



**CITY COUNCIL
AGENDA ITEM APPROVAL FORM**

AGENDA ITEM INFORMATION

MEETING DATE: AUGUST 21, 2019

AGENDA ITEM TITLE:

**ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY OF
TAYLORSVILLE APPROVING AMENDMENTS TO
TAYLORSVILLE MUNICIPAL CODE TITLE 17 TO ADD
CHAPTER 17.29: STORMWATER MAINTENANCE.**

PUBLIC HEARING REQUIRED:

YES: _____

NO: _____

ORDINANCE REQUIRED:

YES: X

NO: _____

RESOLUTION REQUIRED:

YES: _____

NO: X

PRESENTER:

MARK STENQUIST, CITY ENGINEER

AGENDA ITEM SUMMARY: LIMIT 150 WORDS

The Municipal Separate Storm Sewer System (MS4) Permit is issued by the Utah Department of Environmental Quality Division of Water Quality, and is the permit which allows the City to discharge storm water into waters of state. The permit requires that Cities have various ordinances in place that assist in enforcing the statutes of the permit.

Proposed to the council are the proposed ordinances that satisfy the requirements of the state permit. The ordinances are split up into eight sections, which are: Land Disturbance Permit, Stormwater System Design and Management Standards, Post Construction, Waivers, Existing Locations and Developments, Illicit Discharges, Enforcement, and Penalties. These ordinances were recommended by the Utah Storm Water Advisory Committee (USWAC), and are based on Riverton City's ordinances. The Engineering Department will be the primary party responsible for enforcement.

ATTACHMENTS:

TAYLORSVILLE, UTAH
ORDINANCE NO. 19-10

**AN ORDINANCE OF THE CITY OF TAYLORSVILLE APPROVING AMENDMENTS
TO TAYLORSVILLE MUNICIPAL CODE TITLE 17 TO ADD CHAPTER 17.29:
STORMWATER MAINTENANCE.**

WHEREAS, the Taylorsville City Council (the "Council") met in regular session on August 21, 2019, to consider, among other things, approving amendments to TAYLORSVILLE MUNICIPAL CODE Title 17 to add Chapter 17.29: Stormwater Maintenance; and

WHEREAS, the City is required to implement a stormwater management plan aimed at improving the quality of runoff within the City; and

WHEREAS, the City desires to create an ordinance to regulate certain aspects of stormwater management including, but not limited to, (1) regulations prohibiting non-stormwater discharges and requiring removal of such discharges to the MS4; (2) regulations to apply to Common Plan of Development projects; (3) requiring long-term construction stormwater controls to protect water quality at all development or redevelopment sites greater than or equal to an acre and less than an acre that are part of a common plan of development; and (4) allowing for the inspection of privately owned stormwater controls to ensure and provide proper maintenance; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of Taylorsville to approve the proposed amendments.

NOW, THEREFORE, BE IT ORDAINED by the Taylorsville City Council that the proposed amendments to TAYLORSVILLE MUNICIPAL CODE Title 17 to add Chapter 17.29: Stormwater Maintenance are hereby approved and are designated by interlineating the words to be deleted and underlining the words to be added, as follows:

CHAPTER 17.29
STORMWATER MAINTENANCE

17.29.010: GENERAL PROVISIONS

A. **Purpose.** It is the purpose of this chapter to protect, maintain, and enhance the environment of the City; establish responsibilities for controlling and managing stormwater runoff; protect the public health, safety and the general welfare of the citizens of the City by controlling discharges of pollutants to the City's stormwater system; maintain and improve the quality of the receiving waters into which the stormwater outfalls flow including, without limitation, lakes, rivers, streams, ponds, wetlands, and groundwater of the City; enable the City to comply with the National Pollution Discharge Elimination System permit (NPDES/UPDES) and applicable regulations, 40 CFR 122.26 for stormwater discharges; and exercise the powers granted by Utah law, which enables the City to regulate the planning, location, construction, and operation and maintenance of stormwater facilities in the City, whether or not owned and operated by the City; adopt any rules and regulations by resolution deemed necessary to accomplish the purposes of this

Chapter, including the adoption of a system of fees for services and permits; establish standards to regulate the quantity and quality of stormwater discharged and to regulate stormwater contaminants as may be necessary to protect water quality; review and approve plans and plats for stormwater management in proposed subdivisions or commercial developments; issue permits for discharge of stormwater from privately held property into the City's stormwater system, or for the construction, alteration, extension, or repair of stormwater facilities which connect to the City stormwater system; suspend or revoke permits when it is determined that the permittee has violated any applicable ordinance, resolution, or condition of the permit; regulate and prohibit discharges into City stormwater facilities which consist of sanitary, industrial, or commercial sewage or waters that have otherwise been contaminated; and expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of stormwater contamination.

B. Administration. The City Engineer shall administer the provisions of this Chapter. This Chapter shall not be construed to relieve any person from responsibility for damage to other persons or property, nor impose upon the City, its officers, agents or employees, any liability for damage to other persons or property.

17.29.020: DEFINITIONS. For the purpose of this Chapter, the following definitions shall apply. Words used in the singular shall include the plural, and the plural shall include the singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary:

AS-BUILT PLANS means drawings depicting conditions as they were actually constructed.

BEST MANAGEMENT PRACTICES or "BMPs" are physical, structural, and/or managerial practices that, when used singly or in combination, prevent or reduce pollution of water, that have been approved by the City, and that have been incorporated by reference into this Chapter as if fully set out therein. For purposes of this Chapter, the relevant BMPs are more particularly defined in Salt Lake County's "Guidance Document for Stormwater Management" document.

CHANNEL means a natural or artificial watercourse with a definite bed and banks that conducts flowing water continuously or periodically.

CITY means the City of Taylorsville, a municipal corporation and political subdivision of Salt Lake County, State of Utah, and its governing body, employees, and authorized representatives.

