

ORDINANCE NO. 5356

**AN ORDINANCE REGULATING POST-CONSTRUCTION SITE
STORMWATER RUNOFF BY ADDING CHAPTER 8.48 TO THE RAPID CITY
MUNICIPAL CODE.**

WHEREAS, the regulations within this ordinance will prevent the pollution, impairment, and destruction of natural resources by regulating post-construction site runoff; and

WHEREAS, the Common Council of the City of Rapid City deems it to be in the City's best interests to adopt an ordinance regulating post-construction site runoff.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City, South Dakota, that Chapter 8.48 of the Rapid City Municipal Code be added to read as follows:

**CHAPTER 8.48: POST-CONSTRUCTION SITE STORMWATER
RUNOFF CONTROL**

Section

- 8.48.010 Definitions
- 8.48.020 Design Requirements
- 8.48.030 Maintenance
- 8.48.040 Severability

8.48.010 Definitions.

The following terms and phrases are defined and shall be interpreted as such throughout this chapter, unless the context clearly indicates or requires a different meaning. Terms not defined in this section shall have the meaning customarily assigned to them.

- A. **Stormwater Treatment** . Non-structural or structural device, measure, facility, or activity which helps to achieve removal of 80% of the Total Suspended Solids (TSS) from the first 0.5” of rainfall at a designated site.
- B. **Impervious Area**. Impermeable surfaces such as paved driveways, parking areas, or roads which prevent infiltration of water into the soil.
- C. **Connected Impervious Areas**. Impermeable surfaces such as paved driveways, parking areas, or roads which prevent infiltration of water into the soil and transfer runoff from the site without first directing the runoff into a non-impervious (<10%) area for a minimum of 10 feet.

8.48.020 Design Requirements

All new development, or any redevelopment, which causes an increase in the impervious percentage for that site, with a connected impervious area (**see the Stormwater Quality Manual for impervious area guidance**) of greater than fifteen percent (15%) shall be required to provide stormwater treatment of the runoff generated by the first 0.5” of rainfall.

Stormwater treatment practices shall be designed to treat the first 0.5” of rainfall with an 80% Total Suspended Solids (TSS) removal rate. The Stormwater Quality Manual provides guidance to achieve this requirement.

A stormwater treatment site plan shall be prepared by a licensed professional per the requirements in the Stormwater Quality Manual.

8.48.030 Maintenance

The City shall have the right to perform the necessary maintenance on stormwater treatment control facilities and charge the property owner 1-1/2 times the cost of this maintenance upon 30 days notification and failure of the owner to perform the required maintenance.

8.48.040 Severability

In the event any portion of this ordinance is determined by a court of competent jurisdiction to be invalid, all valid portions which are severable from the invalid portion remain in effect. If application of any portion of any section or subsection of this ordinance is determined by a court of competent jurisdiction to be invalid, such portions remain in effect in all valid applications that are severable from the invalid applications.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: