

City of Tuscaloosa

Office of the City Engineer

Walter P. Maddox, Mayor

Joseph A. Robinson, P.E.
City Engineer

Council Members

Bobby Howard - District 1
Harrison Taylor - District 2
Cynthia Almond - District 3
Lee Garrison - District 4
Kip Tyner - District 5
Bob Lundell - District 6
William Tinker - District 7

1000 28th Avenue, Tuscaloosa, Al. 35401 (205)349-0240 Fax (205)349-0341 E-mail cchristian@tuscaloosa.com

4/2/12

Alabama Department of Environmental Management
Post Office Box 301463
Montgomery, AL 36130-1463
ATTN: Mrs. Marla Smith

RE: City of Tuscaloosa Phase II MS4
2012 Annual Report

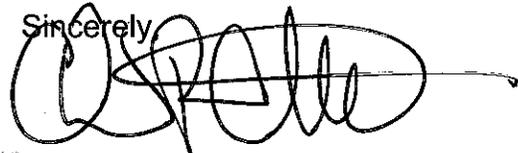
Dear Mrs. Smith:

By copy of this letter I am submitting the 2012 Annual Report for the City of Tuscaloosa MS4. I believe you will find that the Mayor and Council have made a major commitment of both manpower and financial resources to improve our stormwater program. Specifically, we have created and are currently staffing a new position titled Engineering Environmental Compliance Coordinator to implement our new Stormwater Management Plan. In addition, we are adding an additional Engineering Inspector to focus specifically on BMP inspections, enforcement, and tracking. I am including the following information:

- 1) City of Tuscaloosa Stormwater Management Plan (Final Draft)
- 2) Finance Committee Minutes – SWMP Funding (\$193,550 for fiscal 2012)
- 3) City Council Minutes – Approval of Environmental Compliance position
- 4) Environmental Compliance Coordinator job description

We are soliciting your input on the new Plan and will be submitting the draft for City Council approval in the coming weeks. Feel free to contact me with any questions or if you should need additional information.

Sincerely,



APR - 5 2012 Chad P. Christian, P.E.
Storm Drainage Engineer

mss

City of Tuscaloosa
Office of the City Engineer

Walter P. Maddox, Mayor

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City Engineer

Council Members

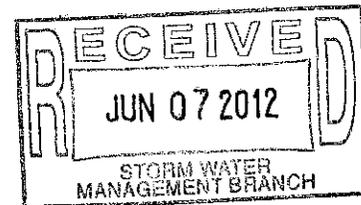
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2012 Annual Report



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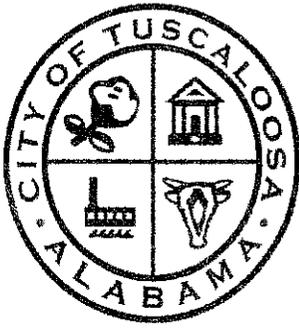
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Sincerely,

A handwritten signature in black ink, appearing to read "Chad P. Christian".

Chad P. Christian, P.E.
Storm Drainage Engineer



Council Finance Committee Meeting Minutes

Tuesday, February 28, 2012
Daugherty Conference Room 4:00 p.m.

District 1	District 2	District 3	District 4	District 5	District 6	District 7
Bobby Howard	Harrison Taylor	Cynthia Almond	Lee Garrison	Kip Tyner	Bob Lundell	William Tinker III

Committee Members Present

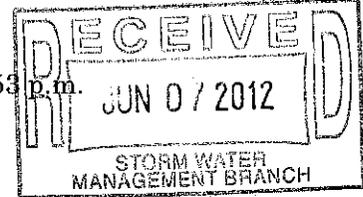
Councilmember Lee Garrison (Chairperson), Council President Harrison Taylor, Councilmember Kip Tyner

Others Present

Mayor Walter Maddox, Councilmember Cynthia Almond, Councilmember Bobby Howard, Councilmember William Tinker, Councilmember Bob Lundell, Mike Wright, Tim Nunnally, Joe Robinson, Susan Caffee, Michelle Patton, Jason Morton, Meredith Lynch, Robin Edgeworth, John McConnell, Eric Davis, Glenda Bumpus, John Brook, Chris James, Linda House and Tomika Lewis

The term "present" indicates that the individual attended at least a portion of the meeting.

Councilmember Garrison called the meeting to order at 4:53 p.m.



Item No. 1: Minutes of Previous Meeting

Councilmember Garrison asked if there were any corrections or deletions to the minutes of the previous meeting. Council President Taylor made a motion that the minutes be approved. Councilmember Tyner duly seconded the motion with Committee Members present voting "yes" the motion was approved.

NEW BUSINESS

Item No. 2: Incident Command Update

John Brook gave a brief update on two anticipated payments that IC should have before the next Finance meeting. Approved was a payment of \$981,017 for Emergency Protective Measures and third advance on a demolition for Fire. There was also an approved payment of \$135,937 that was expected yesterday for Water and Sewer Protective Measure Erosion Control.

Mr. Brook requested funds for demolition for ineligible properties. These properties were damaged by the April 15th and April 27th storms. There have been no repairs or abatement of damage. The properties are also not eligible for FEMA reimbursement because they are not in imminent danger of collapse and the owner substantially altered property after the tornado. It was anticipated that 38 properties will be ineligible of which 20 are voluntary, and 18 were involuntary with a mix of residential and commercial.

Item No. 3: Storm Expense Update

Mike Wright gave a brief update on the following accounts:

- Tornado Reimbursement Account balance of (\$126,000)
- Tornado Insurance Reimbursement Account balance exceeds \$7,000,000
- Donation Account balance of \$355,000
- Insurance Recovery Fund balance of \$1,000,000

Councilmember Tyner made a motion to approve the request. Councilmember Taylor duly seconded the motion. With committee members present voting “yes”, the matter was approved.

Councilmember Lundell exited the meeting.

Councilmember Almond exited the meeting.

Item No. 4: General Fund RFFI Changes-Close Hope-Weaver Bolden Move (\$2,000 Available)

Mike Wright recommended closing out the Hope-Weaver Bolden project with a remaining balance of \$2,000.

Councilmember Taylor made a motion to approve the request. Councilmember Tyner duly seconded the motion. With committee members present voting “yes”, the matter was approved.

Item No. 5: Wrecked TDOT Parking Control Vehicle (Other Party Had No Insurance)

Mike Wright requested \$25,000 to replace a TDOT Parking Control Vehicle (Hybrid) that was severely damaged in a car accident.

Councilmember Taylor made a motion to approve the request and add to the list of budget revisions. Councilmember Tyner duly seconded the motion. With committee members present voting “yes”, the matter was approved.

Item No. 6: Payment to Milliman for MetLife from Actuarial and Recordkeeping Services

Brian Butler requested that Mike Wright be authorized to sign a transmittal sheet to MetLife and MetLife will write a check to Milliman for the amount of \$13,340.

Councilmember Taylor made a motion to approve the request. Councilmember Tyner duly seconded the motion. With committee members present voting “yes”, the matter was approved.

Item No. 7: River Market Checking Account

Mike Wright recommended that the City establish an account with Capstone Bank for the use of the River Market.

Councilmember Taylor made a motion to approve the request. Councilmember Tyner duly seconded the motion. With committee members present voting “yes”, the matter was approved.

Item No. 8: Tuscaloosa’s Proposed Storm Water Management Plan

Joe Robinson requested a budget revision of \$193,000 to comply with Storm Water Management Plan for the remainder of the year. It was recommended that salary savings from a deceased employee and General Fund Contingencies be used.

Councilmember Taylor made a motion to approve the request. Councilmember Tyner duly seconded the motion. With committee members present voting “yes”, the matter was approved.

Councilmember Lundell entered the meeting.

Councilmember Almond entered the meeting.

Item No. 9: General Fund RFFI- Delete \$1,000 Midtown Reimbursement

Mike Wright requested to delete \$1,000 from the Midtown reimbursement.

Councilmember Taylor made a motion to approve the request. Councilmember Tyner duly seconded the motion. With committee members present voting “yes”, the matter was approved.

Item No. 10: RFFI Investments

Mike Wright recommended tabling this item until the audit was finished.

Councilmember Taylor made a motion to approve the request. Councilmember Tyner duly seconded the motion. With committee members present voting “yes”, the matter was approved.

Item No. 11: TTSC Request: \$12,500

Mike Wright stated that Don Staley submitted the following requests for funding from the Tourism Enhancement Fund:

- \$6,000: Bo Jackson Tornado Relief Bike Ride (New)
- \$2,000: Innovation Engineering Leadership Institute (Mayor Recommended)
- \$1,000: Druid City Arts Festival (Quality of Life Event)
- \$1,500: T-Town Softball Showdown (New)
- \$500: Hot Hundred Cycling Race (If successful, move to 2 day event)
- \$1,000: Southeastern Junior Golf Tournament (New-Held Last Weekend)
- \$500: US Bowling Conference (New)

\$12,500

This will be placed on suspended rules for tonight.

Mr. Wright also stated that additional lodging tax was already in place. The Council wanted an agreement with TTSC that the allocation be altered to allow funding to capital improvements, as well as, bid fees.

Councilmember Tyner made a motion to approve the request. Councilmember Taylor duly seconded the motion. With committee members present voting "yes", the matter was approved.

Councilmember Lundell exited the meeting.

Item No. 12: Approve Fence for River Market (\$5,000)

On January 17th, the Projects committee discussed the possibility of guardrails being placed on Jack Warner Parkway. Councilmember Almond stated that this was discussed in the last River Market Planning Committee meeting and staff should look into this. Tera Tubbs stated that there were guardrails currently on bid and Mr. Penick stated that OCE and TDOT would make a recommendation on what the City should use.

Mayor Maddox stated that guardrails will be placed on the south side of the Farmers Market for safety reasons. This will be budgeted out of the contingency in the River Market budget.

Councilmember Tyner made a motion to approve the request. Councilmember Taylor duly seconded the motion. With committee members present voting "yes", the matter was approved.

Adjourned

Councilmember Tyner made a motion to adjourn. Councilmember Taylor duly seconded the motion. Councilmember Garrison called the roll for a vote. All councilmembers present voted "yes"; no none. Councilmember Garrison announced the result of the vote and declared the meeting adjourned.

THE MEETING ADJOURNED AT 5:50 P.M.

Respectfully Submitted:

APPROVED: _____
Councilmember Lee Garrison
Chairperson

ATTEST: _____
Tomika R. Lewis
City Council Secretary

SYNOPSIS
TUSCALOOSA CITY COUNCIL MEETING
March 20, 2012

CONVENED: 6:00 p.m.

MEMBERS PRESENT

Mayor Walt Maddox
President Pro Tem Taylor
Councilmembers Howard, Almond, Garrison, Tyner, Lundell and Tinker

ABSENT

None

BUSINESS CONDUCTED: All votes are unanimous unless otherwise indicated.

Approved minutes of previous meeting (T/H)

Tabled 7 days the resolution declaring the property at **1612 2nd Avenue** to be a public nuisance and ordering its abatement by demolition. (A11-1067; F.15) **(tabled 2-28-12 and 2-21-12) (Ty/L; Robin Edgeworth with Incident Command stated it was staff's recommendation to table the matter for 7 days. The property owner was not present to answer questions from the Council. No one else spoke in favor of or in opposition to the demolition.)** Note: the item will next be heard on March 28.

Approved the license application for private detective and uniform security guard for Anthony Pugh. **(L/Ty; Vincent Brown with the Revenue Department gave a brief report on the proposed application. The applicant was present to answer questions from the Council.)**

Reconsidered and approved the ABC application of MICWIL Properties, LLC. for a lounge retail liquor license – class II at JD'S Spirits, 1402 Paul Bryant Drive; 35401. **(Ty/L; G-abstain)**

Approved items "a through h" on the consent agenda. **(H/A)**

- a. Authorized utility account credits; total: \$2,582.18.
- b. Authorized request for street lighting system modifications.
- c. Authorized an adjustment and refund of excess deposit to Amason & Associates for installation of water mains and services for Sigma Chi Fraternity House UA Campus; total: \$2,392.82.
- d. Declared property surplus and authorizing its disposal.
- e. Authorized change order no. 1 for McFarland Blvd. Sidewalks – Phase I. (A11-0298; Burnett Civil Contracting, LLC)

- f. Authorized change order no. 8 for Downtown Urban Renewal/Redevelopment Phase I. (A08-1163; GFC Construction, Inc.)
- g. Authorized an adjustment and refund of excess deposit to Ryan Shirley, Inc. for installation of water mains and services for Magnolia Drive Development water main extension UA Campus; total: \$28,681.33.
- h. Authorized an adjustment and refund of excess deposit to Bradley Plumbing & Heating, Inc. for installation of water mains and services for UA East Quad Energy Plant water main extension; total: \$11,513.39.