CITY ENGINEER means the City Engineer of the City of Taylorsville, or its authorized designee.

CITY STORMWATER SYSTEM means City-owned storm systems including, without limitation, gutters, catch basins, grates, pipelines, and property encumbrances that receive runoff from public right-of-way, private property, natural waterways, and systems identified as City easements.

COMMUNITY WATER means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wetlands, wells and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the City.

CONTAMINANT means any physical, chemical, biological, or radiological substance or matter which is not naturally occurring and introduced into the stormwater system.

DESIGN STORM EVENT means a hypothetical storm event, of a given frequency interval and duration, used in the analysis and design of a stormwater facility.

DISCHARGE means to dispose, deposit, spill, pour, inject, seep, dump, leak or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked, or placed by any means including, but not limited to, any direct or indirect entry of any solid or liquid matter into the municipal separate storm sewer system.

EASEMENT means an acquired privilege or right of use or enjoyment that a person, party, firm, corporation, City or other legal entity has in the land of another.

EROSION means the removal of soil particles by the action of water, wind, ice or other geological agents, whether naturally occurring or acting in conjunction with or promoted by anthropogenic activities or effects.

EROSION AND SEDIMENT CONTROL PLAN means a written plan (including drawings or other graphic representations) that is designed to minimize erosion and sediment runoff at a site during construction activities.

GENERAL CONSTRUCTION STORMWATER PERMIT means a permit required by the Utah Department of Environmental Quality, Division of Water Quality.

HOT SPOT ("PRIORITY AREA") means an area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.

ILLCIT CONNECTIONS means illegal and/or unauthorized connections to the municipal separate stormwater system, whether or not such connections result in discharges into that system.

ILLCIT DISCHARGE means any discharge to the municipal separate storm sewer system that is not composed entirely of stormwater and not specifically exempted under TAYLORSVILLE MUNICIPAL CODE 17.29.040.

IRRIGATION DITCHES means gravity irrigation ditches used by irrigation shareowners having a right of water passageway by ROW, easement, or prescription.

LAND DISTURBANCE PERMIT means a City land disturbance permit as adopted by the City.

LAND DISTURBING ACTIVITY means any activity on property that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, development, redevelopment, demolition, construction, reconstruction, clearing, grading, filling, and excavation.

MAINTENANCE means any activity that is necessary to keep a stormwater facility in good working order so as to function as designed. Maintenance shall include, but is not limited to,

complete reconstruction of a stormwater facility if reconstruction is needed in order to restore the facility to its original operational design parameters. Maintenance shall also include, but is not limited to, the correction of any problem on the site property that may directly impair the functions of the stormwater facility.

MAINTENANCE AGREEMENT means a document recorded with the Salt Lake County Recorder's Office that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

MANAGEMENT PERMIT means the implementation and maintenance of SWPPP BMPs, in accordance with ordinance and state regulations. A Management Permit includes management to the level that will effectively minimize the potential for polluted discharges and prevent the effects of construction nuisances to the public. A Management Permit also carries the responsibility of the project site and the effects of persons and equipment that may enter the construction envelope, such as, but is not limited to, employees, contractors, suppliers, utility companies, visitors, and trespassers.

MUNICIPAL SEPARATE STORM SEWER SYSTEM ("MS4") ("MUNICIPAL SEPARATE STORMWATER SYSTEM") means the conveyances owned or operated by the City for the collection and transportation of stormwater, including, but not limited to, roads and streets and their drainage systems, catch basins, curbs, gutters, ditches, manmade channels, and storm drains.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT ("NPDES PERMIT") means a permit issued pursuant to 33 U.S.C. 1342.

N.O.I. EXEMPT PROJECT means a project that does not warrant compliance with UCGP but does justify municipal oversight per MS4 regulation under the "Construction Site Stormwater Runoff Control" section.

NOTICE OF TERMINATION ("N.O.T.") means a written document which indicates the requirements of the N.O.I. or land disturbance permit has been completed. Issuance of this document releases the permittee of further obligation for the management of the construction site. An N.O.T. shall be issued by both the City and the State of Utah.

NOTICE OF VIOLATION ("N.O.V.") means written notice issued by the City Engineer whenever the City Engineer finds that a person or entity is not compliant with this chapter; the City Engineer shall order compliance by written notice of violation to the responsible person or registered agent or entity. Requirements in this notice are at the sole discretion of the City Engineer and may include, but are not limited to, monitoring, payment to cover costs relating to the noncompliance, and the implementation of best management practices.

OFF-SITE FACILITY means a structural BMP located outside the subject property boundary described in the permit application for land development activity.

ON-SITE FACILITY means a structural BMP located within the subject property boundary described in the permit application for land development activity.

PEAK FLOW means the maximum instantaneous rate of flow of water at a particular point resulting from a storm event.

PERSON means any and all persons, natural or artificial, including any individual, firm or association and any municipal or private corporation organized or existing under the laws of this or any other state or country.

PREEXISTING CONDITIONS means conditions of a property in its native state or changed under approval by the City or changed property that is grandfathered.

PRIORITY AREA. See definition for HOT SPOT.

PROPERTY OWNER means the land owner of property within the boundary of the City.

RUNOFF means that portion of the precipitation on a drainage area that is discharged from the area into the municipal separate stormwater system. Runoff includes, but is not limited to, water produced by storms, surface drainage, snow and ice melt, and other water handled by the storm sewer drainage system.

SEDIMENT means solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice and has come to rest on the Earth's surface either above or below sea level.

SEDIMENTATION means soil particles suspended in stormwater that can settle in streambeds and disrupt the natural flow of the stream.

SOILS REPORT means a study of soils on a subject property with the primary purpose of characterizing and describing the soils to qualify as a valid soils report acceptable to the City. The report shall be prepared by a qualified soils engineer, who shall be directly involved in the soil characterization either by performing the investigation or by directly supervising employees.

