

# Stormwater Regulations Board

## ORDINANCE NO. 11496

AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 31, ARTICLE VIII, SECTIONS 31-360 THROUGH 31-365, RELATIVE TO THE STORM WATER REGULATIONS BOARD.

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SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 31, Article VII, Section 31-360 be amended by deleting the word and figure “seven (7)”, and to substitute in lieu thereof “nine (9).”

SECTION 2. BE IT FURTHER ORDAINED, That Section 31-361 be deleted and the following substituted in lieu thereof:

**Sec. 31-361. Composition; terms; filling vacancies.**

- (a) The nine (9) members of the Board shall initially be appointed by the Mayor for staggered terms of one (1) to three (3) years, subject to the approval of the City Council, with terms, after the initial appointments, being for three (3) years. Members shall not serve more than two (2) consecutive three (3) year terms. The Mayor shall appoint members with the following qualifications: environmental engineer or environmental scientist or educator; a representative of an industrial or commercial establishment that is regulated by this Article; two (2) representatives of neighborhood groups; a representative of the development community; a representative of an environmental interest or environmental organization; and a representative of the contractor community. The remaining two (2) members shall not have any particular qualifications, but to the extent practical, shall be selected to maintain diversity on the Board. All members shall serve until their successor is appointed. All members shall serve at the pleasure of the

Mayor and the City Council. In the event of a vacancy, the Mayor shall appoint a member to fill the unexpired term, subject to approval by the City Council. The Mayor shall select the Chairman, subject to approval by the City Council.

- (b) The Board shall select its own Vice-Chairman and Secretary. All officers other than the Chairman shall serve for terms of one (1) year.
- (c) If any member of the Board misses two (2) regular meetings during a calendar year without an adequate justification, they shall be notified by the Chairman they are being placed on probation. They must attend the next two (2) regularly scheduled meetings to be released from probation. If they shall fail to satisfactorily complete a probation or if they are placed on probation for a second time during a term of office, the Chairman of the Storm Water Regulations Board shall request the Mayor to dismiss the Board member and to appoint a new member approved by the City Council. If the Chairman of the Storm Water Regulations Board shall be absent from two (2) regular meetings in one (1) year without an adequate justification, the Vice-Chairman shall request the Mayor to dismiss the Chairman of the Storm Water Regulations Board and select a new Chairman to perform the duties.

SECTION 3. BE IT FURTHER ORDAINED, That Section 31-362 is amended

by adding subsections (i) through (n) as follows:

- (i) to prepare, with the assistance of the storm water management staff, a storm water program mission, goals, and objectives for a five (5) year time frame to plan for the existing NPDES permit and to plan for at least one (1) year subsequent to the anticipated renewal of a permit. The goals and objectives shall be reviewed on an annual basis and with the assistance of the staff an annual report shall be prepared in a timely manner for consideration in the annual capital budget submissions by the storm water staff.
- (j) The Board shall consider the proposed capital budget submission and recommend to the Mayor and Council any suggestion to change those priorities.

- (k) To review at least on a bi-annual basis the storm water rates and to recommend to the Mayor and City Council any changes to make them fairer and to insure that they adequately fund the storm water program.
- (l) To review and provide constructive comments to the storm water management staff relative to the development and implementation of a level of storm water service acceptable to the rate payers.
- (m) To respond to citizen complaints and petitions and to recommend an appropriate remedial action when appropriate.
- (n) To provide a report to the Mayor and City Council on an annual basis addressing such matters as programmatic direction, project review, and effectiveness of the storm water program.

SECTION 4. BE IT FURTHER ORDAINED, That Section 31-363(c) be amended by adding a new sentence following the first sentence as follows:

“The manager may elect to receive the advice of the City Attorney or designee prior to rendering a decision and may defer to the advice of the City Attorney on legal issues.”

SECTION 5. BE IT FURTHER ORDAINED, That Section 31-364(a) be amended to delete “semi-annual” and substitute in lieu thereof “quarterly” and that Section 31-364(b) be amended by deleting “four (4)” and substituting in lieu thereof “five (5)”.

SECTION 6. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage, as provided by law.

PASSED on Third and Final Reading

December 2 , 2003.

S/ \_\_\_\_\_  
CHAIRPERSON

APPROVED: X DISAPPROVED: \_\_\_\_\_

DATE: December 9 , 2003

S/ \_\_\_\_\_  
MAYOR

Reviewed By: s/ \_\_\_\_\_  
*David Eichenthal*

MAM/add

Introduced By .....  
Passed: .....  
1st reading 9-13-94  
2nd reading 9-20-94  
3rd reading 9-20-94  
Referred .....  
Indexed: .....  
Recorded: .....

ORDINANCE NO. 10111

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, ARTICLE VIII, STORM WATER MANAGEMENT, SO AS TO ADD SECTION 31-357 AND TO AMEND SECTIONS 31-310(C)(9), 31-311(B)(4), 31-354, AND 31-361.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That:

SECTION 1. Chattanooga City Code, Part II, Chapter 31, be and the same is hereby amended so as to add a new Section 31-357 to read as follows:

**Sec. 31-357. Elderly low-income or disabled homeowner exemption from fees.**

Those persons who have qualified as an elderly low-income homeowner pursuant to T.C.A. § 67-5-702 or who have qualified as a disabled homeowner pursuant to T.C.A. § 67-5-704 shall be exempt from payment of fees on that property which they use as their residence.

SECTION 2. Chattanooga City Code, Part II, Chapter 31, Section 31-310(c)(9), be and the same is hereby amended so as to add the following thereto:

Provided that this requirement may be waived in the discretion of the Manager if similar facilities are available or soon will be available in public rights-of-way or when programs implemented at the facility substantially eliminate grit and oil discharges.

10111                      9/20/94