85) percent of the area. This area shall include slopes, floor, and any attendant maintenance easements. New earthen channels shall be planted with drought resistant, low growth, native species grasses, which will allow unobstructed passage of floodwaters. Johnson grass, giant tagweed and other invasive species shall not be allowed to promulgate in channels. Suggested species of grasses shall include, but not be limited to, common bermuda, coastal bermuda, buffalo grass, little bluestem, and indian grass. Mowing frequencies vary with the vegetation growth rates, but is required when the grass and/or weeds exceeds a height of twelve (12) inches.

(d) **Multiple Uses.** Multiple-uses in a drainage way are allowed (e.g. bike paths or greenbelt). If multiple uses are to be incorporated into a drainage easement, the applicant shall form a property owners’ association that shall assume maintenance responsibility for the private trails and other amenities. The appropriate government agency will only be responsible for maintenance of the public facilities. The
owner, developer, or builder shall provide appropriate easements for both public and private use.

e) Operation and Maintenance Responsibilities.

The following shall apply to all stormwater management facilities pursuant to the requirements of this chapter:

(1) Private Facilities.

(a) Maintenance of privately owned facilities shall be the responsibility of the property owner or the community/homeowner’s association. The maintenance schedule for that private facility must be specified in the stormwater management plan submitted to the City prior to construction. The maintenance schedule for privately owned facilities must be approved by the Director of Public Works or his designee prior to the approval of construction drawings. That schedule shall include as a minimum mowing of the surface area of any constructed stormwater detention facility or drainage way at least once per month from April 1 to October 31 each month, and at least twice during the balance of the year.

(b) Authorized personnel from the City shall conduct inspections of these facilities and structures annually. Any deficiencies will be noted by the City and forwarded to the owner for necessary corrections or repairs. Any major construction must be designed and constructed according to City standards. Improperly maintained areas identified by the City during inspections shall be the responsibility of the current owner to correct.

(2) Public Facilities.

(a) Maintenance of publicly owned facilities shall be the responsibility of the City and will be accomplished in accordance with City policies and procedures.

f) Conflicts

No provision of this Ordinance is intended to, nor shall any part or portion hereof be construed, so as to conflict with the Texas Water Code.

g) Enforcement

The city shall enforce the requirements of this chapter through the approvals process for subdivision plats or commercial development permit applications.