STABILIZATION means providing adequate measures, vegetative and/or structural, that will prevent erosion from occurring.

STORMWATER means stormwater runoff, snow melt runoff, surface runoff, street waters related to street maintenance, infiltration and drainage.

STORMWATER MANAGEMENT means the programs to maintain quality and quantity of stormwater runoff to pre-development levels.

STORMWATER MANAGEMENT FACILITIES SYSTEM means the drainage structures, conduits, ditches, combined sewers, sewers, and all device appurtenances by means of which stormwater is collected, transported, pumped, treated or disposed of.

STORMWATER MANAGEMENT PLAN means the set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, BMPs, concepts and techniques intended to maintain or restore quality and quantity of stormwater runoff to pre-development levels.

STORMWATER MASTER PLAN means the current City stormwater master plan as adopted by the City.

STORMWATER RUNOFF means flow on the surface of the ground, resulting from precipitation.

STRUCTURAL BMPs means devices that are constructed to provide control of stormwater runoff.

SURFACE WATER means waters upon the surface of the Earth in bounds created naturally or artificially including, but not limited to, streams, other watercourses, lakes and reservoirs.

TAYLORSVILLE CITY STORMWATER DESIGN STANDARDS means current City stormwater standards and regulations as adopted by the City.

UPDES means the Utah Pollution Discharge Elimination System, which is the state/national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.

WATERCOURSE means a permanent or intermittent stream or other body of water, either natural or manmade, which gathers or carries surface water.

WATERSHED means all the land area that contributes runoff to a particular point along a waterway.

17.29.030: UPDES STORMWATER PERMIT. Every person or entity shall be required to obtain a UPDES Stormwater Permit from the State of Utah in the following cases:

- A. For a Land Disturbing Activity which disturbs one (1) or more acres of land; and
- B. For a Land Disturbing Activity which disturbs less than one (1) acre of land if such activity is part of a larger common plan of development that effects one (1) or more acres of land.

17.29.040: LAND DISTURBANCE PERMITS. Every person or entity shall be required to obtain a Land Disturbance Permit from the City Engineer in the following cases:

- A. For a Land Disturbing Activity which disturbs one (1) or more acres of land;
- B. For a Land Disturbing Activity which disturbs less than one (1) acre of land if such activity is part of a larger common plan of development that effects one (1) or more acres of land;
- C. For a Land Disturbing Activity which disturbs less than one (1) acre of land if, in the sole discretion of the City Engineer, such activity poses a unique threat to water quality, air quality, or public health or safety;
- D. For the creation and use of borrow pits;
- E. For the development of a single-family home;
- F. For processing of earthen materials such as top soil and gravel screening; and
- G. For the construction of parking lots.

17.29.050: ONLINE STORMWATER MANAGEMENT OF NEW CONSTRUCTION AND POST-CONSTRUCTION.

A. General Requirements.

1. Requirements of the general construction permit, the MS4 permit, and the multi-sector general permit shall be managed via an Internet-based management system which meets audit requirements for the State of Utah.
2. The stormwater management method and system shall be reviewed and approved by the City Engineer prior to the approval of projects and the issuance of permits.
3. Reports and data shall be made available upon request by the City.

B. General Construction Permit Management. The online system shall incorporate the following operations at a minimum:

1. Provide a SWPPP management system;
2. Report inspections, monitoring, training, assessment, and audit activities;
3. Provide City staff access rights to post-inspections, corrective actions, assessments, audits, SWPPP, and data;
4. Incorporate the use of the Utah state inspection form and criteria as the basis for inspection;
5. Provide public read-only rights; and
6. Generate reports and histories.

C. Multi-Sector General Permit and MS4 Permit Post-Construction Requirements. The online system shall incorporate the following operations at a minimum:

1. Provide a SWMP and permit management system;
2. Report inspections, monitoring, training, assessments, and audit activities;
3. Provide City staff access rights to post-inspections, corrective actions, assessments, audits, SWMP, and data; and
4. Generate reports and histories.

17.29.060: DRAINAGE CHANNELS, WATERWAYS AND SENSITIVE AREAS

- A. Property owners shall not alter or restrict natural channels and waterways without proper federal, state and City permits.
- B. Modifications of sensitive areas are subject to and governed by TAYLORSVILLE MUNICIPAL CODE 13.15 - Sensitive Area Overlay (OV-SA) Zone. These actions will require a land disturbance permit and approval from all other governing agencies.

- C. Property owners proposing to redirect runoff, surface and/or pipe flow to properties or facilities outside City boundaries must provide written approval from the state, county or City or their agents.
- D. Property owners are responsible for the protection of canals per the relevant sections of this chapter.
- E. Discharges or modifications to the canals require written approval from the canal owners and applicable governing agencies.

17.29.070: BUILDING PERMIT. No building permit shall be issued until the applicant has obtained a land disturbance permit where the same is required by this chapter.

A. **Exceptions.** The following activities are exempt from the permit requirement:

- a. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources;
- b. Existing nursery and agricultural operations conducted as a permitted main or accessory use;
- c. Agricultural activities that are consistent with an approved farm conservation plan or a management plan prepared or approved by the appropriate City, federal, or state agency;
- d. Additions or modifications to existing single-family structures; and
- e. Minor residential landscaping, as long as City right-of-way and adjacent property owners are not adversely affected.