Declared the property at **302 Short 25th Avenue East** to be a public nuisance and ordered its abatement by demolition. (A11-1067) **(Ty/L; Alan Boswell with Planning and Development Services gave a brief report on the proposed demolition. Mr. Boswell stated it was his recommendation as the Chief Building Official that Council proceed with demolition of the property. The property owner was not present to answer questions from the Council. No one else spoke in favor of or in opposition to the demolition.)**

Approved Downtown/Riverfront Overlay District permit for 2128 University Boulevard. (A12-0257) **(L/Ty; John McConnell with Planning and Development Services gave a brief report on the proposed permit. The petitioner was present to answer questions from the Council.)**

Approved Downtown/Riverfront Overlay District permit for 2002 University Boulevard. (A12-0258) **(H/A; John McConnell with Planning and Development Services gave a brief report on the proposed permit. The petitioner was present to answer questions from the Council.)**

Authorized execution of Requisitions 457-459 for payment from the Series 2007A Warrant Issue; total: \$14,407.29. **(H/Ty)**

Authorized engineering and related services contract between the City of Tuscaloosa and Cabaniss Engineering, Inc. for Greensboro Avenue Drainage Improvements; total: not to exceed \$100,988.00. (A12-0197) **(H/Ty)**

Authorized application and contract for liability insurance coverage for the 2012 Tuscaloosa Air Show. (A12-0251) **(H/Ty)**

Authorized the Mayor to execute an agreement with Pyrotecnico for July 4, 2012 fireworks display; total: \$14,950.00. (A12-0286) **(L/H)**

Authorized the Mayor to execute software purchase agreement with Percussion Software, Inc.; total: \$23,326.43. (A12-0292) **(H/Ty)**

Approved job class specifications for Engineering Environmental Compliance Coordinator. (A12-0294) **(L/A)**

Authorized Amphitheater sponsorship agreement with Emergi-Care Clinic, P.C.; total: \$40,000.00. (L/A)

Authorized equipment placement agreement with Coca-Cola Refreshments. (A12-0298) (H/A)

Authorized selection of Casual Class Catering as the alcohol vendor for the Tuscaloosa River Market and Transportation Museum. (A12-0087) (L/Ty; G-abstain)

Authorized the Mayor to execute an agreement with the Westside Community Development Corporation covering administration costs for a project to develop affordable housing in West Tuscaloosa. (H/Ty)

Adopted the Fiscal 2012 resolution designating a portion of the City of Tuscaloosa's Reserve for Future Improvement Fund for certain specified public improvement projects and continuing encumbrance of unexpended reserve for future improvement funds for projects designated in prior fiscal years. (A98-0470) (H/L)

Authorized the third amendment to the engineering and related services contract for the Jemison Avenue Drainage Project; total increase: \$2,088.00. (A06-1006; Almon Associates, Inc.) (H/Ty)

Authorized amendments to the agreement with Paetec Communications, Inc., a Windstream Company to add new service locations; total per month: \$5,579.65. (A12-0304) (Ty/L)

Authorized payment to the Alabama Municipal Insurance Corporation; total: \$515.78. (11-0181, 11-0183, 11-0190) (H/L)

The Council suspended the rules of procedure. (Ty/L)

Authorized contract with TCB Security, LLC to provide security and related services at the Tuscaloosa River Market and Transportation Museum. (A12-0121) (Ty/H)

Authorized establishment of a preferred caterer list for Tuscaloosa River Market and Transportation Museum events. (A12-0240) (L/Ty; G-abstain)

The Council returned to the regular agenda.

Adopted Ordinance No. 7798 by amending Exhibits "A" and "B" of Section 19-42/19-60(a) of the Code of Tuscaloosa. (A12-0295) (introduction, Ty/L; unanimous, Ty/T)

Adopted Ordinance No. 7799 by amending Section 2-44.1 of the Code of Tuscaloosa pertaining to the Municipal Debt Policy. (A12-0301) (introduction, H/Ty; unanimous, Ty/T)

Authorized the payment of bills; total: \$54,795.33. (Ty/H)

OTHER MATTERS BROUGHT BEFORE THE COUNCIL

Mayor Maddox announced the McAllister's Deli 2012 Tuscaloosa Regional Air Show is scheduled for Saturday, March 31 and Sunday, April 1 at the Tuscaloosa Regional Airport. Gates will open at 9:00 a.m. each day. General admission and parking are free. Tickets for reserved and chalet seating are available for purchase at the Tuscaloosa Amphitheatre, Publix Supermarket on University Blvd. or by visiting Ticketmaster.com. For more information please visit the website www.tuscaloosaregionalairshow.com or call 3-1-1.

Robin Edgeworth with Incident Command informed the public that many federal and state programs utilized during the past year as a result of the April 27 tornado are coming to an end with the one year anniversary. Ms. Edgeworth asked any person need to information regarding this matter to please contact 3-1-1.

Derrick Crummie addressed the Council regarding an issue with the Tuscaloosa Police Department.

Luther Pate inquired of the Council the possibility of removing his recently acquired property from the Tuscaloosa Forward Plan.

Bill Wright thanked the Council for their assistance and leadership.

Ethel Whitt addressed the Council regarding various matters.

POLICY IMPLEMENTATION BY MAYOR:

"Subject to the exercise of mayoral veto on ordinances of a general nature or permanent operation, all applicable departments are hereby ordered to otherwise implement council policy this date enacted."

ADJOURNED 7:07 p.m. (T/H)


Debby K. Clements
Assistant City Clerk

Following each item of business are the initials of the Councilmember who introduced the item and the Councilmember who seconded the matter: H-Howard, T-Taylor, A-Almond, G-Garrison, Ty-Tyner, L-Lundell, Ti-Tinker. Only "No" votes are distinguished.

APPROVED AS TO FORM

200
Office of the City Attorney

Prepared By: JPW/rd
Requested: Admin. Cmte
Presentation on: 03/20/2012
Suspension of Rules: No

RESOLUTION

**RESOLUTION APPROVING JOB CLASS SPECIFICATIONS
FOR ENGINEERING ENVIRONMENTAL
COMPLIANCE COORDINATOR
(A12-0294)**

WHEREAS, pursuant to Alabama Act 2006-233 the Human Resources Department shall develop and submit to the City Council for approval by resolution job class specifications for all jobs in the City to be a representative of the duties, activities, and qualifications; and,

WHEREAS, the Human Resources Department has submitted the job specifications for Engineering Environmental Compliance Coordinator to the Administration Committee and the Administration Committee has recommended that the Job Class Specifications be submitted to the Council for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that the Job Classification Specifications for Engineering Environmental Compliance Coordinator dated March, 2012, Job Code 1003, is hereby approved.

FUNDING REQUIRED: Yes No

By: _____
Finance Director

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

ENGINEERING ENVIRONMENTAL COMPLIANCE COORDINATOR

SUMMARY

This is professional work at the supervisory level in planning and conducting engineering studies, projects and programs to assess the natural environment and to determine sources of and methods for controlling pollutants in water and soil. The work requires a knowledge of environmental engineering principles, practices and methods which is gained through a combination of education, training and extensive experience.

ESSENTIAL FUNCTIONS

The following duties are normal for this classification. The omission of specific duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned. Specific duties listed may not be required for all positions within this classification, but are determined by the normal requirements for the particular position.

Coordinate NPDES permits citywide to ensure compliance with State and Federal laws related to the environment. Assists City Engineer and Storm Drainage Engineer with floodplain management; assists Storm Drainage Engineer with Federal and State Stormwater Phase II compliance, including Best Management Practice (BMP) inspections and water quality testing; assists in the development and implementation of the City's Stormwater Management Plan.

Monitors and inspects construction sites, collects and analyzes water quality samples from surface and ground water.

Assists Storm Drainage Engineer in day-to-day tasks including backup as needed in the engineer's absence.

Supervises, directs and evaluates assigned staff, processing employee concerns and problems, directing work, counseling, recommending disciplinary action and completing employee performance appraisals.

Develops standard operating procedures (SOPs) including Stormwater Pollution Plan for all routine tasks or jobs performed by stormwater staff.

In conjunction with other departments, ensures all work performed by city staff or contractors on or around city infrastructure conforms to city standards and is performed safely; observes and updates SOP's to reflect changes or additional safety concerns as they arise; insures personnel are adequately trained on all safety procedures and requirements for duties required in the distribution maintenance; assists as needed in the development of Stormwater Pollution Prevention Plans (SWPPPs) for municipal operations and facilities.

Develops and/or manages proactive programs to prolong the service life and reliability of all drainage system assets.

As needed, coordinates with all city departments on environmental issues, including asbestos removal, cultural resources evaluation, wetlands delineation, and Phase I environmental audits and lake water quality protection.

Plans and organizes division projects and workload; assigns work; develops employee work schedules to provide

coverage; monitors status of work activities and performs inspections.

Manages implementation of asset management program for all storm water assets.

Directs the preparation of division reports to all agencies; receives reports, charts, blueprints, forms, correspondence, and contracts; monitors water runoff quality from sampling and testing reports/data; reviews, processes or forwards; maintains documentation for reference.

Develops policies and procedures to ensure compliance with state and federal guidelines.

Assists in preparation of intermediate annual division budgets for submission to next level of management; monitors expenditures and revises budgets as needed to conduct operations and maintenance; assists in development of capital improvements plans for distribution and collection systems based on observed needs and future requirements.

Develops long- and short-range plans and specifications for modification and repair of storm drainage assets.

Processes documentation pertaining to payroll and personnel; completes, reviews, approves and/or forwards; maintains records.

Prepares and/or completes correspondence, forms, reports, or other documents to meet local, state and federal reporting requirements

Responds to calls from the public concerning storm drainage maintenance problems, complaints, or emergency situations; dispatches service requests; investigates and trouble shoots customer complaints surrounding the municipal separate storm sewer system (MS4).

Maintains an awareness of new trends/advances in the profession; investigates and approves the use of new materials, methods and processes, in conjunction with third party professional engineers, supervisors and regulatory agencies.

Attends workshops and training sessions.

Consults with supervisors, regulatory agency personnel, the legal department, and other agency officials to review departmental operations, discuss problems, coordinate activities, develop long-term plans, provide technical expertise, and receive advice/direction.

Must be generally computer literate; must be able to use basic office software packages; must be able to utilize software to construct, modify and maintain spreadsheets (MS Excel); must be able to produce and modify documents in word processing software (MS Word); must be able to produce slide shows in software applications for presentation needs (MS Power Point); should be able to use of asset management software application (GBAMS) and geographical information systems software application (ArcMap).

Attends meetings and serves on committees.

Must accomplish the essential functions of the job, with or without reasonable accommodations, in a timely manner.

Recommends policies and procedures that guide and support the provision of quality services by the department.

Incorporates continuous quality improvement principles in day to day activities.

Must meet regular attendance requirements.

Must be able to maintain good interpersonal relationships with staff, co-workers, managers and citizens.

MARGINAL FUNCTIONS

Performs other related duties as required.

MINIMUM QUALIFICATIONS

Bachelor's degree in civil engineering or related engineering or scientific field required; two years of progressively responsible experience in stormwater operations, or related field; or any combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Supervisory experience preferred. Must possess and maintain or obtain and maintain a Floodplain Management Certification within two years of employment. Must possess and maintain a valid driver's license.

MINIMUM REQUIREMENTS TO PERFORM ESSENTIAL JOB FUNCTIONS

The following requirements are normal for this classification. Specific requirements may not apply to all positions within this classification, but are determined by the normal requirements for the particular position.

PHYSICAL REQUIREMENTS: Must be able to operate a pick-up truck and a variety of automated office equipment including a computer, calculator, copiers, fax machines, two-way radio, and telephone. Physical demand requirements are at levels of those for sedentary work.

DATA COMPREHENSION: Requires the ability to compare and/or judge the readily observable functional, structural, or compositional characteristics (whether similar to or divergent from obvious standards) of data, people, or things which may include forms, reports, blueprints, reference materials, legal documents, technical journals, procedural manuals, and operational manuals.

INTERPERSONAL COMMUNICATION: Requires the ability to speak with and/or signal people to convey or exchange environmental engineering, personnel, legal, and water utility-related information, including giving/receiving assignments and/or directions to/from co-workers, assistants, managers, or supervisors as well as communicating with regulatory personnel, city council, engineers, and the general public.

LANGUAGE ABILITY: Requires ability to read a variety of environmental engineering, personnel, legal, financial, and stormwater utility-related documentation, directions, instructions, and methods and procedures. Requires the ability to write job related documentation and reports with proper format, punctuation, spelling and grammar, using all parts of speech. Requires the ability to speak with and before others with poise, voice control, and confidence using correct English and well-modulated voice such as in public speaking situations before the city council and community groups.

INTELLIGENCE: Requires the ability to learn and understand relatively complex environmental engineering, personnel, financial, legal, and water utility-related principles and techniques, to understand departmental policies and procedures, to make independent judgments in absence of supervision, and to acquire and be able to expound on knowledge of topics related to primary occupation.

VERBAL APTITUDE: Requires the ability to record and deliver information, to explain procedures, and to follow verbal and written instructions.

NUMERICAL APTITUDE: Requires the ability to add and subtract totals, multiply and divide totals, determine percentages, determine time and weight, interpret statistical data, and utilize geometric, algebraic, and trigonometric formulas.

FORM/SPATIAL APTITUDE: Requires the ability to visually inspect items for proper length, width, and shape using job related equipment drafting instruments, calipers, and standard measuring devices.

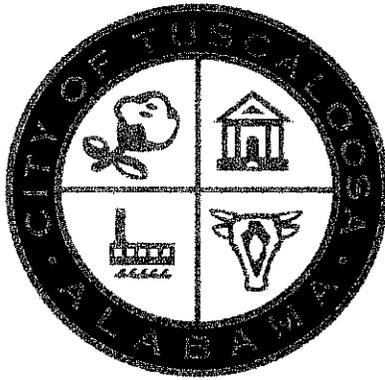
MOTOR COORDINATION: Requires the ability to coordinate hands and eyes in using automated office equipment and to operate motor vehicles.

MANUAL DEXTERITY: Requires the ability to handle a variety of items, automated office equipment, control knobs, switches, etc. Must have the ability to use one hand for twisting motion or turning motion while coordinating other hand with different activities. Must have minimal levels of eye/hand/foot coordination.

COLOR DIFFERENTIATION: May require the ability to discern color.

INTERPERSONAL TEMPERAMENT: Requires the ability to deal with and relate to people beyond giving and receiving instructions. Must be able to adapt to and perform under considerable stress when confronted with an emergency.

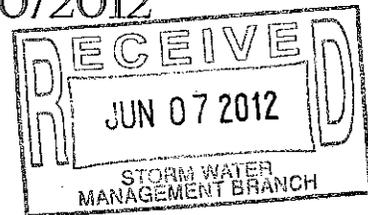
PHYSICAL COMMUNICATION: Requires the ability to talk, express, or exchange ideas by means of spoken words and/or hear and perceive nature of sounds by ear.



CITY OF TUSCALOOSA
PHASE II STORMWATER PROGRAM

STORMWATER MANAGEMENT
PLAN

ADOPTED BY CITY COUNCIL ON 04/10/2012



CITY OF TUSCALOOSA

OFFICE OF THE CITY ENGINEER

APPROVED AS TO FORM

[Signature]
Office of the City Attorney

Prepared By: THN
Requested: Projects Com.
Presentation on: 4-10-12
Suspension of Rules: no

RESOLUTION
RESOLUTION ADOPTING STORMWATER MANAGEMENT PLAN
(A10-0182)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

That the Stormwater Management Plan as presented by the Office of the City Engineer to the City Council Projects Committee is hereby adopted as the official Stormwater Management Plan of the City of Tuscaloosa. The Mayor and City Engineer are authorized to take all measures necessary to implement the Plan in accordance with law.

