

INTRODUCED: May 14, 2018

AN ORDINANCE No. 2018-150

To amend and reordain ch. 14, art. V of the City Code by adding therein a new § 14-338, concerning notice of termination, for the purpose of terminating construction general permits from the Virginia Department of Environmental Quality upon completion of construction projects, requiring notice to developers for insufficient notice of completion of construction projects, and conforming the section to the requirements of Va. Code § 62.1-44.15:26.1.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 29 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That Chapter 14, Article V of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** section 14-338, as follows:

Sec. 14-338. Notice of termination.

(a) The Administrator shall recommend that the Department of Environmental Quality terminate coverage under the general permit within 60 days of receiving a complete notice of termination from the operator of the construction activity.

AYES: 7 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 29 2018 REJECTED: _____ STRICKEN: _____

(b) Coverage under the general permit shall be deemed to be terminated 90 days after the receipt by the Administrator of a complete notice of termination from the operator of the construction activity.

(c) If the Administrator receives a notice of termination of a general permit that he or she determines to be incomplete, the Administrator shall, within a reasonable time, inform the operator of such incompleteness and provide the operator with a detailed list itemizing the elements of information that are missing from the notice of termination of the construction activity.

§ 2. This ordinance shall be in force and effect on July 1, 2018.

APR 26 2018

4-7746

Office of the

Chief Administrative Officer



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O&R

REQUEST

DATE: April 19, 2018

EDITION: RECEIVED

TO: The Honorable Members of City Council

MAY 03 2018

THROUGH: Levar Stoney, Mayor *[Signature]*

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer *[Signature]*

OFFICE OF CITY ATTORNE

THROUGH: Robert C. Steidel, DCAO – Public Works, Public Utilities, and Facilities *[Signature]*

THROUGH: Rosemary Green, Interim Director of Public Utilities *RTG 04-23-18*

THROUGH: Jennifer Hatchett, Department of Public Utilities, Stormwater & Wastewater Administrator *[Signature]*

FROM: Jonét Prévost-White, Department of Public Utilities, Operations *[Signature]*

RE: Changes to Chapter 14, Article V

ORD. OR RES. No. _____

PURPOSE: To enact City Code section 14-338 related to the City's Stormwater Management Program.

REASON: To update the Richmond Stormwater Management Program in response to the enactment of Va. Code § 62.1-44.15:26.1.

BACKGROUND: On its effective date, July 1, 2018, Va. Code § 62.1-44.15:26.1, will require the City, as a Virginia Stormwater Management Program Authority, to recommend termination of construction general permit coverage to the Virginia Department of Environmental Quality within 60 days of notice from the developer that construction is complete. The new legislation will also require the City to notify the developer within a reasonable time if the construction-completion notice from the developer is inadequate. It bears noting that the City already performs these two duties as a matter of course. Further, Va. Code § 62.1-44.15:26.1 will prescribe that construction general permit coverage shall be deemed terminated 90 days after the City receives adequate notice from the developer that construction is complete. Such termination will affect the period for which the City may charge fees under City Code section 14-336.

RECOMMENDATION: Adopt the proposed City Code amendment to keep City Code consistent with Virginia Code.

FISCAL IMPACT / COST: None.

FISCAL IMPLICATIONS: None.

BUDGET AMENDMENT NECESSARY: No.

REVENUE TO CITY: None.

DESIRED EFFECTIVE DATE: July 1, 2018.

REQUESTED INTRODUCTION DATE: May 14, 2018

CITY COUNCIL PUBLIC HEARING DATE: May 29, 2018

REQUESTED AGENDA: Consent.

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing, and Transportation

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: N/A.

AFFECTED AGENCIES: Department of Public Utilities, Department of Planning and Development Review.

RELATIONSHIP TO EXISTING ORD. OR RES.: None.

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: Code changes

STAFF: Jonét Prévost-White, MS4 Operations Manager, 646-6964
Rosemary Green, Interim Director, Department of Public Utilities, 646-8517.