17.29.080: APPLICATION FOR A LAND DISTURBANCE PERMIT

A. Each application for a land disturbance permit shall include the following:

- a. Name of applicant;
- b. Business or residence address of applicant;
- c. Name, address and telephone number of the owner of the property of record in the Salt Lake County Assessor's Office;
- d. Address and legal description of subject property including the tax reference number and parcel number of the subject property;
- e. Name, address and telephone number of the contractor and any subcontractor(s) who shall perform the land disturbing activity and who shall implement the erosion and sediment control plan; and

- f. A statement indicating the nature, extent and purpose of the land disturbing activity including the size of the area for which the permit shall be applicable and a schedule for the starting and completion dates of the land disturbing activity.
- B. The applicant shall obtain from any other state or federal agency any other appropriate environmental permits that pertain to the property. However, the inclusion of those permits in the application shall not foreclose the City Engineer from imposing additional development requirements and conditions, commensurate with this chapter, on the development of property covered by those permits.
- C. Each application shall be accompanied by:
 - a. An N.O.I., for projects that warrant compliance with the Utah Construction General Permit ("UCGP") regulation, and a stormwater pollution prevention plan ("SWPPP") which meets the requirements of this chapter. After obtaining the permit(s), the permit holder must manage permits and SWPPP in accordance to UCGP and City standards during the land disturbing activity and after the activity has been completed. The SWPPP shall remain in place until the operator files a notice of termination ("N.O.T.") with the state and the City closes the land disturbance permit;
 - b. For smaller N.O.I.-exempt projects, a stormwater pollution prevention plan ("SWPPP") that will effectively control pollutants associated with the construction activity in accordance with City land disturbance standards; and
 - c. Payment and other stormwater management fees, as adopted by resolution and found in the City fee schedule.
- D. The City Engineer will review each application for a land disturbance permit to determine its conformance with the provisions of this chapter. Within fifteen (15) business days after receiving a complete application, the City Engineer shall provide one of the following responses in writing:
 - a. Approval of the permit application;
 - b. Approval of the permit application, subject to such reasonable conditions as may be necessary to secure substantially the objectives of this chapter, and issue the permit subject to these conditions; or
 - c. Denial of the permit application, indicating the reason(s) for the denial.
- E. If the City Engineer has granted conditional approval of the permit, the applicant shall submit a revised plan that conforms to the conditions established by the City Engineer.

However, the applicant may be allowed to proceed with their land disturbing activity so long as it conforms to conditions established by the City Engineer.

- F. No development plans will be released until the land disturbance permit has been approved.

17.29.090: PERMIT DURATION. Every land disturbance permit shall expire and become null and void if substantial work authorized by such permit has not commenced within one hundred eighty (180) calendar days of issuance, or is not complete within eighteen (18) months from the date of the commencement of construction.

17.29.100: NOTICE OF CONSTRUCTION. The applicant must notify the City Engineer at least ten (10) working days in advance of the commencement of construction. Regular inspections of the stormwater management system construction shall be conducted by the City Engineer. All inspections shall be documented and written reports prepared that contain the following information:

- A. The date and location of the inspection;
- B. Whether construction is compliant with the approved stormwater prevention pollution plan;
- C. Variations from the approved construction specifications; and
- D. Any violations that exist.

17.29.110: PERFORMANCE BONDS. The City Engineer may, at his discretion:

- A. Require the submittal of a performance bond prior to issuance of a permit in order to ensure that the stormwater practices are installed by the permit holder as required by the approved stormwater management plan. The amount of the installation performance bond shall be the total estimated construction cost of the structural BMPs approved under the permit plus any reasonably foreseeable additional related costs (*e.g.*, for damages or enforcement.) The performance bond shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan. The applicant shall provide an itemized construction cost estimate complete with unit prices which shall be subject to acceptance, amendment or rejection by the City Engineer. Alternatively, the City Engineer shall have the right to calculate the cost of construction cost estimates.
- B. The performance bond shall be released in full only upon submission of as-built plans and written certification by the City Engineer that the structural BMP has been installed in accordance with the approved plan and other applicable provisions of this chapter.
- C. The City Engineer shall make a final inspection of the structural BMP to ensure that it complies with the approved plan and the provisions of this chapter. Provisions for a

partial pro rata release of the performance security or performance bond based on the completion of various development stages can be made at the discretion of the City Engineer.

17.29.120: STORMWATER SYSTEM DESIGN AND MANAGEMENT STANDARDS.

When a person is engaged in development activity which requires prior approval by the City and the issuance of a land disturbance permit, the following standards apply to the design and management of any water carrying system found on the property disturbed by that person. Prior to or during the site design process, applicants for land disturbance permits shall consult with the City Engineer to determine if they are subject to additional stormwater design requirements than described in this chapter:

A. Irrigation Ditches. All existing irrigation ditches located on the site or straddling a site property boundary shall be piped with a sufficient size pipe and shall be coordinated with water user or ditch owner.

1. Property owners are responsible for the protection of irrigation ditches against any impact which may occur as a result of development activity.
2. Discharges to private ditches require written approval from the ditch owners and design shall comply with the terms of approvals and the "Taylorsville City Stormwater Design Standards" and the land disturbance permit incorporated by reference into this chapter.
3. Piping of ditches and modification to the diversion boxes require documented coordination with ditch owners or representative but are not required to receive written approval of ditch owners. Design and coordination requirements shall comply with the "Taylorsville City Stormwater Design Standards" and the land disturbance permit documents.

B. Stormwater Design and BMP Manuals.

1. Design of storm drain systems and discharges into a City storm drain system requires direct supervision of a Utah-registered professional engineer, and shall carry the seal of the same supervising professional engineer.
2. The City adopts as its stormwater design and best management practice ("BMP") manuals the following publications, which are incorporated by reference in this chapter as if fully set out herein:
 - a) Taylorsville City Stormwater Design Standards.
 - b) Taylorsville City Stormwater Master Plan.
 - c) Salt Lake County Public Works Department "Guidance Document for Stormwater Management."
 - d) Salt Lake Valley Health Department Stormwater Regulations.