FUNDING REQUIRED: Yes No

By: _____
Finance Director

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous 04/10/2012
Failed _____
Tabled _____
Amended _____
Comments: _____

A. STORMWATER MANAGEMENT MISSION STATEMENT

The City of Tuscaloosa will develop and implement an efficient and effective Stormwater Management Plan (SWMP) to reduce the discharge of pollutants from the City MS4 to the maximum extent practicable. Through existing and modified local ordinances and technical standards, the City will require and promote the use of Low Impact Development/Green Infrastructure techniques for both new development and redevelopment. This guiding philosophy will effectively reduce runoff quantity and improve water quality through both a net reduction of impervious area and enhanced infiltration of stormwater discharges.

The City will inform the Public concerning the impacts of stormwater pollution and educate the Public about individual actions that can reduce contaminated discharges. The City will provide opportunities for Public input and involvement.

The City will identify and eliminate illicit discharges through a comprehensive outfall mapping and wet and dry-weather inspection program.

The City will inspect construction sites both during and after construction and enforce existing and modified ordinances to reduce or eliminate erosion and associated pollutant discharges.

The City will develop Stormwater Pollution Prevention Plans for all Municipal Operations to reduce contaminated runoff from all public streets and facilities.

The City will continuously evaluate the SWMP and modify the plan as necessary to maximize pollutant reduction and eliminate ineffective measures.

The person responsible for the implementation of the overall SWMP is as follows:

Chad P. Christian, P.E., CFM
Storm Drainage Engineer
P.O. Box 2089
Tuscaloosa, AL 35403
(205) 248-5384
cchristian@tuscaloosa.com

B. MINIMUM CONTROL MEASURES

B.1 PUBLIC EDUCATION AND OUTREACH ON STORMWATER IMPACTS

The City of Tuscaloosa will engage in a continuous Stormwater Education Campaign to educate and include the public in stormwater management. We will use a combination of a website, brochures, seminars, newspaper ads, and radio and television spots to maximize our outreach efforts. We will also tailor aspects of the campaign to reach the following target audiences:

- General Public/Homeowners
 - May contribute to pollution through littering, pet waste disposal, poor vehicle washing and maintenance practices, and improper lawn fertilization.
- Local Businesses
 - May contribute to pollution through improper use and storage of chemicals and poor parking lot maintenance practices.
- Landscapers and Property Managers
 - May contribute to pollution through improper lawn fertilization and illegal dumping of grass clippings and woody debris.
- Engineers, Planners and Review Staff
 - May reduce pollution by ensuring development plans incorporate Low Impact Design techniques at the earliest possible stage and ensure adequate BMP Plans are in place for erosion and sedimentation control.
- Contractors
 - May contribute to pollution through poor construction techniques and inadequate maintenance of structural BMPs.

The Education Campaign is intended to address all pollutants of concern:

- Nutrients (Fertilizer Usage)
- Sediment (Construction Activity)
- Pathogens (Pet Waste Disposal)
- Hydrocarbons (Vehicle Maintenance and Parking Lot Runoff)
- Metals (Vehicle Maintenance)
- Debris (Grass Clipping/Limb Disposal and Littering)

PUBLIC EDUCATION AND OUTREACH BMPs

BMP	DESCRIPTION	DUE DATE	NOTES
STORMWATER PHASE II WEBSITE	WEBSITE FOR STORMWATER INFORMATION AND COMPLAINTS	JULY 2012	PROVIDE LINKS TO ANNUAL REPORTS AND SWMP
STORMWATER EDUCATION BROCHURE	UPDATE, PRINT AND DISTRIBUTE STORMWATER EDUCATION BROCHURE	JULY 2012	USE FOR COMMUNITY MEETINGS, SEMINARS
STORMWATER SEMINARS	TARGETED EDUCATIONAL SEMINARS	BIANNUALLY	PROVIDE TRAINING SEMINARS FOR DESIGNERS, INSPECTORS AND CONTRACTORS
STORMWATER AD CAMPAIGN	RADIO, TV AND NEWSPAPER ADS	FALL 2012	HIRE PR FIRM TO DESIGN AND IMPLEMENT ADS
WEBSITE AND PHONE SURVEY	ASSESS PUBLIC AWARENESS	DECEMBER 2012	REPEAT ANNUALLY TO GAUGE SUCCESS
STORMWATER LEAFLET	WATER BILL INSERT	BINANNUALLY	MASS MAILOUT TO TARGET GENERAL PUBLIC

We plan to evaluate the success of the Public Education and Outreach program by conducting an annual website and telephone survey to track the level of public awareness of stormwater management as related to water quality improvement.

B.2 PUBLIC INVOLVEMENT AND PARTICIPATION

The City of Tuscaloosa will engage and involve the general public in the implementation and refinement of the SWMP by soliciting feedback and providing opportunities for direct action. We will attempt to reach the following target audiences:

- General Public/Homeowners
 - May contribute input through the website or 311 system and may participate directly in lake clean-ups, volunteer monitoring and storm drain stenciling.
- Local Businesses
 - May participate by sponsoring lake or stream cleanups.
- Homeowner's Associations
 - May participate by adopting a local stream segment.
- Schools
 - May participate by adopting a stream segment or stenciling storm drains.
- Watershed Organizations
 - May participate through volunteer monitoring and illicit discharge reporting.

PUBLIC INVOLVEMENT AND PARTICIPATION BMPs

BMP	DESCRIPTION	DUE DATE	NOTES
STORMWATER PHASE II WEBSITE	SOLICIT PUBLIC INPUT ON SWMP, ALLOW EASY REPORTING OF DUMPING OR ILICIT DISCHARGES	JULY 2012	PROVIDE ONLINE REGISTRATION FOR LAKE AND STREAM CLEANUPS AND DRAIN STENCILING PROGRAM
STORMWATER AD CAMPAIGN	RADIO, TV AND NEWSPAPER ADS	AS NEEDED	ADVERTISE LAKE AND STREAM CLEANUPS
VOLUNTEER MONITORING	WORK WITH WATERSHED GROUPS TO PROVIDE MONITORING ASSISTANCE	SUMMER 2012	REQUIRE ALABAMA WATERWATCH CERTIFICATION

BMP	DESCRIPTION	DUE DATE	NOTES
LAKE/STREAM CLEANUPS	ANNUAL LAKE TUSCALOOSA CLEANUP	EXISTING	GAUGE PUBLIC INTEREST AND ADD STREAM CLEANUPS AS WARRANTED
STORM DRAIN STENCILING	INSTITUTE STENCILING PROGRAM	FALL 2012	RECRUIT SCHOOL AND YOUTH GROUPS AND GENERAL PUBLIC
TUSCALOOSA 311	EXISTING SYSTEM PROVIDING "ONE CALL" ACCESS TO CITY GOVERNMENT	EXISTING	HOTLINE FOR PROVIDING SWMP INPUT OR REPORTING ILLICIT DISCHARGES

The success of the Public Involvement and Participation program will be tracked through the annual survey responses as well as a year-to-year comparison of participation levels in the lake/stream cleanup and drain stenciling programs.

B.3 ILLICIT DISCHARGE DETECTION AND ELIMINATION

The City of Tuscaloosa has implemented an illicit discharge detection and elimination (IDDE) program to identify and eliminate illicit discharges to the MS4. Moving forward, the City will strengthen and expand its IDDE program.

IDDE PROGRAM BMPs

BMP	DESCRIPTION	DUE DATE	NOTES
STORMWATER OUTFALL MAP	COMPLETE STORMWATER OUTFALL GIS LAYER (45% COMPLETE)	JANUARY 2014	INTEGRATE GPS OUTFALL MAPPING AND INSPECTION WITH GIS DATABASE

BMP	DESCRIPTION	DUE DATE	NOTES
STORMWATER PHASE II ORDINANCE	ORDINANCE FORBIDDING NON- STORMWATER DISCHARGES TO MS4	EXISTING	COPY INCLUDED IN APPENDIX. REVIEW ORDINANCE ANNUALLY
DRY WEATHER SCREENING PROGRAM	ESTABLISH GPS- BASED OUTFALL INSPECTION PROGRAM	SUMMER 2012	INTEGRATE INSPECTION DATA WITH GIS OUTFALL LAYER. SAMPLE AND TEST SUSPICIOUS DISCHARGES
BACKGROUND SAMPLING PROGRAM	SAMPLE AND TEST STREAM FLOWS WITHIN EACH WATERSHED TO DETECT POSSIBLE ILLICIT DISCHARGES	SUMMER 2012 AND ANNUALLY	HIRE OUTSIDE TESTING LAB TO PROFESSIONALLY SAMPLE AND TEST FOR POLLUTION ANNUALLY
IDDE DETECTION STRATEGY	ADOPT PROCEDURES TO IDENTIFY POTENTIAL ILLICIT DISCHARGE SOURCES	EXISTING	<i>Illicit Discharge Detection and Elimination: A Guidance Manual</i> REFERENCED IN APPENDIX

The overall success of the IDDE program will be indicated by a reduction in pollutant levels present in background samples.

B.4 CONSTRUCTION SITE STORMWATER RUNOFF CONTROL

The City of Tuscaloosa implemented a construction site stormwater runoff control program during the first permit cycle to manage construction site stormwater discharges. The City will continue to evaluate and enhance the construction site program during the current permit cycle.

CONSTRUCTION SITE STORMWATER RUNOFF CONTROL BMPs

BMP	DESCRIPTION	DUE DATE	NOTES
STORMWATER PHASE II ORDINANCE	ORDINANCE FORBIDDING NON-STORMWATER DISCHARGES TO MS4	EXISTING	COPY INCLUDED IN APPENDIX. REVIEW ORDINANCE ANNUALLY
LAND DEVELOPMENT ORDINANCE	ORDINANCE AND TECHNICAL SPECS FOR PERMITTING AND GOVERNING CONSTRUCTION ACTIVITY	EXISTING	COPY INCLUDED IN APPENDIX. REVIEW ORDINANCE AND SPECS ANNUALLY
STORMWATER SEMINARS	TARGETED EDUCATIONAL SEMINARS	BIANNUALLY	PROVIDE TRAINING SEMINARS FOR DESIGNERS, INSPECTORS AND CONTRACTORS
SITE INSPECTION PROCEDURE	ESTABLISH STANDARD PROCEDURE AND FORMS FOR CONSTRUCTION SITE INSPECTION AND PRIORITY AND SCHEDULING	SUMMER 2012	MODIFY AND ADOPT EXISTING ADEM AND EPA PROCEDURES AND FORMS. REQUIRE MONTHLY INSPECTION OF PRIORITY SITES.
DESIGN HANDBOOK	ADOPT STANDARD REQUIREMENTS FOR BMP DESIGN	EXISTING	<i>Alabama Handbook for Erosion Control...</i> SEE APPENDIX

BMP	DESCRIPTION	DUE DATE	NOTES
ENFORCEMENT STRATEGY AND TRACKING SYSTEM	ADOPT ENFORCEMENT STRATEGY WITH ESCALATING REMEDIES AND ESTABLISH RECORDKEEPING SYSTEM	SUMMER 2012	FORMS AND PROCEDURES FOR SITE INSPECTIONS AND ENFORCEMENT. RECORDKEEPING SYSTEM TO DOCUMENT VIOLATIONS AND RESPONSE
RAINFALL DATA NETWORK	ESTABLISH NETWORK OF PERMANENT WEATHER STATIONS TO COLLECT AND DISSEMINATE RAINFALL DATA	EXISTING	SHARED RAINFALL DATA THROUGH WUNDERGROUND WEBSITE HELPS DETERMINE WHEN INSPECTIONS ARE REQUIRED

The success of our construction site stormwater runoff will be proven through a reduction in erosion control complaints and a lower need for enforcement action.

B.5 POST-CONSTRUCTION STORMWATER MANAGEMENT

The City of Tuscaloosa has an established program to manage post-construction stormwater runoff from new development and redevelopment sites. The City will continue to evaluate and improve this program during the current permit cycle.

POST-CONSTRUCTION STORMWATER MANAGEMENT BMPs

BMP	DESCRIPTION	DUE DATE	NOTES
LANDSCAPE ORDINANCE	REQUIRES LID AND PROMOTES INFILTRATION	EXISTING	COPY INCLUDED IN APPENDIX. REVIEW ANNUALLY

BMP	DESCRIPTION	DUE DATE	NOTES
LAND DEVELOPMENT ORDINANCE	ESTABLISHED INSPECTION AND APPROVAL FRAMEWORK FOR POST-CONSTRUCTION BMPS	EXISTING	COPY INCLUDED IN APPENDIX. REVIEW ORDINANCE ANNUALLY
BUILDING CODE	ESTABLISHED REQUIREMENTS FOR WASTE CONTROL AT CONSTRUCTION SITES	EXISTING	REFERENCED IN APPENDIX
LOW-IMPACT DEVELOPMENT DATABASE	CREATE AND MAINTAIN A DATABASE OF NEWLY DEVELOPED AND REDEVELOPED LOCAL SITES THAT INCORPORATE LID TECHNIQUES	SUMMER 2012	PROVIDE EXAMPLES OF WATER QUALITY IMPROVEMENTS ON A LOCAL LEVEL BY DOCUMENTING EXISTING LID SITES AND LINKING TO WEB PAGE

The success of our post-construction stormwater management program will be shown through a documented reduction in impervious cover and the continued promotion of stormwater capture, infiltration, and reuse.

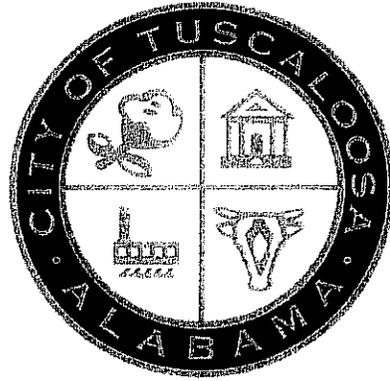
B.6 POLLUTION PREVENTION/GOOD HOUSEKEEPING

The City of Tuscaloosa will build upon existing efforts to develop and implement a comprehensive program to reduce stormwater pollution from all municipal operations.

POLLUTION PREVENTION/GOOD HOUSEKEEPING BMPs

BMP	DESCRIPTION	DUE DATE	NOTES
INVENTORY OF MUNICIPAL OPERATIONS	IDENTIFY AND INVENTORY ALL MUNICIPAL OPERATIONS THAT DISCHARGE TO THE MS4	SUMMER 2013	INCLUDES FUEL STORAGE TANKS, VEHICLE WASH RACKS, FLEET MAINTENANCE OPERATIONS, MATERIAL STOCKPILES, ETC.
POLLUTION PREVENTION PROGRAM	CREATE AND ADOPT STORMWATER POLLUTION PREVENTION PLANS (SWPPP) FOR MUNICIPAL OPERATIONS AS REQUIRED TO REDUCE POLLUTANT DISCHARGES	SUMMER 2014	IMPLEMENTED AND MONITORED BY ENVIRONMENTAL COMPLIANCE COORDINATOR
STREET SWEEPING PROGRAM	DOCUMENT THE OPERATION OF AND RESULTS FROM EXISTING STREET SWEEPING EFFORTS	SUMMER 2012	ESTABLISH PROCEDURES FOR MEASURING AND PROPERLY DISPOSING SWEEPED POLLUTANTS

The success of our pollution prevention program will be shown through the documented quantity of pollutants removed and properly landfilled and the implementation of SWPPPs for all municipal operations.



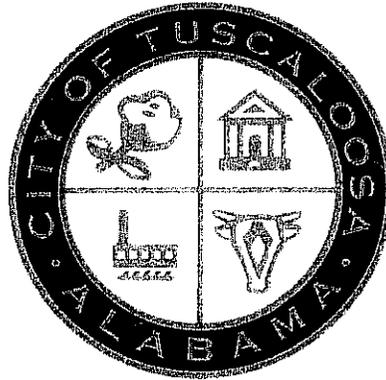
CITY OF TUSCALOOSA
PHASE II STORMWATER PROGRAM

APPENDIX



CITY OF TUSCALOOSA

OFFICE OF THE CITY ENGINEER



CITY OF TUSCALOOSA
PHASE II STORMWATER PROGRAM

STORMWATER PHASE II
ORDINANCE



CITY OF TUSCALOOSA

OFFICE OF THE CITY ENGINEER

ORDINANCE NO. 6572

AN ORDINANCE AMENDING THE CODE OF TUSCALOOSA
TO ENSURE COMPLIANCE WITH THE FEDERAL
STORM WATER PHASE II REGULATIONS
(A02-0266)

WHEREAS, the City of Tuscaloosa is required by Federal mandate to comply with the Storm Water Phase II Regulations; and

WHEREAS, in furtherance of complying with said Federal mandate, the City of Tuscaloosa is desirous of implementing an ordinance to provide for protection of its municipal separate storm sewer system or "MS4"

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

Section One. That the Code of Tuscaloosa is hereby amended by adding a new article to Chapter 21 of the Code of Tuscaloosa to be entitled "ARTICLE IX. STORM WATER PHASE II", with sections within said Article to read as follows:

"ARTICLE IX. STORM WATER PHASE II

Sec. 21-150. Preamble, Findings of Fact and Intent.

(a) The City of Tuscaloosa has for a number of years had a storm drainage and erosion control ordinance intended to provide a measure for the City of Tuscaloosa to minimize erosion and sedimentation onto City streets and rights-of-way. The existing subdivision regulations and erosion control ordinance and the associated Site Development Permit (SDP) regulations shall remain in effect and are enhanced but not superceded by this ordinance.

(b) However, as required by Phase II of the National Pollutant Discharge Elimination System (NPDES) storm water program, as published in the Federal Register on December 8, 1999 and promulgated by the Environmental Protection Agency (EPA) under the Clean Water Act (CWA), a regulated small municipal separate storm sewer system (MS4) operator must develop, implement, and enforce a storm water management program designed to reduce the discharge of pollutants from their MS4 to the "maximum extent practicable," to protect water quality and to satisfy the appropriate water quality requirements of the CWA. The rule provides for the use of narrative, rather than numeric, effluent limitations that require implementation of Best Management Practices (BMPs).

(c) Under the Storm Water Phase II Final Rule, the small MS4 storm water management program must include the following six minimum control measures, except where a statewide NPDES program exists to address that control measure:

(1) Public education and outreach - distributing educational materials and performing outreach to inform citizens about the impacts polluted storm water runoff discharges can have on water quality;

(2) Public participation / involvement - providing opportunities for citizens to participate in program development and implementation, including effectively publicizing public hearings and/or encouraging citizen representatives on a storm water management panel;

(3) Illicit discharge detection and elimination - developing and implementing a plan to detect and eliminate illicit discharges to the MS4.

(4) Construction site runoff control - developing, implementing, and enforcing an erosion and sediment control program for construction activities that disturb 1 or more acres of land or less, if part of a larger common plan or development. ADEM Administrative Code Ch. 335-6-12 implements a State-wide construction storm water regulatory program consistent with NPDES requirements for construction activities.

(5) Post-construction runoff control - developing, implementing, and enforcing a program to address discharges of post-construction storm water runoff from new development and redevelopment areas. ADEM Administrative Code Ch. 335-6-12 implements a State-wide construction storm water regulatory program consistent with NPDES requirements for post-construction activities.

(6) Pollution prevention/good housekeeping - developing and implementing a program with the goal of preventing or reducing pollutant runoff from municipal operations. The program must include municipal staff training on pollution prevention measures and techniques.

(d) As required by Phase II of the NPDES storm water program, a regulated small MS4 operator must identify its selection of BMPs and measurable goals for each minimum measure in the permit application. The evaluation and assessment of those chosen BMPs and measurable goals must be included in periodic reports to the NPDES permitting authority. The City of Tuscaloosa has prepared and submitted to ADEM a Storm Water Management Plan that addresses these elements.

(e) This ordinance is enacted to preserve, protect and promote the health, safety and welfare of the citizens of Tuscaloosa, Alabama, through the reduction, control and prevention of the discharge of pollutants to the MS4. It is the expressed intent of the City Council in enacting this ordinance to provide for and promote compliance by the City with federal and state laws governing the discharge of pollutants from the MS4 and to provide for and promote compliance with the NPDES storm water program and the terms of the City's municipal Phase II Storm Water permit. This ordinance shall be known as the "Tuscaloosa NPDES Storm Water Compliance Ordinance."

(f) Nothing herein shall be construed to require the City or its officials, employees, agents or attorneys to restore or cause the restoration of property damaged by erosion or sedimentation in violation of this article or to otherwise seek or assist others in seeking compensation to private property owners for any such damage caused by a violation of this article. The City and its officials, employees, agents and attorneys shall not be liable for any condition or damages that result from any failure to observe or recognize a hazardous condition, any failure of an approved plan to prevent erosion or sedimentation, or any failure of the City to cause owners and builders to adhere to the terms of this article. Nothing herein shall be construed to expand the liability of the City or its officials, employees, agents or attorneys nor shall it create any additional, further, different or expanded claim or cause of action.

Sec. 21-151. Definitions.

The following defined terms shall apply to this article:

ADEM shall mean the Alabama Department of Environmental Management.

AWPCA shall mean the Alabama Water Pollution Control Act, Ala. Code §§22-22-1 through §§22-22-14 (1975) and the Alabama Environmental Management Act, Ala. Code §§22-22A-1 through §§22-22A-16 (1975), both as amended, and regulations promulgated thereunder.

BMPs or *Best Management Practices* shall mean schedules of activities, prohibitions of practices, maintenance procedures and other structural and non-structural management devices implemented to prevent or reduce the discharge of pollutants to the MS4. Non-structural BMPs are strategies implemented to control storm water runoff that focus on pollution prevention such as alternative site design, zoning and ordinances, education, and good housekeeping measures. Structural BMPs are engineered devices to control, treat, or prevent storm water runoff pollution. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

City shall mean the City of Tuscaloosa, Alabama, a municipal corporation organized under the laws of the State of Alabama.

Clean Water Act or CWA shall mean the Federal Clean Water Act, 33 U.S.C. § 1251 *et seq.*, and regulations promulgated thereunder.

Construction Site shall mean land-disturbing activity associated with a development, including but not limited to, land preparation such as clearing, grading and filling; installation of streets and walkways; excavation for basements, footings, piers or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

Director of Transportation/City Engineer shall mean the Director of Transportation/City Engineer or employee(s) of the City of Tuscaloosa Department of Transportation.

Discharge or *Discharge of a pollutant* shall mean any addition of any "pollutant" to the "MS4."

EPA shall mean the Federal Environmental Protection Agency.

Illicit Discharge shall mean any discharge to the MS4 that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges from fire fighting and emergency management activities and those discharges specifically excluded in Section 21-152 Part (a)(2) of this ordinance.

MS4 (Municipal Separate Storm Sewer System) in accordance with 40 CFR 122.26(b)(8), shall mean a conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) meeting all of the following criteria:

- (1) Owned or operated by the City that discharges into waters of the United States.
- (2) Designed or used for collecting or conveying storm water; and
- (3) Which is neither a publicly owned treatment works (POTW) nor a combined sewer.

NPDES or *National Pollutant Discharge Elimination System* shall mean the State permitting program implemented under the Clean Water Act and the AWPCA.

Person shall mean any individual, partnership, syndicate, joint venture, group, firm, company, association, trust, public or private corporation, business, estate, commission, board, utility, cooperative, county, city or other political subdivision, or any entity recognized by law, or any combination of the foregoing.

Pollutant means, but is not limited to, dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended), heat, wrecked or discarded equipment, rock, sand, silt, topsoil, cellar dirt, dirt, and industrial, domestic, and agricultural waste discharged into water.

SDP or *Site Development Permit* shall mean a drawing approved and stamped by the Director of Transportation/City Engineer showing all the important physical features, both existing and proposed, of a given parcel of land and abutting the right-of-way as described in Section 21-100 Code of Tuscaloosa, Alabama.

Storm Water shall mean storm water runoff, snow melt runoff, and surface runoff and drainage.

Sec. 21-152. Illicit Discharges.

Recognizing the adverse effects that illicit discharges can have on receiving waters as well as the health, safety, and welfare of local citizens, this ordinance implements and enforces an illicit discharge detection and elimination program.

(a) Illicit Discharge Prohibitions.

(1) The illicit discharge of pollutants to the MS4 by any person is prohibited. The spilling, dumping, or disposal of materials other than storm water in such a manner as to cause the illicit discharge of pollutants to the MS4 is also prohibited.

(2) The following discharges are specifically excluded from the prohibitions of this ordinance:

- Water Line Flushing (Including Fire Hydrant Testing)
- Landscape Irrigation
- Diverted Stream Flows
- Rising Ground Waters
- Untamminated Ground Water Infiltration
- Untamminated Pumped Ground Water
- Discharges From Potable Water Sources
- Foundation Drains
- Air Conditioning Condensate
- Irrigation Water
- Springs
- Water From Crawl Space Pumps
- Footing Drains
- Lawn Watering
- Individual Residential Car Washing
- Flows From Riparian Habitats and Wetlands
- Dechlorinated Swimming Pool Discharges
- Street Wash Water
- Discharges of Flows from Fire Fighting Activities

(b) Permits.

A separate storm water permit from the City of Tuscaloosa is not required under this ordinance due to the existing ADEM NPDES Storm Water Permit Program. However, the City of Tuscaloosa expressly reserves the right to protect the MS4, ensure the health, safety, and welfare of local citizens, and to promote compliance with the terms of the City's Storm Water Phase II permit by detecting and eliminating illicit discharges. Any such illicit discharge shall be eliminated by the application and enforcement of the Code of Tuscaloosa as necessary, regardless of ADEM permit status.

(c) ADEM Notice of Registration.

Each SDP or set of subdivision plans submitted to the Director of Transportation/City Engineer for approval shall include a copy of the proposed ADEM Notice of Registration specific to the site in question.

(d) Design Requirements.

Facilities submitted for approval in the subdivision or SDP process shall be designed to reduce the discharge of pollutants to the MS4 to the "maximum extent practicable", to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act, the AWPCA and the ADEM NPDES Storm Water Permit Program. Grading, erosion control, sediment control, waterway crossings and any other necessary Best Management Practices shall meet the design criteria set forth in the most recent edition of the Alabama Handbook for Erosion Control, Sediment Control, and Storm Water Management on Construction Sites and Urban Areas.

(e) Inspection.

Inspections by the Director of Transportation/City Engineer or his representative for the purpose of identifying potential illicit discharges shall be made as part of the subdivision, site development, or building inspection process, or as the response to a citizen complaint or City Council request. Inspections to identify pollutant sources from upland areas may also be generated by the discovery and subsequent investigation and tracing of downstream pollutants in the MS4.

(f) Enforcement.

Every effort shall be made to achieve the resolution of isolated violations of this ordinance via the established subdivision, site development permit, and building inspection procedures. Repeated or gross violations of this ordinance or those violations where the aforementioned measures cannot be successfully applied shall be treated as a violation of the Code of Tuscaloosa punishable in accordance with Ala. Code §11-45-9(1989).

(g) Providing False Information and Tampering Prohibited.

It shall be unlawful for any person to provide false information to the Director of Transportation/City Engineer or anyone working under the Director of Transportation/City Engineer's supervision when such person knows or has reason to know that the information provided is false, whether such information is required by this ordinance or any approval granted under this ordinance.

(h) Existing Authorities.

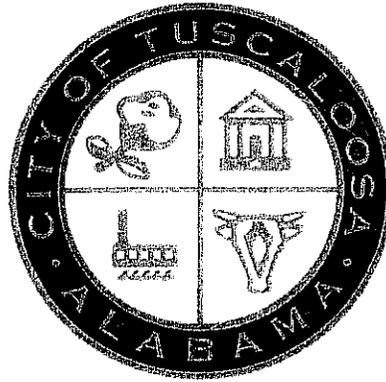
Nothing in this ordinance shall be construed to limit the existing authority of the City to enforce rules and regulations regarding: (a) charges, limits and restrictions on the discharge of waste into the sanitary sewerage system of the City (b) health or sanitation ordinances of the City enforced by the Tuscaloosa County

Health Department, or (c) ordinances governing the sanitation of premises where animals are kept. This ordinance shall be cumulative to and in furtherance of any statutory, common law, or other legal right, duty, power, or authority possessed by the City. Compliance with this ordinance shall not excuse any person from compliance with any other federal, state or local law, ordinance, regulation, rule or order.

Section Two. That the provisions of this ordinance are declared to be severable, and if any provision of this ordinance is declared unconstitutional or held invalid by a court of competent jurisdiction, this determination shall not affect, impair, or invalidate the remainder of this ordinance, but shall be confined in its operation to the section, paragraph, subparagraph, clause or phrase of this ordinance in which such determination shall have been made.

Section Three. That the provisions of this ordinance shall take effect, subject to Mayoral approval or veto.