These manuals include a list of acceptable BMPs and include specific design performance criteria and operation and maintenance requirements for each stormwater practice. The manuals may be updated and expanded from time to time, at the discretion of the governing body of the City, upon the recommendation of the City Engineer, based on improvements in engineering, science, monitory and local maintenance experience. Stormwater facilities that are designed, constructed and maintained in accordance with these BMP criteria will be presumed to meet the minimum water quality performance standards.

17.29.130: GENERAL PERFORMANCE CRITERIA FOR STORMWATER MANAGEMENT. Unless granted a waiver or judged by the City Engineer to be exempt, the following post-construction performance standards for stormwater management shall be addressed to the reasonable satisfaction of the City Engineer:

- A. All development shall conform to the latest revision of the "General Permit for Discharge from Small Municipal Separate Storm Sewer Systems" ("MS4s") regulating stormwater runoff quality, precipitation runoff rates, and volumes that can be discharged from a property. Development shall conform to the latest revision of the City Stormwater Design Standards and stormwater master plans governing stormwater management.
- B. To protect stream channels from degradation, specific channel protection criteria shall be provided as prescribed in the BMP manual.
- C. Stormwater discharges to critical areas with sensitive resources (i.e., cold water fisheries, recreation areas, recharge areas, water supply reservoirs) may be subject to additional performance criteria, or may need to utilize or restrict certain stormwater management practices.
- D. Stormwater discharges from "hot spots" may require the application of specific structural BMPs and pollution prevention practices.
- E. The calculations for determining peak flows for construction activities as found in the "Taylorsville City Stormwater Design Standards" shall be used for sizing all stormwater facilities.

17.29.140: MINIMUM CONTROL REQUIREMENTS.

- A. Stormwater discharge during all construction activities shall comply with the terms of the land disturbance permit, the "Taylorsville City Stormwater Design Standards," requirements set forth by the International Building Code, and the state of Utah UPDES requirements.
- B. Stormwater designs shall meet the multi-stage storm frequency storage requirements as identified in the "Taylorsville City Stormwater Design Standards" unless the City Engineer has granted the applicant a full or partial waiver for a particular BMP under this section.

- C. Runoff rates from one lot to another may not exceed preexisting conditions or in such a manner that may unreasonably and unnecessarily cause more harm than formerly.
- D. If hydrologic or topographic conditions warrant modifications to the minimum control requirements, the City Engineer may impose any and all additional requirements deemed necessary to control the volume, timing, and rate of runoff.

17.29.150: STORMWATER MANAGEMENT PLAN REQUIREMENTS. Property owners are responsible to manage stormwater runoff and sediment whether in conduit systems or on the surface that traverse or originate on their property, unless this responsibility is relinquished through the terms and conditions of an easement. The stormwater management plan shall include sufficient information to allow the City Engineer to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing stormwater generated at the project site. To accomplish this goal, the stormwater management plan shall include the following:

- A. Topographic base map;
- B. Existing surface water drainage including, but not limited to, streams, ponds, culverts, ditches, sink holes, wetlands, and the type, size, elevation, etc., of nearest upstream and downstream drainage structures;
- C. Current land use including, but not limited to, all existing structures, locations of utilities, roads, and easements;
- D. All other existing significant natural and artificial features;
- E. Proposed land use with tabulation of the percentage of surface area to be adapted to various uses; drainage patterns; locations of utilities, roads and easements; the limits of clearing and grading;
- F. Proposed structural BMPs;
- G. A written description of the site plan and justification of proposed changes in natural conditions shall also be required;
- H. Hydrologic and Hydraulic Design Calculations for the Pre-Development and Post-Development Conditions for the Design Storms Specified in the "Taylorsville City Stormwater Design Standards." These calculations must show that the proposed stormwater management measures are capable of controlling runoff from the site in compliance with this chapter and the guidelines of the "Taylorsville City Stormwater Design Standards." Such calculations shall include, but are not limited to:
 - a. A description of the design storm frequency, duration, and intensity where applicable;

- b. Time of concentration;
 - c. Soil curve numbers or runoff coefficients including assumed soil moisture conditions;
 - d. Peak runoff rates and total runoff volumes for each watershed area;
 - e. Infiltration rates, where applicable;
 - f. Culvert, stormwater sewer, ditch and/or other stormwater conveyance capacities;
 - g. Flow velocities; and
 - h. Documentation of sources for all computation methods and field test results.
- I. If a stormwater management control measure depends on the hydrologic properties of soils (*e.g.*, infiltration basins), then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles and soil survey reports. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the control measure;
 - J. The design and planning of all stormwater management facilities shall include detailed maintenance and repair procedures to ensure their continued performance. These plans shall identify the parts or components of a stormwater management facility that need to be maintained and the equipment and skills or training necessary. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan. A permanent elevation benchmark shall be identified in the plan to assist in the periodic inspection of the facility; and
 - K. The applicant must present a detailed plan for management of vegetation at the site after construction is finished, including, but not limited to, who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved, where it is required by the BMP.

17.29.160: MAINTENANCE EASEMENTS. The applicant must ensure access to the site for the purpose of inspection and repair by securing all the maintenance easements needed. These easements must be binding on the current property owner and all subsequent owners of the property and must be properly recorded in the Salt Lake County Recorder's Office.