**Adopted this the 3rd day of February 2004.
TUSCALOOSA CITY COUNCIL**



CITY OF TUSCALOOSA
PHASE II STORMWATER PROGRAM

LAND DEVELOPMENT ORDINANCE
& TECHNICAL STANDARDS



CITY OF TUSCALOOSA

OFFICE OF THE CITY ENGINEER

Adopted 05-22-07

APPROVED

City Attorney

Prepared By: _____

Requested: _____

Presentation on: _____

Suspension of Rules: _____

ORDINANCE NO. 7075

**AN ORDINANCE AMENDING CHAPTER 21 OF THE
CODE OF TUSCALOOSA REGULATING CERTAIN
LAND DEVELOPMENT ACTIVITIES
(A04-0838)**

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

SECTION ONE: That Articles III and VII of Chapter 21 of the Code of Tuscaloosa, inclusive of Sections 21-40 through 21-45 and 21-100 through 21-119 be, and the same are hereby, repealed and these sections are reserved for future use at the discretion of the City or the Editors of the Code of Tuscaloosa.

SECTION TWO: That Chapter 21 of the Code of Tuscaloosa be, and the same is hereby, amended by and through the addition of the following Article:

**“ARTICLE XII. REGULATION OF CERTAIN LAND
DEVELOPMENT ACTIVITIES**

Land Development Activities Regulations Generally

Sec. 21-210. Purpose.

The purpose of this Article is to establish minimum standards for design and construction of site grading and site and land development projects within the City of Tuscaloosa and within its police jurisdiction. These minimum standards for land development activities are intended to protect and promote the public health, safety and general welfare by requiring the developing party to achieve these goals:

- The design and construction of safe and durable streets, driveways and parking lots.
- The design and construction of adequate storm water drainage systems to reduce flooding.

- The design and construction of adequate, reliable and durable sanitary sewer systems that prevent illicit discharges.
- Preparing complete and accurate plans to enable the developing party to adequately address grading and lot issues.
- Insuring that there are adequate measures in place to control erosion and sediment and that storm water pollution is reduced and controlled through establishment and maintenance of Best Management Practices during construction and development activities.
- That appropriate measures have been taken to maintain storm water sewer systems.

Sec. 21-211. Scope.

This Article does not contain all the regulations and requirements for development activities, design and construction nor does a permit issued pursuant to the provisions hereof serve as a substitute for obtaining and complying with all other applicable City of Tuscaloosa ordinances, building and related codes, zoning restrictions, and other applicable regulations. Without limiting the generality of the foregoing development activities may also require building and related technical permits and inspections, compliance with zoning and subdivision ordinances and regulations. Municipal utilities for water and sewer require compliance with separate ordinances and policies of the Water and Sewer Department of the City.

Sec. 21-212. Definitions.

The terms as defined in Chapter 21 and Chapter 16 of the Code of Tuscaloosa shall have applicability herein except that, whenever the following terms are used in this Article they shall have the meaning respectively ascribed to them unless the context clearly indicates otherwise:

AASHTO – American Association of State Highway and Transportation Officials.

Alley - A street intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic.

Application - A form provided by and submitted to the City Engineer by a Developer desiring a Land Development Permit (LDP) to engage in Development as herein defined. An Application must be complete and properly supported with a Land Development Plan, maps, and applicable data.

Applicant - A Developer as herein defined, including Applicant or Developer's Representative, who is applying for a land Development permit pursuant to the provisions hereof.

Area - The provisions of this Article shall have applicability to all site and land development projects and activities within the corporate limits of the City of Tuscaloosa and the City of Tuscaloosa's police jurisdiction.

BMP - Best Management Practices- *BMPs* or *best management practices* shall mean schedules of activities, prohibitions of practices, maintenance procedures and other structural and nonstructural management devices implemented to prevent or reduce the discharge of pollutants off site. Nonstructural *BMPs* are strategies implemented to control stormwater runoff that focus on pollution prevention such as alternative site design, zoning and ordinances, education, and good housekeeping measures. Structural *BMPs* are engineered devices to control, treat, or prevent stormwater runoff pollution. *BMPs* also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

City Drainage Standards - The criteria, standards and specifications for the design and construction of storm drainage structures, streets and earth change issued by the City Engineer.

City Engineer - The City Engineer or his/her authorized representative.

Commercial - Pertaining to the use of any area, structure or other facility for commercial use, industrial use or for multifamily dwelling where more than four dwelling units are involved.

Contractor - A person, firm or corporation either self employed or otherwise employed by the Developer to engage in development activity or to construct, reconstruct, alter, remove or replace a driveway approach.

Corner - The point at which the prolongation of the lateral boundary lines of two roadways intersect.

Curbed Street - A street having concrete curbs or curbs and gutters or other such equivalent physical features which serve to establish a permanent street grade.

Detention - The temporary storage and controlled release of storm water runoff.

Detention facility - A facility that provides temporary storage of storm runoff and controlled release of this runoff.

Development – Any man-made or earth change to Property within the area including, but not limited to, preparation of land for the construction of buildings or other structures, mining, dredging, filling, grading, regrading, paving, clearing, excavation or drilling operations. This definition also includes changes or improvements to any property subject to these regulations such as curb and gutter, storm drainage structures, streets, drainage facilities, sidewalks, and related public or private roads and the installation of utilities. Development includes the construction or reconstruction of driveways or driveway approaches.

Developer – Any person, firm, partnership, corporation or other legal entity engaged in or seeking to engage in development activity as herein defined including a Developer that has been issued a Land Development Permit pursuant to the provisions of this Article.

Drainage facilities - Drainage facilities shall consist of storm sewers (closed conduits), improved channels, unimproved drainage ways left in their natural condition, areas covered by restricted drainage way easements for the purpose of providing overland flow and appurtenances, including inlets, manholes, junction boxes, headwalls, dissipaters, culverts, detention facilities and the like, all such facilities being either public or private.

Driveway or Driveway Approach - An area existing or to be constructed across a street, intended for the operation of automobiles and other motor vehicles, giving access between a roadway and the right-of-way line.

Driveway Land Development Permit – Permit- (DLDP) – A Land Development Permit that relates to a driveway or driveway approach.

Earth change - Any excavating, grading, regrading, land filling, berming, or diking of land or other activity upon land.

Erosion - The process in which by wind or water, soil particles are displaced and transported.

FHWA - Federal Highway Administration.

Flood - A temporary rise in the level of water which results in inundation of areas not ordinarily covered by water.

Floodplain area - The area subject to flooding as designated on the *Flood insurance rate map (FIRM)*: An official map of the City of Tuscaloosa on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the City of Tuscaloosa, where the boundaries of the areas of special flood hazard have been defined as Zone A (latest edition), and its subsequent amendments including the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot of the Area as herein defined.

Intersection

(a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two streets which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict.

(b) Where a street includes two roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided street by an intersecting street shall be regarded as a separate intersection. In the event such intersecting street also includes two roadways thirty (30) feet or more apart, then every crossing of two roadways of such streets shall be regarded as a separate intersection.

(c) The junction of an alley with a street shall not constitute an intersection.

Joint Driveway Approach - A driveway approach that provides motor vehicular access to a street for more than one parcel of land.

Land Development Permit or Permit (LDP) - A written document prepared and executed by the City Engineer or his/her designee which authorizes development in accordance with the provisions hereof and subject to any additional or specific requirements that may be stated therein. (Formerly SDP or Site Development Permit, §21-101 and §21-152).

Land Development Plan or Plan - A properly documented written plan, prepared, signed and stamped by a registered professional engineer, licensed in the State of Alabama, consisting of a completed Application with supporting documents

demonstrating that Development as herein defined will occur upon an identified parcel of land within the Area in compliance with the provisions of this chapter. The Land Development plan shall include drainage plans in compliance with City drainage standards, and compliance with Technical Specifications issued by the City Engineer. An engineering drawing showing all the important physical features both existing and proposed, of a given parcel of land and abutting the right-of-way shall also be submitted with the Application and form part of the plan. The Land Development Plan will adequately and sufficiently address in accordance with the provisions of this Article traffic, parking, storm water, sanitary sewer, erosion, use of BMPs, sanitary sewer and related components.

Lot – Parcel – Plot - Property - refers to a single undivided portion of land that is either legally recorded in the Tuscaloosa County property records, or is being proposed in good faith by well-prepared plan drawings for the purpose of being legally recorded. It is the responsibility of the property owner (or his agent) to insure that the property is legally recorded with the office of the Probate Judge.

Minimal Land Development Plan - A Land Development Plan for a parcel of land less than one acre in size or any Land Development where all required improvements are in place or there are minor earth changes. In regard to which the City Engineer may waive certain requirements and approve the Land Development Plan as he deems appropriate to meet the purposes of this Chapter.

Motor Vehicle - Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for electric personal assistive mobility devices.

MUTCD – Manual on Uniform Traffic Control Devices, Latest Edition.

Natural - The cover and topography of land before any man-made changes, or in areas where there have already been man-made modifications and development, the state of the area and topography of land at the date of the adoption of this Article.

Owner - Persons or agent with lawful title or control of a parcel of land.

OSHA – Occupational Safety and Health Administration.

Parcel – see *Lot*.

Parking - Means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

Permittee - A person or a Developer as herein defined including Developer's Representative who has been issued a Land Development or Driveway Land Development Permit pursuant to the provisions hereof.

Person - The word "person" shall include any person, corporation, firm, partnership, association, organization, contractor and/ or any group acting as a unit as well as Developers and individuals engaged in Development as herein defined in the Area. It shall also include an executor, administrator, trustee, receiver or other representative appointed according to law.

Plot - See "Lot."

Pollutants- As defined in §21-151.

Property - See "Lot."

Property line - The boundary between two (2) or more lots.

Residential - Pertaining to the use of any area, structure or other facility primarily for dwellings, up to and including four (4) units.

Right-of-way - A general term denoting public ownership or interest in land, usually in a strip which has been acquired for or devoted to the use of a street or alley.

Right-of-way Line - The boundary denoting the right-of-way limit usually between any public street or alley and one (1) or more parcels of private property.

Roadway - That portion of a street improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a street includes two (2) or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

Runoff - The water from rain or melted snow that flows over the surface.

Sanitary Sewer System – Lines, pump stations, treatment systems and any other permanent asset associated with the collection, transport, conveyance, treatment discharge of sanitary sewage or wastewater.

Sanitary Sewer System Capacity – The ability of all lines, pump stations and treatment assets in a sanitary sewer system to contain and properly treat sewage or wastewater which enters the system from any development.

Sedimentation - The deposition of eroded material.

Sedimentation facilities - Those facilities including debris basins, sedimentation traps, berms, interceptor ditches, land terraces, hay bales, and vegetation ground covers.

Sidewalk - That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, improved for use by pedestrians.

Storm Water – As defined in Section 21-151 of the City Code of Tuscaloosa.

Street – As defined by Section 21-1 of the City Code of Tuscaloosa.

Street Classification - Pertaining to the location of driveway approaches, the hierarchy of the street network as recorded on the Official Major Street Plan as is now constituted and as the same may be, from time to time, amended, recorded in the office of the Director of Community Planning and Development.

Uncurbed Street - A street not having concrete curbs, or curbs and gutters, or other such equivalent physical features which serve to establish a permanent street grade, whether paved or unpaved.

Written Order – A written directive from the City Engineer or his designee in regard to a Land Development Permit or application.

Sec. 21-213. Legal Aspects, Other Regulations.

All local, state and federal laws and regulations shall be considered when interpreting provisions of this Article or technical specifications promulgated pursuant to this Article. In each instance, the more restrictive requirement shall govern unless sound engineering judgment can determine and prove that the more restrictive requirement would be otherwise unnecessary. In most instances, laws

and regulations that are phrased more explicitly shall apply over those items that are not phrased as precisely.

Nothing herein contained shall authorize a person to engage in development or earth changes within the Area defined herein in a manner inconsistent with current zoning or subdivision regulations or other applicable codes or ordinances. All Development or earth changing activity within the Area defined herein shall be in conformity with current zoning or subdivision regulations and all other applicable codes or ordinances.

A Land Development Permit or a Driveway Development Permit does not authorize any person or Developer to engage in any activity that would violate any other applicable Code, ordinance, regulation or State or Federal laws nor substitute for obtaining any licenses or permits otherwise required.

Sec. 21-214. Language and Interpretation of Text.

The following language rules are applicable to this Article:

(a) The imperative case is always mandatory. The words "shall" and "must" are always mandatory. These actions must be performed unless sufficient engineering justification is submitted to the City Engineer and written approval has been granted.

(b) The word "should" indicates an action that is highly recommended under most conditions. The word "may" indicates an allowable action or choice that is usually beneficial in meeting the minimum City requirements.

(c) Use of the singular or plural case of a noun will not affect the applicability of this article, or any other law, regulation, or ordinance, unless the context of the sentence specifically indicates that the singular/plural case affects the intended use or function on a scientific or engineering basis. The use of a singular or plural noun does not necessarily indicate whether to design or construct a single unit or multiple units. The masculine includes the feminine.

(d) Any reference to the City Engineer shall also mean the duly authorized representatives, designees or employees under his supervision who have the delegated responsibility. Areas of delegated responsibility may include, but is not limited to: review and approval of plans, review and approval of survey plats, definition of standards or requirements, approval of special conditions, review and

issuance of permits, inspections and field investigations, enforcement actions, issuing notices of violation, conducting public meetings, etc.

Sec. 21-215. Design Objectives.

The purpose of this Article is to establish minimum requirements to be met by a Developer or persons with respect to Development and Driveway activities on property in the Area. The design objectives of the Developers Land Development Plan and Application for a Land Development Permit shall sufficiently and adequately address the following issues:

- (a) Safe and functional design of roads, streets, driveways, and parking lots.
- (b) Safe and functional design of sidewalks, walkways, trails and other pedestrian routes.
- (c) Safe and functional design of drainage inlets, culverts, pipes and open channels.
- (d) Minimize flooding, interruptions of utility service, traffic inconvenience and potential water damage to residences and businesses.
- (e) Minimize the amount of public expenditures needed for maintenance of streets and roads, flood control projects, flood relief efforts, and storm water facility maintenance.
- (f) Preservation of trees, woods, natural meadows and other green spaces as much as possible (in conjunction with allowable land uses and zoning codes).
- (g) Protect and enhance streams, wetlands, waterways and rivers for wildlife and plants by reducing storm water pollution, erosion, and negative storm water impacts.
- (h) Promote development of recreational facilities and design aesthetics along streams, waterways, wooded areas and other green ways to benefit local neighborhoods.
- (i) Protect and enhance the source of drinking water for the City of Tuscaloosa in Lake Tuscaloosa, Harris Lake and Lake Nicol.
- (j) Eliminate illicit discharges in the Area.
- (k) Protect and promote the general welfare of all citizens by achieving the goals of this Article.
- (l) Preserve and protect existing utilities and utility easements.

Sec. 21-216. Engineering Design, Accountability and Standards.

(a) The Developer shall submit with the application a Land Development Plan which shall contain details, calculations, construction specifications and other technical details and related documents which must be designed and sealed (stamped) by a professional engineer registered in the State of Alabama, with sufficient knowledge and experience to accomplish all design elements of the Land Development Plan. The Plan designs for all submitted Developments must also meet federal and state standards for use of Best Management Practices and health and safety. Trenching, scaffolding, temporary work platforms and excavations must satisfy OSHA standards. Traffic signs and signals must be designed to meet FHWA, MUTCD and AASHTO requirements. Consideration for public safety must be reflected throughout the design process of the Land Development Plan. The Plan must also locate, identify and address existing public utilities and public utility easements and what measures will be taken to insure that the integrity, access and usability of the utilities and easements by the Utility itself will be preserved. The Plan shall provide calculations and capacity planning done for the proper design and construction of the sanitary sewer system serving the development and for the downstream sanitary sewer system receiving any wastewater from the development. All sanitary sewer system designs shall meet City requirements for sanitary sewer and/or water main construction and any other special requirements added as a result of the City Engineer's review of the Plan.

(b) The design of the Development in the Plan must reflect a professional level of design expertise for storm water calculations and flooding analyses. Storm water design criteria are based upon current scientific knowledge and engineering judgment. The design should address the fact that floods and flooding may occur at any time due to any number of factors beyond the reasonable control of the City, such as: greater amounts of precipitation or different rainfall patterns than used in design storms, wet soil conditions, debris or blockage of key storm water channels, high groundwater tables, etc.

(c) All design professionals must have sufficient education and experience to perform a complete and thorough design of each element shown on the Land Development Plan, and he or she must also have complete control to change or alter plans during the design phase. The professional's stamp is a public guarantee that his/her design has the highest regard for health and safety, protects the environment (air, soil, water) to the maximum degree possible, and serves the interests of the general public within the Area.

(d) Design disclaimer: Compliance with applicable building and related codes, laws, ordinances of the City of Tuscaloosa, State of Alabama or the United States government, the use of Best Management Practices and generally accepted engineering practices is the responsibility of the design professional, the contractor and the Developer. The City of Tuscaloosa through its permitting and inspection process pursuant to this Article does not and cannot guarantee or assure that any Development activity fully complies with all such codes and laws.

Submission of applications, plans, or drawings required herein are utilized only to ascertain their existence, that they comply with obvious requirements and generally meet the goals of this Article. Plans are not reviewed by the City for compliance with all aspects of codes, ordinances or other laws or generally accepted engineering and design practices, that being the responsibility of the design professional. Inspections by the City are routine checks to determine compliance with the requirements of this Article and are not intended as a substitute for proper design or Development activity in accordance with the contract documents or all applicable code or technical provisions.

Sec. 21-217. Drainage Standards – Generally.

Without limiting the generality of a Land Development Plan (Plan) as herein defined, such a Plan submitted in support of a Permit Application shall also consist of text statements, engineering drawings, contour maps and supporting engineering calculations, as applicable to the Property covered by the plan, which are necessary to demonstrate full compliance with the requirements of these drainage standards. A Plan shall include all pertinent information required by the City Engineer and shall include but is not limited to the following elements:

- (a) An engineering hydrologic analysis of storm water runoff under existing site conditions and under proposed developed site conditions prepared by a professional engineer with expertise in hydrology.
- (b) A detailed evaluation of the projected effects on public and private property adjoining the site and on existing drainage facilities and systems both on and off the site; including evaluation of increased runoff of storm water caused by the development or earth change.
- (c) Topographic information shall extend a minimum of 200 feet beyond the property line. Topographic information from the outfall of any piped or ditched (natural or man-made) area shall extend downstream to the nearest drainage structure through which the water flows.

- (d) The location of all existing drainage channels and subsurface drainage structures.
- (e) The on-site regulatory flood elevations and the boundaries of any floodplain area.
- (f) Drainage facilities on property lying downstream of other developable vacant land shall be sized to accommodate the pass through of the 25 year post-developed or 100 year pre-developed flow, whichever is greater. It shall be assumed that the vacant property will be developed at a similar density of the proposed development.
- (g) Proposed fill or other structure elevating techniques, levees, channel modifications and detention facilities;
- (h) The location and size of all existing and proposed drainage easements and areas;
- (i) Any computer software that is used must be approved by the City Engineer prior to submitting a hydrologic study. If a computer program is not used to determine storm water run-off, the rational method shall be used.
- (j) A minimum design storm of 25 years must be used for all computations (excepting detention facilities and spillways).
- (k) Evidence that application for NPDES permit has been filed, where applicable, must be presented before a permit will be issued.
- (l) The minimum pipe size shall be fifteen (15") inches and in accordance with the specifications set out below.
- (m) Delineating and/or blue lined streams as depicted on the USGS topographic maps.
- (n) The location of all public utilities and public utility easements on the site and adjacent to the site and an evaluation of what measures will be taken to insure that the integrity, access, maintenance and usability of the utilities and easements by the public utility itself will be preserved.

Sec. 21-218. Land Development: Permit Requirement.

(a) **Generally:**

Prior to any Development on any Property in the Area, the Developer or person in charge or control thereof shall make Application to the City Engineer and obtain a Land Development Permit authorizing Development on the Property in accordance with the provisions of this Article.

All Development activity on the Property shall be under the supervision of a professional engineer or his/her designated representative employed by the person or contractor in charge or control of the site of the Development. No Development activity shall occur on any property in the Area until a Land Development Permit has been issued pursuant to the provisions hereof.

(b) ***Minimal Land Development Permit:*** On a parcel of land less than one acre in size if in the opinion of the City Engineer only minor earth changes are required or to be made, he may issue a Land Development Permit for the Property with an application supported by a Land Development Plan that does not contain all the elements, features and requirements of a Land Development Plan as otherwise required herein.

(c) **Applications for Land Development Permits**

(1) A Developer desiring to engage in Development as herein defined in the Area shall make application for a Land Development Permit to the City Engineer on a form provided for that purpose. The Application shall be complete, signed and provide all information required. The Application shall be supported and have attached thereto a Land Development Plan as herein defined and contain all information and meet all requirements of this Article. A complete application shall be submitted at least thirty (30) days prior to any planned Development activity. An Application will not be considered complete if any aspect of the Land Development Plan or any supporting documents are not deemed sufficient by the City Engineer or require further substantiation, revision or detail from the Applicant.

(2) The City Engineer will endeavor, within thirty (30) working days after receipt of a completed Application for a Land Development Permit, to approve, disapprove or request further information or clarification in regard to an Application. If an Application is disapproved, the Applicant will be advised, either verbally or in writing, and the reasons there for. If further information is needed, the City Engineer will specify the kind of additional information required. Within ten (10) working days after receipt of such additional information, if the same results in a completed Application, a final decision shall be made by the City Engineer to approve or disapprove the Application.

(3) Provided; however, the failure of the City Engineer to approve, disapprove or request further information in regard to any Application for Land

Development Permit shall not be construed as an approval thereof nor constitute a waiver of any requirement of this Article.

(d) Land Development Permit Required:

It shall be unlawful for any Person to engage in Development of any Property in the Area without having a Land Development Permit issued pursuant to the provisions of this Article unless otherwise exempt. It shall be unlawful for any Developer to engage in Development activity in the Area in a manner that is in violation of the terms and conditions of a Land Development Permit or the provisions of this Article.

(e) Land Development Permits are not required for:

- (1) Emergency repairs of a temporary nature made on public or private property which are necessary for the preservation of life, health or property and which are made under such circumstances where it would be impossible or impracticable to obtain a Land Development Permit.
- (2) Temporary excavation for the purpose of installing, maintaining, or repairing any public street, public utility facility or any utility service lines.
- (3) Agricultural activities.
- (4) Any subdivision or Planned Unit Development having received final Plat approval in accordance with applicable subdivision regulations, zoning ordinances and approved by the City Engineer.
- (5) Driveways or Driveway Approaches.
- (6) Modifications, alterations or additions to an existing single family dwelling.
- (7) Development activity on a lot for a single family dwelling unit if the lot is not within a Flood Hazard Area.

(f) Relocation of Utilities a condition of Permit.

It shall be a condition of all *Land Development Permit or Permit (LDP) or Driveway Land Development Permit – Permit- (DLDP)* that the Person and/or Permittee shall relocate and/re-establish all public utilities or public facilities including water, sewer, drainage structures, gas, electricity, CATV cable, publicly owned facilities including fiber cable, streets, sidewalks, curbs, gutters, traffic

signals or traffic control devices in accordance with the relevant owner's requirements and specifications at the person's or Permittee's own expense.

Sec. 21-219. Driveway Land Development: Permit Requirement.

(a) Permit Required. It shall be unlawful for any person to construct, reconstruct, alter, remove or replace any Driveway Approach, or any curb, guttering or sidewalk in connection therewith or to cause said work to be performed on any street or right of way within the corporate limits of the City without first applying for and receiving a Driveway Land Development Permit.

(b) Application for Driveway Land Development Permit. Any person desiring to construct, reconstruct, alter, remove or replace any Driveway Approach, or any curb, guttering or sidewalk in connection therewith or to cause said work to be performed on any street or right of way within the corporate limits of the City shall make application for a Driveway Land Development Permit (DLDP). The application shall contain such site, location and condition information as the City Engineer shall deem necessary or desirable in order to determine whether or not the application is acceptable and in conformity with the provisions of this Article. The application shall include a location/condition diagram, to be completed by the applicant, which shall depict the specific application of the standards and regulations of this Article. Unless the application is made by the owner of the property, authorized representative or contractor, no permit shall be issued for the work. Each applicant for such a permit shall certify as to their respective capacity to make application for such a permit. As a condition for the issuance of the permit, the applicant shall agree to indemnify and hold harmless the City, its employees and agents from any liability to person or property resulting from any act or omission of applicant in performing the work.

(c) Pre Approved Permits. Driveway Approaches serving single-family residential lots in platted Subdivisions and PUDs are deemed pre approved as a DLDP once the City Engineer has approved the Subdivision Plat or PUD plan. Provided; however, such pre approval of a DLDP shall not apply to certain Lots in a Subdivision or a PUD, if the City Engineer has indicated in regard to the same, either there on or by separate document, that a separate individualized DLDP is required for said lot due to potential access concerns. The Building Official of the City shall not issue a building permit for a structure on any lot in a Subdivision or PUD in regard to which the City Engineer has made such an indication of the requirement for a separate DLDP.

(d) Maintenance of Driveway Approach. As a further condition for the issuance of a DLDP, the owner of the property shall agree that all maintenance of said Driveway Approach shall be the owner's responsibility or his successors, heirs and assigns. The City Engineer may, by written notice to the owner, require maintenance of a Driveway Approach when he determines that said Driveway Approach fails to comply with any applicable municipal ordinances or regulations or poses a danger to the public. The owner shall obtain a DLDP as required herein and promptly perform maintenance work required by the order. As a condition of issuing a DLDP, the owner, his successors, heirs or assigns shall agree to indemnify and hold harmless the City, its employees and agents from all liability to property or persons resulting from the owner, his successors, heirs or assigns failing to maintain the driveway approach.

(e) State Highway System. Permits granted by the Alabama Department of Transportation for any driveway approach work on any highway maintained by the State of Alabama within the corporate limits shall be subject to approval of the City Engineer in accordance with the terms and conditions herein but consistent with State regulations.

(f) Existing Driveway Approaches. Whenever the City Engineer shall find that an existing driveway approach was constructed contrary to the standards which were required at the time the driveway approach was constructed or presents a hazard to the public or to persons traveling upon the abutting roadway, the same is hereby declared to be a public nuisance and he may, by written order, direct that:

1. The owner of the property which such driveway approach serves to remove the driveway approach and restore the curb or,
2. Alter the driveway approach if it might thereby be corrected to comply with the present ordinance or,
3. The driveway approach be relocated to safely serve the parcel of land or,
4. The driveway approach be reconstructed so as to minimize the hazard to persons traveling upon the abutting roadway,
5. Request the Chief Building Official initiate demolition proceedings pursuant to Ala. Code §11-53B-1, et seq. (1975).

The written order shall set forth the reasons for its issuance and shall advise the owner as to the nature of the work he should perform, giving not less than thirty (30) nor more than sixty (60) days time for the completion thereof.

(g) **Removal of Abandoned Driveway Approaches.** Whenever a driveway approach has been abandoned, either by closing the entrance to the property served or by changing the use of the property served so that the driveway approach is no longer necessary or usable, it shall be the duty of the owner of the property served by said approach to remove the driveway approach, restore sidewalk, curb, gutter and street to the line and grade of the adjoining sidewalk, curb, gutter and street within thirty (30) days after receiving a written order for removal from the City Engineer.

(h) Any written order required or given under the provisions of this Section may be served on the owner of record or the person to whom the permit was issued by personally delivering a copy thereof to such person or by mailing a copy thereof certified registered mail to the owner's last known address; and if there should be more than one owner, then by such service upon each of them. In the event the owner is unknown, or his whereabouts unknown, the City Engineer shall post the order on the parcel of land where the violation occurs or where the driveway approach is to be removed or altered. Should the owner of the abutting property fail to perform the work specified in the order within the time specified therein, the City Engineer may cause the work required in these orders to be performed and seek reimbursement for all such cost.

Sec. 21-220. Waiver of Certain Technical Specifications.

In the issuance of Driveway or Land Development Permits pursuant to and as required by this Article, the City Engineer shall issue the same based upon applications which are in compliance with the requirements of this Article but, while substantively in compliance, are not fully or strictly in compliance with all the rules, regulations and technical specifications promulgated by the City Engineer for such Permits when:

- (1) It is necessary to implement the purposes of this Article;
- (2) Conditions exist which were not accounted for or adequately addressed by said standard plans, specifications, and rules and regulations; and
- (3) The deviation or variance is not substantive and is noted on the permit along with the reasons therefore.

Sec. 21-221. Erosion Control Required Generally.