17.29.160: MAINTENANCE AGREEMENT. The owner of property to be served by an on-site stormwater management facility must execute an inspection and maintenance agreement that shall operate as a deed restriction binding on the current property owner and all subsequent property owners. The maintenance agreement shall:

- A. Assign responsibility for the maintenance and repair of the stormwater facility to the owner of the property upon which the facility is located and be recorded as such on the plat for the property by appropriate notation;
- B. Provide for periodic inspections by the property owner as outlined in the state of Utah general construction permit for the purpose of documenting maintenance and repair needs and ensure compliance with the purpose and requirements of this chapter. The property owner will arrange for this inspection to be conducted by owner or operator and provide inspection documentation for the City Engineer. It shall also grant permission to the City to enter the property at reasonable times and to inspect the stormwater facility to ensure that it is being properly maintained;
- C. Provide that the minimum maintenance and repair needs include, but are not limited to, the removal of silt, litter and other debris, the cutting of grass, grass cuttings and vegetation removal, and the replacement of landscape vegetation, in detention and retention basins, and inlets and drainage pipes and any other stormwater facilities. It shall also provide that the property owner shall be responsible for additional maintenance and repair needs consistent with the needs and standards outlined in the BMP manual;
- D. Provide that maintenance needs must be addressed in a timely manner, on a schedule to be determined by the City Engineer; and
- E. Provide that if the property is not maintained or repaired within the prescribed schedule, the City Engineer shall perform the maintenance and repair at its expense, and bill the same to the property owner. The maintenance agreement shall also provide that the City Engineer's cost of performing the maintenance shall be a lien against the property.

17.29.170: DEDICATION. The City shall have the discretion to accept the dedication of any existing or future stormwater management facility, provided such facility meets the requirements of this chapter and includes adequate and perpetual access and sufficient areas, by easement or otherwise, for inspection and regular maintenance. Any stormwater facility accepted by the City must also meet the City's construction standards and any other standards and specifications that apply to the particular stormwater facility in question.

17.29.180: SEDIMENT AND EROSION CONTROL PLANS. The applicant must prepare a sediment and erosion control plan which meets the requirement of the state of Utah general construction permit for all construction activities that includes the following information:

- A. The sediment and erosion control plan shall accurately describe the potential for soil erosion and sedimentation problems resulting from land disturbing activity and shall explain and illustrate the measures that are to be taken to control these problems. The length and complexity of the plan is to be commensurate with the size of the project, severity of the site condition, and potential for off-site damage. The plan shall be sealed by a registered professional engineer licensed in the state of Utah. The plan shall also conform to the requirements found in the BMP manual, and shall include at least the following:

1. Project Description. Briefly describe the intended project and proposed land disturbing activity including number of units and structures to be constructed and infrastructure required;
2. A topographic map with contour intervals showing present conditions and proposed contours resulting from land disturbing activity;
3. All existing drainage ways, including intermittent and wet-weather. Include any designated floodways or floodplains;
4. A general description of existing land cover. Individual trees and shrubs do not need to be identified;
5. Stands of existing trees as they are to be preserved upon project completion, specifying their general location on the property. Differentiation shall be made between existing trees to be preserved, trees to be removed and proposed planted trees. Tree protection measures must be identified, and the diameter of the area involved must also be identified on the plan and shown to scale. Information shall be supplied concerning the proposed destruction of exceptional and historic trees in setbacks and buffer strips, where they exist. Complete landscape plans may be submitted separately. The plan must include the sequence of implementation for tree protection measures;
6. Approximate limits of proposed clearing, grading and filling;
7. Approximate flows of existing stormwater leaving any portion of the site;
8. A general description of existing soil types and characteristics and any anticipated soil erosion and sedimentation problems resulting from existing characteristics;
9. Location, size and layout of proposed stormwater and sedimentation control improvements;
10. Proposed drainage network;
11. Proposed drain or waterway sizes;
12. Approximate flows leaving site after construction and incorporating water runoff mitigation measures. The evaluation must include projected effects on property adjoining the site and on existing drainage facilities and systems. The plan must address the adequacy of outfalls from the development: when water is concentrated, what is the capacity of waterways, if any, accepting stormwater off site; and what measures, including infiltration, sheeting into buffers, etc., are going to be used to prevent the scouring of waterways and drainage areas off site, etc.;

13. The projected sequence of work represented by the grading, drainage and sedimentation and erosion control plans as related to other major items of construction, beginning with the initiation of excavation and including the construction of any sediment basins or retention facilities or any other structural BMPs;
14. Specific remediation measures to prevent erosion and sedimentation runoff. Plans shall include detailed drawings of all control measures used; stabilization measures including vegetation and non-vegetation measures, both temporary and permanent, will be detailed. Detailed construction notes and a maintenance schedule shall be included for all control measures in the plan;
15. Specific details for: the construction of rock pads, wash down pads, and settling basins for controlling erosion; road access points; eliminating or keeping soil, sediment, and debris on streets and public ways at a level acceptable to the City Engineer. Soil, sediment, and debris brought onto streets and public ways must be removed, at minimum, by the end of the work day by machine, broom or shovel. More frequent intervals may be required and directed by the City Engineer if hazards or tracking nuisances are present. Street cleaning shall be conducted in a manner as to minimize dust and airborne emissions. Failure to remove the sediment, soil or debris shall be deemed a violation of this chapter;
16. Proposed structures; location (to the extent possible) and identification of any proposed additional buildings, structures or development on the site; and
17. A description of on-site measures to be taken to recharge surface water into the groundwater system through infiltration.

17.29.190: POST-CONSTRUCTION. Before final approval of the development activity is granted by the City, in the form of a certificate of occupancy, release of development guarantees, or otherwise, the following standards apply:

- A. As-Built Plans. All applicants are required to submit actual as-built plans for any structures located on site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be sealed by a registered professional engineer licensed to practice in Utah. A final inspection by the City Engineer is required before any performance security or performance bond will be released. The City Engineer shall have the discretion to adopt provisions for a partial pro rata release of the performance security or performance bond on the completion of various stages of development. In addition, occupation permits shall not be granted until corrections to all development requirements and BMPs have been made and accepted by the City Engineer;
- B. Landscaping and Stabilization Requirements. Any area of land from which the natural vegetative cover has been either partially or wholly cleared by development activities shall be revegetated according to a schedule approved by the City Engineer. The following criteria shall apply to revegetation efforts:

1. Reseeding must be done with an annual or perennial cover crop accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until such time as the cover crop is established over 90 percent of the seeded area;
 2. Replanting with native woody and herbaceous vegetation must be accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until the plantings are established and are capable of controlling erosion;
 3. Any area of revegetation must exhibit survival of a minimum of 75 percent of the cover crop throughout the year immediately following revegetation. Revegetation must be repeated in successive years until the minimum 75 percent survival for one year is achieved; and
 4. In addition to the above requirements, a stabilization or landscaping plan must be submitted with the final design describing the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved.
- C. Inspection of Stormwater Management Facilities. Periodic inspections of facilities shall be performed as provided for in this section;
- D. Records of Installation and Maintenance Activities. Parties responsible for the operation and maintenance of a stormwater management facility shall make records of the installation of the stormwater facility, and of all maintenance and repairs to the facility, and shall retain the records for at least three years. These records shall be made available to the City Engineer during inspection of the facility and at other reasonable times upon request; and
- E. Failure to Meet or Maintain Design or Maintenance Standards. If a responsible party fails or refuses to meet the design or maintenance standards required for stormwater facilities under this chapter, the City Engineer, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the stormwater management facility becomes a danger to public safety or public health, the City Engineer shall notify in writing the party responsible for maintenance of the stormwater management facility. Upon receipt of that notice, the responsible person shall have seven days to effect maintenance and repair of the facility in an approved manner. In the event that corrective action is not undertaken within that time, the City Engineer may take necessary corrective action. The cost of any action by the City Engineer under this section shall be charged to the responsible party.

17.29.200: WAIVERS

A. **General.** Every applicant shall provide for post-construction stormwater management as required by this chapter, unless a written request is filed to waive this requirement. Requests to waive the stormwater management plan requirements shall be submitted to the City Engineer for approval.

B. Conditions for Waiver. The minimum requirements for stormwater management may be waived in whole or in part upon written request of the applicant; provided, that at least one of the following conditions applies:

1. It can be demonstrated that the proposed development is not likely to impair attainment of the objectives of this chapter;
2. Alternative minimum requirements for on-site management of stormwater discharges have been established in a stormwater management plan that has been approved by the City Engineer; or
3. Provisions are made to manage stormwater by an off-site facility. The off-site facility must be in place and designed to provide the level of stormwater control that is equal to or greater than that which would be afforded by on-site practices. Further, the facility must be operated and maintained by an entity that is legally obligated to continue the operation and maintenance of the facility.

C. Downstream Damage Prohibited. In order to receive a waiver, the applicant must demonstrate to the satisfaction of the City Engineer that the waiver will not lead to any of the following conditions downstream:

1. Deterioration of existing culverts, bridges, dams, and other structures;
2. Degradation of biological functions or habitat;
3. Accelerated streambank or streambed erosion or siltation; or
4. Increased threat of flood damage to public health, life or property.

D. Land Disturbance Permit Not to Be Issued Where Waiver Has Been Requested. No land disturbance permit shall be issued where a waiver has been requested until the waiver is granted. If no waiver is granted, the plans must be resubmitted with a stormwater management plan.

17.29.210: EXISTING LOCATIONS AND DEVELOPMENT.

A. Requirements for All Existing Locations and Developments. The following requirements shall apply to all locations and development at which land disturbing activities have occurred previous to the enactment of this chapter:

1. Denuded areas must be vegetated or covered under the standards and guidelines specified in the BMP manual and on a schedule acceptable to the City Engineer;
2. Cuts and slopes must be properly covered with appropriate vegetation and/or retaining walls constructed;

3. Drainage ways shall be properly covered in vegetation or secured with rip-rap, channel lining, etc., to prevent erosion;
4. Trash, junk, rubbish, etc., shall be cleared from drainage ways;
5. Stormwater runoff shall be controlled to the extent reasonable to prevent pollution of local waters. Such control measures may include, but are not limited to, the following:
 - a) Ponds.
 - i. Detention pond;
 - ii. Extended detention pond;
 - iii. Wet pond;
 - iv. Alternative storage measures
 - b) Constructed wetlands
 - c) Infiltration systems
 - i. Infiltration/percolation trench;
 - ii. Infiltration basin;
 - iii. Drainage (recharge) well;
 - iv. Porous pavement;
 - d) Filtering Systems
 - i. Catch basin inserts/media filter;
 - ii. Sand filter;
 - iii. Filter/absorption bed;
 - iv. Filter and buffer strips;
 - e) Open channel
 - i. Swale.

B. Requirements for Existing Problem Locations. The City Engineer shall in writing notify the owners of existing locations and developments of specific drainage, erosion or sediment problem affecting such locations and developments, and the specific actions required to correct those problems. The notice shall also specify a reasonable time for compliance.

C. Inspection of Existing Facilities. The City Engineer may, to the extent authorized by state and federal law, establish inspection programs to verify that all stormwater management facilities, including those built before as well as after the adoption of the ordinance codified in this chapter, are functioning within design limits. These inspection programs may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical

discharge to cause violations of the City's UPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other BMPs.

17.29.220: ILLICIT DISCHARGES

A. **Scope.** This section shall apply to all water generated on developed or undeveloped land and entering the City's storm sewer system.