Notwithstanding the requirements of a Permit or DLDP pursuant to the provisions of this Article, any person causing Development, an earth change or constructing or reconstructing a Driveway Approach on any property, regardless of size, within the applicable Area shall take erosion control measures utilizing Best Management Practices to provide for sedimentation facilities to prevent erosion and/or sedimentation in or upon City streets, rights-of-way, City storm drainage facilities or easements, public water reservoirs, creeks, rivers and streams and/or property of others.

Sec. 21-222. Inspections.

The City Engineer may inspect any work on a Driveway Approach or Development activity or any work in connection therewith pursuant to a Permit issued in accordance with this Article to determine that such activities are in accordance with the provisions of this Article; except that when DLDPs were pre-approved by the City Engineer in single-family residential subdivisions, the Building Official or his designated representative shall be responsible for providing the required inspections. Such pre-approved DLDPs shall be constructed and ready for inspection at the same time as the structure's "final inspection" required before the issuance of a certificate of occupancy by the Building Official.

Sec. 21-223. Enforcement and Penalties.

(a) If at any time Development occurs on any Property in the Area or construction of a Driveway Approach not consistent with the requirements of the Permit or the provisions of this Article, a written notice to comply may be given by the City Engineer stating the nature and location of the alleged noncompliance and specifying what remedial steps are necessary to bring the matter into compliance and at the option of the City Engineer ordering that all Development activity or construction or reconstruction of Driveway Approaches cease. The notice of noncompliance shall be issued to the Developer that obtained the Land Development Permit.

It shall be unlawful for a person or Developer to continue to engage in Development or construction or reconstruction of Driveway Approaches after the issuance of a cease work order by the City Engineer or for the person or Developer to fail or refuse to take the remedial measures necessary to bring the activity into compliance within the time required. In addition, the City Engineer may request

the Office of the City Attorney pursue civil sanctions and remedies against the Developer.

(b) Any person or Developer who shall engage in Development activity or construct or reconstruct any Driveway Approach in violation of the provisions of this Article or technical requirements promulgated by the City Engineer and adopted by reference herein or who shall refuse to obey any lawful order given by the City Engineer in relation thereto shall be guilty of a misdemeanor punishable pursuant to Section 1-8 of the City Code.

(c) It shall be unlawful for any person, property owner or Developer to allow or permit the accumulation or discharge of dirt, silt, mud, debris, sedimentation or earth materials (sediment or sedimentation) onto property of others, City streets, rights-of-way and/or City storm drainage easements or facilities, public water reservoirs, creeks, rivers and streams due to the failure to provide or maintain adequate sedimentation or erosion control facilities.

(d) It shall be unlawful for any person, property owner or Developer to engage in earth moving or grading activity or any other development activity that in any manner impairs, impedes or interferes with the operation or maintenance of public utilities or public utility easements or to allow or permit the accumulation or discharge of dirt, silt, mud, debris, sedimentation or earth materials (sediment or sedimentation) over or upon public utilities or public utility easements in such a manner as to impair, impede or interfere with the operation or maintenance of a public utility or public utility easement.

(e) It shall be unlawful for any person, property owner, Permittee or Developer to fail to relocate and/re-establish all public utilities or public facilities including water, sewer, drainage structures, gas, electricity, CATV cable, publicly owned facilities including fiber cable, streets, sidewalks, curbs, gutters, traffic signals or traffic control devices in accordance with the relevant owners requirements and specifications.

(f) In addition to any criminal or civil action the City may take in regard to such prohibited activities, any person, Developer or property owner who fails to comply with the erosion control requirements of this Article or allows sedimentation, erosion and/or siltation to occur on City streets, rights-of-way, public water reservoirs, creeks, rivers and streams and/or City storm drainage easements or facilities will be in violation of the this Article and the City Engineer may give said Developer, person or property owner written notice to remove any

sedimentation within a stated number of days. If any Developer, person or property owner fails to remove said sedimentation and restore said City streets or rights-of-way, public water reservoirs, creeks, rivers and streams after such written notice is provided by the City Engineer, the City may take action to remove said sedimentation and restore said streets or rights-of-way, public water reservoirs, creeks, rivers and streams and require said Developer, person or property owner to pay all cost of said removal and restoration. Emergency situations may require immediate cleanup (without notice to the person or property owner) and the City Engineer may direct that City crews remediate the sedimentation and invoice the person or property owner.

Sec. 21-224. Technical Specifications.

The City Engineer is hereby authorized and directed to develop and promulgate all necessary rules and regulations of technical specifications and design criteria relating to any permit authorized to be issued by this Article and not in conflict with any term or condition of this Article and to cause the same to be printed in book or pamphlet form for adoption by the City Council in accordance with Ala. Code §11-45-8(c) (1975).

Sec. 21-225 through 21-235 reserved.”

FUNDING REQUIRED: Yes No

By: _____
Finance Director

COUNCIL ACTION

Resolution _____

Ordinance _____

Introduced 05-22-07

Passed _____

2nd Reading _____

Unanimous 05-22-07

Failed _____

Tabled _____

Amended _____

Comments: _____

Chapter 2

Storm Drainage Technical Standards

Drainage Standards – Technical

Pipe Requirements:

- A. All pipes will be reinforced concrete, corrugated aluminum or aluminized steel, type II meeting AASHTO specifications.
- B. All joints in any piped section must be properly belled and mortared or rubber gasketed (for concrete) or wrapped and banded (for metal pipe).
- C. All curb inlets shall be ALDOT single or double wing “S” type inlets unless the submitting engineer demonstrates to the satisfaction of the City Engineer that a modification of “s” inlet design is necessary.

Easements: All storm drainage easements that are required to be dedicated to the City of Tuscaloosa must be accepted by the City and will be a minimum of 20 feet wide. Access easements to the storm drainage easement must be a minimum 20 feet wide and be approximately 300 feet apart. Storm drainage easements and access easements will be kept clear of any buildings, fences, trees, shrubs or any other structure or hindrance. Before acceptance by the City, all easements must allow travel upon and to the drainage infrastructure from a public right of way.

Ditches:

- A. All ditches must have a stand of grass established, or be rip rap lined or be concrete lined in accordance with velocities specified below.
- B. Ditches lined with rip-rap will be lined with erosion control matting and the rocks placed at a maximum of a 2 to 1 slope (not steeper than 2:1).
- C. Ditches that are not rip-rap or concrete lined will be sloped at a maximum of 4 to 1 (not steeper than 4:1).

Velocity Requirements:

- A. Minimum velocity for piped and open channel flow structures is two feet per second (2 fps).
- B. Maximum velocity for metal pipe is ten feet per second (10 fps). There is no maximum velocity for concrete pipe.
- C. Maximum velocity for rip rap cross-sections is dependent on the average size of stone. The maximum velocity is fourteen and one half feet per second (14.5 fps). The latest edition of the National Stone Association guidelines must be used to determine stone sizes for velocities less than 14.5 fps.

- D. Maximum velocities for open channel flow are dependent on the ground cover used. The maximum velocity is six feet per second (6 fps) for Bermuda grass. The latest edition of the Design Charts for Open Channel Flow (Federal Highway Administration HD3) will be used to determine the maximum velocity for different grasses.

Detention Facilities:

- A. Detention facilities shall be considered to consist of the area within the maximum design ponding limits, the dam (if utilized), including all embankment slopes and wall footings (if applicable), the primary and emergency spillways and other provisions intended for the control of storm water run-off.
- B. Detention facilities shall be designed and located to promote interception of run-off from the proposed land use.
- C. Detention facilities shall be designed and constructed in conformance with all local, state and federal regulations including but not limited to Section 6-11 of the Code of Tuscaloosa entitled "Construction specifications and permits for dams or the impoundment of waters".
- D. Detention facilities may be constructed within recreation areas if title to the area is to be held by a property owners association, homeowners association or private entity and the design will not interfere with the intended use of the area.
- E. Detention facilities will be required to have fences, railings, walls, bolt down lids or other structures to limit access. The City Engineer may consider a waiver of this requirement upon written request from the developer.
- F. Detention facilities may be incorporated into lake or pond designs. All such facilities shall be designed and constructed in conformity with applicable city, state and federal regulations.
- G. Plans for detention facilities shall be prepared showing existing and proposed contours (basin type facilities) with a contour interval not greater than two feet. The plans shall include sufficient information indicating positive drainage (dry basins), top of wall or dam to insure adequate freeboard for the 100 year peak stage (minimum one foot), width of dam crest, limits of ponding, maximum ponding elevation, location of facility with respect to property lines, public rights-of-way, easements, and details of the outlet device, dam or wall and other provisions needed to insure the safe, proper and continued function of the facility. Peak flows of existing conditions must be determined for storms of two (2) years, ten (10) years and a hundred (100) year return frequency. The submitting engineer must demonstrate that after the development, the detention basin will not permit outflows in excess of existing peak outflows for the corresponding return frequency. The Rational Method cannot be used to size detention facilities. A design methodology that generates a peak volume must be utilized.
- H. Parking lot detention areas shall be located so as to restrict ponding to areas other than parking spaces near buildings and to not encroach upon entrance/exit drives. The maximum depth of detention ponding in a parking lot, except at a flow control structure, shall be six (6) inches for a 25 year storm and nine (9) inches for a 100

year storm. In truck parking areas, the maximum depth of ponding shall be twelve (12) inches for the 25 year storm. Detention ponding areas are to be drained within 30 minutes after the peak inflow occurs.

- I. If the outlet device utilizes a low flow orifice opening, a trash rack protecting the orifice from blockage from debris may be required.
- J. It shall be unlawful to allow a permitted detention facility to function improperly.

Design Requirements for Best Management Practices (BMP's)

A. Facilities shall be designed to reduce the discharge of pollutants to the Municipal Separate Storm Sewer System (MS4) to the "maximum extent practicable" to protect water quality and to satisfy the appropriate water quality requirements of the Clean Water Act. Grading, erosion control practices, sediment control practices, and waterway crossings shall be adequate to prevent transportation of sediment from the site to the satisfaction of the City Engineer. BMP's shall meet the requirements of the latest erosion control ordinance and storm water ordinance.

B. Clearing and Grading.

(1) Clearing techniques that retain natural vegetation and retain natural drainage patterns are encouraged as part of a well designed BMP Plan.

(2) Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.

(3) Cut and fill slopes shall be no greater than 3:1, except as approved by the City Engineer to meet other community or environmental objectives.

C. Erosion Control

(1) Soil must be stabilized within fourteen (14) days of clearing or inactivity during construction.

(2) If vegetative erosion control methods, such as seeding, have not become established within two weeks, the City Engineer may require that the site be reseeded, or that a non-vegetative erosion control option be employed.

(3) On steep slopes or in drainage ways, special techniques that meet the design criteria outlined in this Manual shall be used to ensure stabilization.

(4) Soil stockpiles must be stabilized or covered at the end of each work day.

(5) Techniques shall be employed to prevent the blowing of dust or sediment from the site.

(6) Techniques that divert upland runoff past disturbed slopes shall be employed.

D. Sediment Controls

(1) Sediment controls shall be provided in the form of settling basins or sediment traps or tanks, and perimeter controls.

(2) Where possible, settling basins shall be designed in a manner that allows adaptation to provide long term storm water management.

(3) Adjacent properties shall be protected by the use of a vegetated buffer strip, in combination with perimeter controls.

E. Waterways and Watercourses

(1) When a wet watercourse must be crossed regularly during construction, a temporary stream crossing shall be provided, and an approval obtained from the appropriate agency.

(2) When in-channel work is conducted, the channel shall be stabilized before, during and after work.

(3) All on-site storm water conveyance channels shall be designed according to the criteria outlined in this Technical Manual.

(4) Stabilization adequate to prevent erosion must be provided at the outlets of all pipes and paved channels.

(5) The preservation or establishment of permanent vegetated buffer strips along natural watercourses is strongly encouraged.

F. Construction Site Access

(1) A properly designed construction entrance shall be provided at all sites.

(2) Other measures may be required at the discretion of the City Engineer in order to ensure that sediment is not tracked onto public streets by construction vehicles or washed into storm drains.

Erosion Control for the Drainage Plan:

A. Sedimentation facilities shall be installed in conjunction with the initial earth change operations and be maintained throughout the development and construction process and until the ground is stabilized to remove sediment from runoff waters draining land under development. These facilities shall be maintained by the developer, property owner and/or contractor to assure

functional operation during all phases of construction with periodic maintenance activities.

- B. Land which has been cleared and upon which construction has not commenced within two weeks (14 days) of the initial clearing, shall be protected from erosion and consequent sedimentation by appropriate vegetation and land covering techniques such as seeding, sodding, ground cover installation or other vegetative or earth covering techniques as approved.
- C. No earth change shall cause any sedimentation to be placed in or upon any public right of way, easement, natural waterways or their floodplains.

Other Design and Construction Standards: Refer to City of Tuscaloosa Erosion Control and City of Tuscaloosa Storm Water Ordinance for additional requirements.

Inspection During and After Construction: The City Engineer may inspect the construction of the drainage facilities.

Exemptions: The above provisions hereof shall not be required for the following activities:

- A. Emergency repairs of a temporary nature made on public or private property which are necessary for the preservation of life, health or property and which are made under such circumstances where it would be impossible or impracticable to provide a drainage plan.
- B. Temporary excavation for the purpose of installing, maintaining or repairing any public street, public utility facility or any utility service lines.
- C. Agricultural activities

Chapter 3

Driveway Technical Standards

General Requirements and Regulations Governing All Driveway Approaches

A. No new curb shall be built or any existing curb removed for a driveway approach except in conformity with the requirements of this Chapter.

B. There shall be no curb opening for the purpose of motor vehicular access to abutting property on the radius or curved portion of the curb at any curbed street intersection or alley junction nor shall there be motor vehicular access to abutting property on the curved portion of the roadway at any uncurbed street intersection or alley junction.

C. Removal of existing curb and/or gutter shall be achieved only by use of one of the following procedures:

1. Vertical saw cut at the points where driveway approach radii intersect the street curb line; also, vertical saw cut along the gutter invert and parallel to the curb when only curb removal is required. The depth of the cut shall be sufficient to achieve a clean, uniform break.
2. Removal to the first joint beyond the points where driveway approach radii intersect the street curb line and repouring this tangent curb and gutter during construction of the driveway approach.

D. Removal of existing sidewalk shall be achieved only by perpendicular saw cut at the points where warping/ramping of the sidewalk to meet drainage/handicapped requirements return to original grade or the sidewalk removed and repoured to the first joint beyond these return to grade points.