B. **Prohibition of Illicit Discharges.** No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of stormwater. The commencement, conduct or continuance of any non-stormwater discharge to the municipal separate storm sewer system is prohibited except as described as follows:

1. Uncontaminated discharges from the following sources:
 - a) Water line flushing or other potable water sources;
 - b) Uncontaminated landscape irrigation;
 - c) Diverted stream flows;
 - d) Rising groundwater;
 - e) Groundwater infiltration to storm drains;
 - f) Uncontaminated pumped groundwater;
 - g) Foundation or footing drains;
 - h) Crawl space pumps;
 - i) Uncontaminated air conditioning condensation;
 - j) Springs;
 - k) Natural riparian habitat or wetland flows;
 - l) Swimming pools (if dechlorinated – typically less than one PPM chlorine); and
 - m) Firefighting activities.
2. Discharges specified in writing by the City Engineer as being necessary to protect public health and safety;
3. Dye testing is an allowable discharge if the City Engineer has so specified in writing;
4. The prohibition shall not apply to any non-stormwater discharge permitted under an UPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the State of Utah Division of Water Quality; provided, that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations; and provided, that written approval has been granted for any discharge to the storm drain system;

C. Prohibition of Illicit Connections.

1. The construction, use, maintenance or continued existence of illicit connections to the separate municipal storm sewer system is prohibited.
2. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

D. Reduction of Stormwater Pollutants by the Use of Best Management Practices. Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the BMPs necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid UPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

E. Notification of Spills. Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials which are resulting in, or may result in, illicit discharges or pollutants discharging into stormwater, and the municipal separate storm sewer system, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials, the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of nonhazardous materials, the person shall notify the City Engineer in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the City Engineer within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for a minimum of three years.

17.29.220: ENFORCEMENT. The City Engineer or his designees shall have the authority to issue notices of violation, stop work orders, and citations, and to pursue the civil penalties provided in this section.

A. With the issuance of a City land disturbance permit, building permit, conditional use permit or other permits issued by the City, the City Engineer shall be permitted to enter and inspect facilities subject to this chapter at all reasonable times and as often as necessary to determine compliance. Failure to comply with the terms of this chapter may result in punitive actions by Taylorsville City ordinance enforcement, by the Salt Lake Valley health department (SLVHD), Utah State Division of Water Quality or by other means identified in permits or terms set forth in development applications.

B. Notification of Violation (N.O.V.).

1. Written Notice. Whenever the City Engineer finds that any permittee or any other person discharging stormwater has violated or is violating this chapter or a permit or order issued hereunder, the City Engineer may serve upon such person written

notice of the violation. Within seven days of this notice or the time frame specified in N.O.V., an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the City Engineer. Submission of this plan in no way relieves the discharger of liability for any violations occurring before or after receipt of the notice of violation.

2. **Consent Orders.** The City Engineer is empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the noncompliance. Such orders will include specific action to be taken by the person to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to subsection (2)(a)(iv) of this section.
3. **Show Cause Hearing.** The City Engineer may order any person who violates this chapter or permit or order issued hereunder to show cause why a proposed enforcement action should not be taken. Notice shall be served on the person specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the violator show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least 10 days prior to the hearing.
4. **Compliance Order.** When the City Engineer finds that any person has violated or continues to violate this chapter or a permit or order issued hereunder, he may issue an order to the violator directing that, following a specific time period, adequate structures or devices be installed or procedures implemented and properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the construction of appropriate structures, installation of devices, self-monitoring, and management practices.
5. **Cease and Desist Orders.** When the City Engineer finds that any person has violated or continues to violate this chapter or any permit or order issued hereunder, the City Engineer may issue an order to cease and desist all such violations and direct those persons in noncompliance to:
 - a) Comply forthwith; or
 - b) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge into the City storm drain system. In the event the owner refuses to or is unable to provide measures to bring the site into compliance, the City Engineer will, at the owner's expense, take necessary remedial or preventative actions.

C. **Conflicting Standards.** Whenever there is a conflict between any standard contained in this chapter and in the BMP manual adopted by the City under this chapter, the strictest standard shall prevail.

17.29.220: PENALTIES.

A. Consistent with the provisions of UTAH CODE ANN. §19-5-115, the City declares that any person, or the officers or employees of any person, who violates stormwater ordinances or any lawful notice or order issued pursuant to the aforementioned ordinances is guilty of an infraction.

B. Any person, or the officers or employees of any person, shall be liable for any expenses incurred by the City in abating any violation of this chapter.

C. A penalty assessment or criminal conviction under this chapter shall not relieve the person assessed or convicted from civil liability for claims arising out of any act which was also a violation.

D. In assessing either a civil or a criminal penalty, the Taylorsville City judge may consider:

1. The harm done to the public health or the environment;
2. Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity;
3. The economic benefit gained by the violator;
4. The amount of effort put forth by the violator to remedy this violation;
5. Any unusual or extraordinary enforcement costs incurred by the City;
6. The amount of penalty established by ordinance or resolution for specific categories of violations; and
7. Any equities of the situation which outweigh the benefit of imposing any penalty or damage assessment.

E. In addition to the civil penalty in subsection (D) of this section, the City may recover: all damages proximately caused by the violator to the City, which may include any reasonable expenses incurred in investigating violations of, and enforcing compliance with, this chapter, or any other actual damages caused by the violation including, but not limited to, the costs of the City's maintenance of stormwater facilities when the user of such facilities fails to maintain them as required by this chapter.

F. The City may bring legal action to enjoin the continuing violation of this chapter, and the existence of any other remedy, at law or equity, shall be no defense to any such actions.

G. The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal, that one or more of the remedies set forth herein has been sought or granted.

THIS ORDINANCE, assigned Ordinance No. 19-10, shall take effect as soon as it shall be published or posted as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this _____ day of _____, 2019.

TAYLORSVILLE CITY COUNCIL

By: _____
Daniel Armstrong, Chairman

VOTING:

Meredith Harker	Yea	___	Nay	___
Ernest Burgess	Yea	___	Nay	___
Daniel Armstrong	Yea	___	Nay	___
Curt Cochran	Yea	___	Nay	___
Brad Christopherson	Yea	___	Nay	___

PRESENTED to Mayor of Taylorsville for her approval this _____ day of _____, 2019.

APPROVED this _____ day of _____, 2019.

Mayor Kristie S. Overson

ATTEST:

Cheryl Peacock Cottle, Recorder

DEPOSITED in the Recorder's office this ____ day of _____, 2019.

POSTED this ____ day of _____, 2019.