E. During construction, reconstruction, alterations, removal or replacement of driveway approaches, including the cutting of curbs and/or gutters, warning signs, lights and barricades and other necessary similar devices shall be placed and maintained by the permittee in accordance with the standards of the latest edition of the Federal Manual On Uniform Traffic-Control Devices or as the City Engineer may direct.

F. No driveway approach shall be permitted which will interfere with any existing traffic-control devices, plantings, cables, poles, guys, water lines, gas lines or other public utilities when a relocation of the proposed driveway approach can be made in conformance with the provisions of this Chapter. When relocation cannot be made and the City Engineer determines that the desired location of the driveway approach is such that it may interfere with any of the items listed above, the permittee shall pay for the cost of relocating said item. No part

of any driveway approach may be located within four (4) feet of a curb inlet or located within two (2) feet of an above ground utility structure. It shall be the responsibility of the applicant to inform the City Engineer, or his designated representative, that the proposed construction will interfere with one or more of the facilities indicated above.

G. The completed permit application shall contain an anticipated date work is to commence. If work is not completed within six (6) months from the date of issuance, the permit shall become void. All work shall be completed within sixty (60) days from the day it commences with provision for one extension not to exceed thirty (30) days with the approval of the City Engineer.

H. No driveway approach shall be permitted which allows gutter storm water to be diverted from said gutter and flow onto the parcel of land to be served by the driveway approach. No driveway approach surface shall be used to direct storm water runoff onto the street from parcels of land containing a sum of one (1) or more acres of impervious surfaces in the watershed contributing to the said storm water runoff.

I. Joint driveway approaches shall be permitted only if there is a perpetual mutual access agreement approved by the City Attorney and filed of record in the Tuscaloosa County Probate Office. A copy of the recorded agreement shall be attached to the application.

J. It shall be the duty of the permittee, after all work has been completed, to remove all rubbish, waste and excess materials and to restore immediately the street area to a neat, clean and safe condition.

K. Median openings may not be permitted on any street where a three hundred (300) feet minimum spacing between existing and proposed openings cannot be achieved. The location and design of all median openings and/or associated turn lanes shall be approved by the City Engineer.

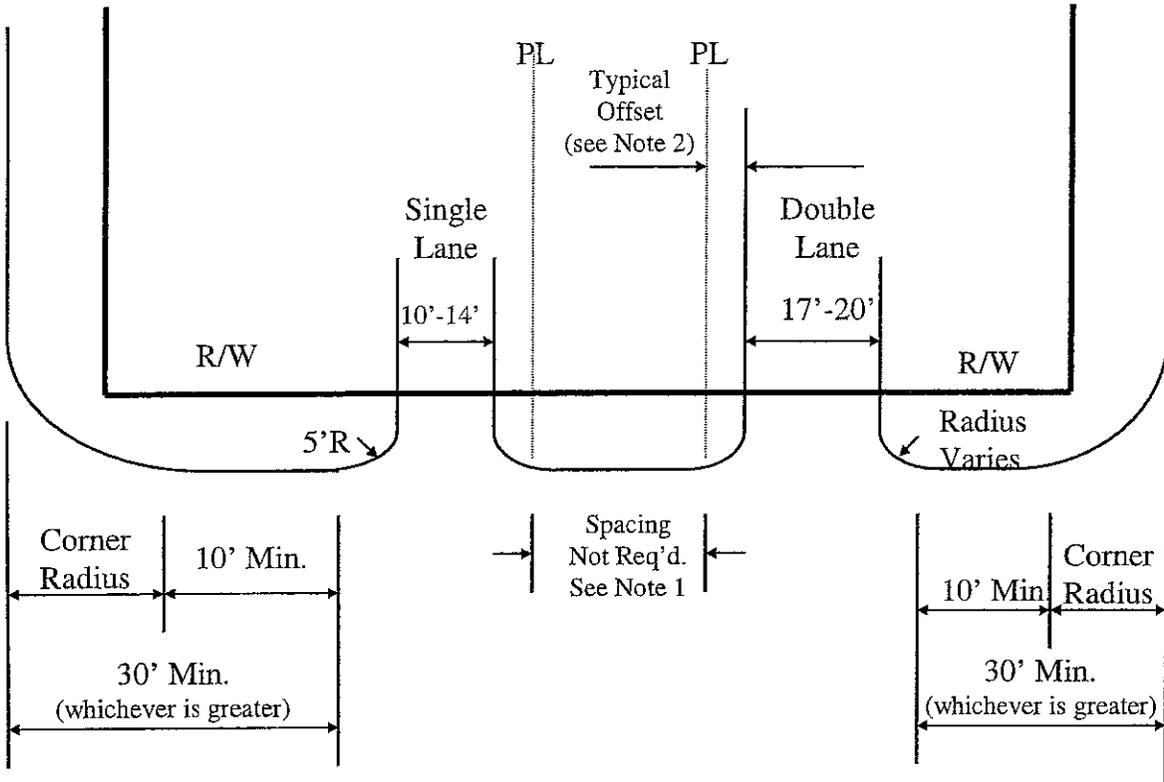
L. When a concrete driveway approach is constructed, a transverse expansion joint shall be located to connect the points on the radii where the curbs feather out or the point at which the approach surface elevation equals the top of street curb elevation or at the right-of-way line, whichever is applicable at the particular location of the driveway approach and the design being constructed.

M. Material specifications for construction of driveway approaches may be designated by the applicant and presented to the City Engineer for approval based on the size, weight and volume of vehicles expected to use the proposed driveway approaches.

RESIDENTIAL DRIVEWAYS

LOCATION STANDARDS

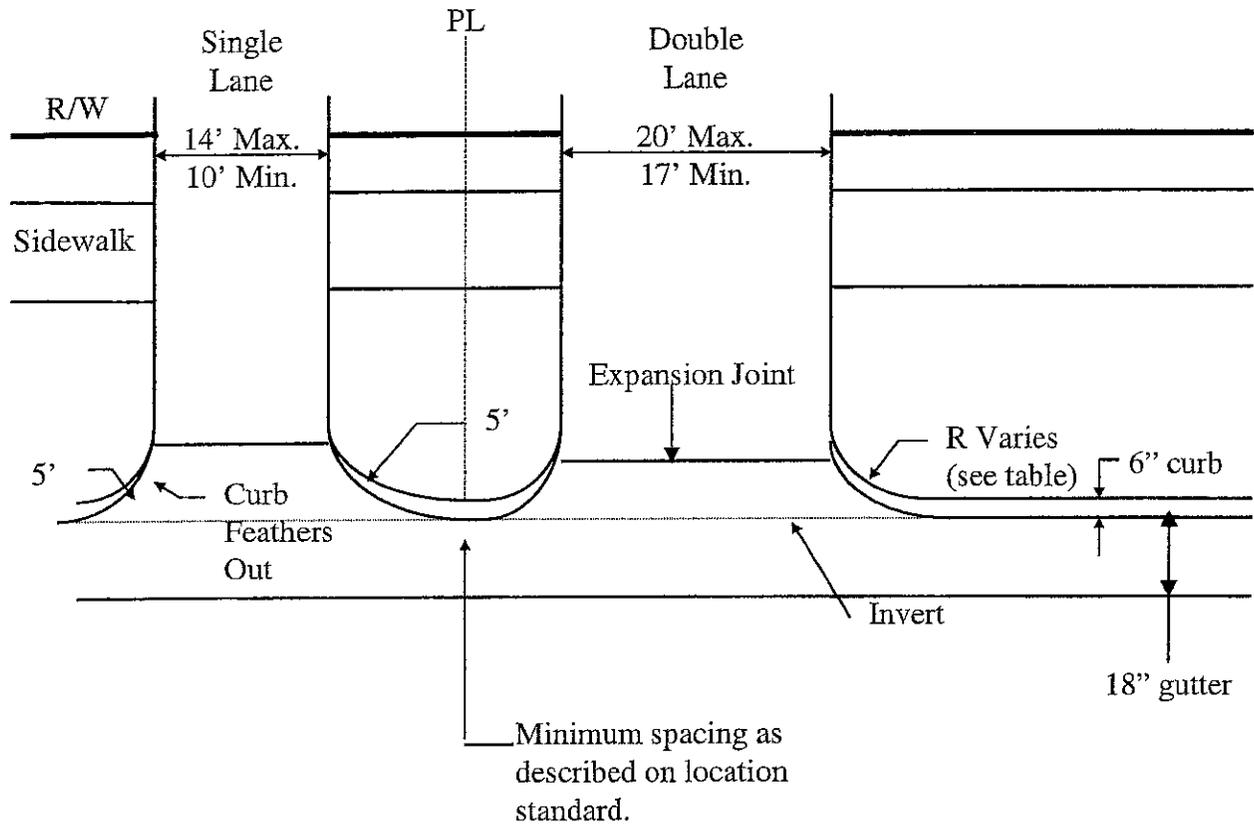
LOCAL STREETS



NOTES:

- 1.) Minimum spacing between driveway approaches serving adjacent lots requires only that adjacent driveway approach radii intersect at the street curb line.
- 2.) Typical property line offset equal to driveway approach radius.
- 3.) Driveway approaches to lots fronting more than one street shall be located on the street, which provides the better conformance to these standards when full compliance is not possible on any of the fronting streets.
- 4.) Lots with street frontage less than 100' shall have one driveway approach. Lots with street frontage greater than or equal to 100' may be permitted two driveway approaches where a circle drive is proposed. In the latter case, minimum spacing between adjacent driveway approach radii is 30' measured along the street curb line.
- 5.) 110' minimum sight distance (horizontal and vertical) measured along the street centerline is required on all local streets.
- 6.) Single-family driveway approaches, when approved on collector or higher classification streets, shall meet location standards specified on streets so classified.
- 7.) Single-family driveway approaches, when approved on collector or higher classification streets, shall include a turn out on private property to permit vehicles to turn around and drive into, instead of backing into, the street.

DESIGN STANDARDS
SINGLE FAMILY
RESIDENTIAL DRIVEWAY
PLAN

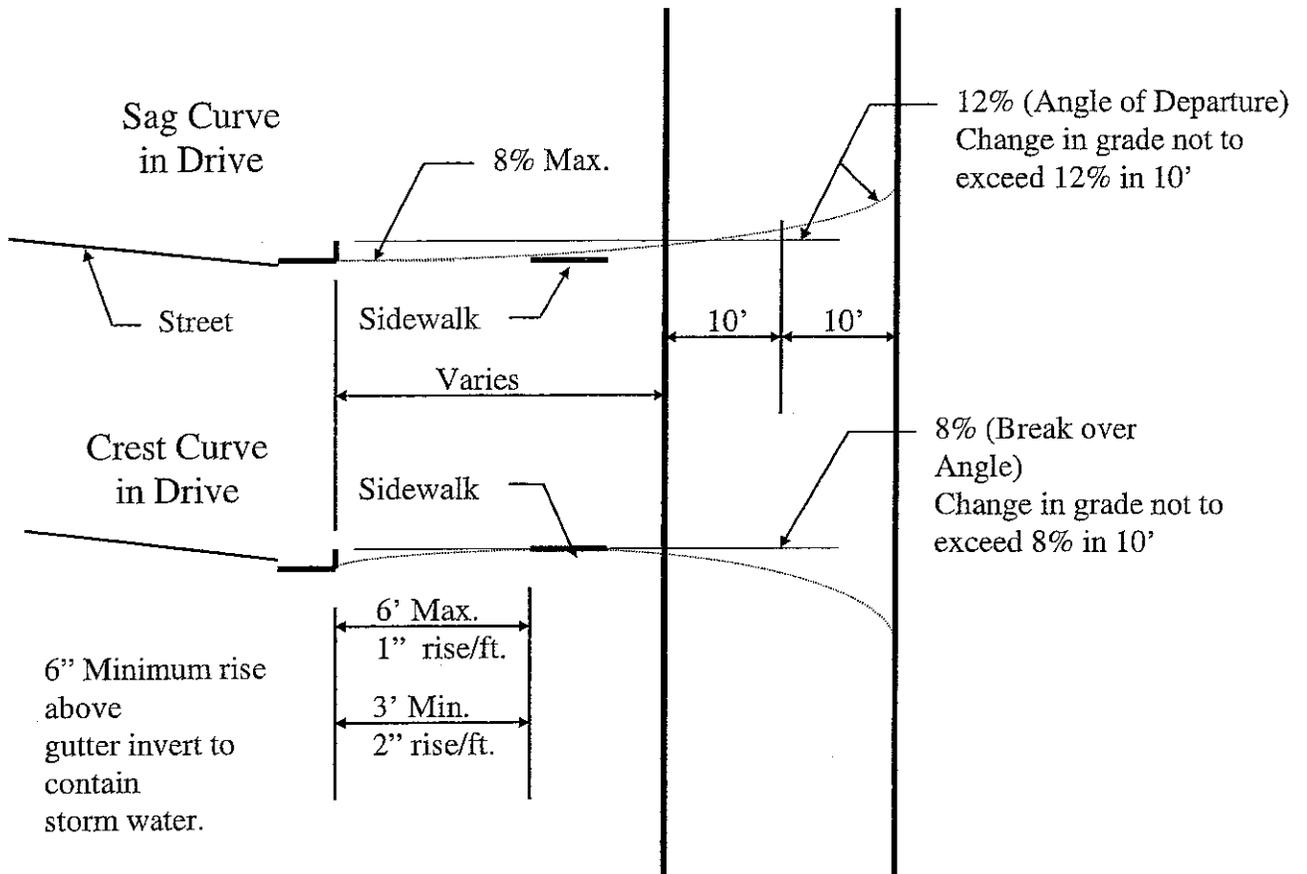


	SINGLE LANE	DOUBLE LANE			
WIDTH	14' 0" Max 10' 0" Min.	17' - 0" Min.	18' - 0"	19' - 0"	20' - 0" Max.
RADIUS	5' - 0"	4' - 0"	3' - 6"	3' - 0"	2' - 0"

NOTES

- 1.) An alternate design using flair rather than radius may be used so long as operational characteristics of the radius designs specified above are met.
- 2.) Driveway approaches constructed with 3000# concrete minimum 4" thick on curbed streets.
- 3.) Driveway approaches should intersect the street at a 90 degree angle or as near 90 degrees as practical.
- 4.) When present, warp/ramp sidewalks to match driveway approach grade; 1"/ft. maximum longitudinal slope, 4' minimum width and cross (perpendicular) slope not to exceed 1/4" /ft (see ADA requirements).

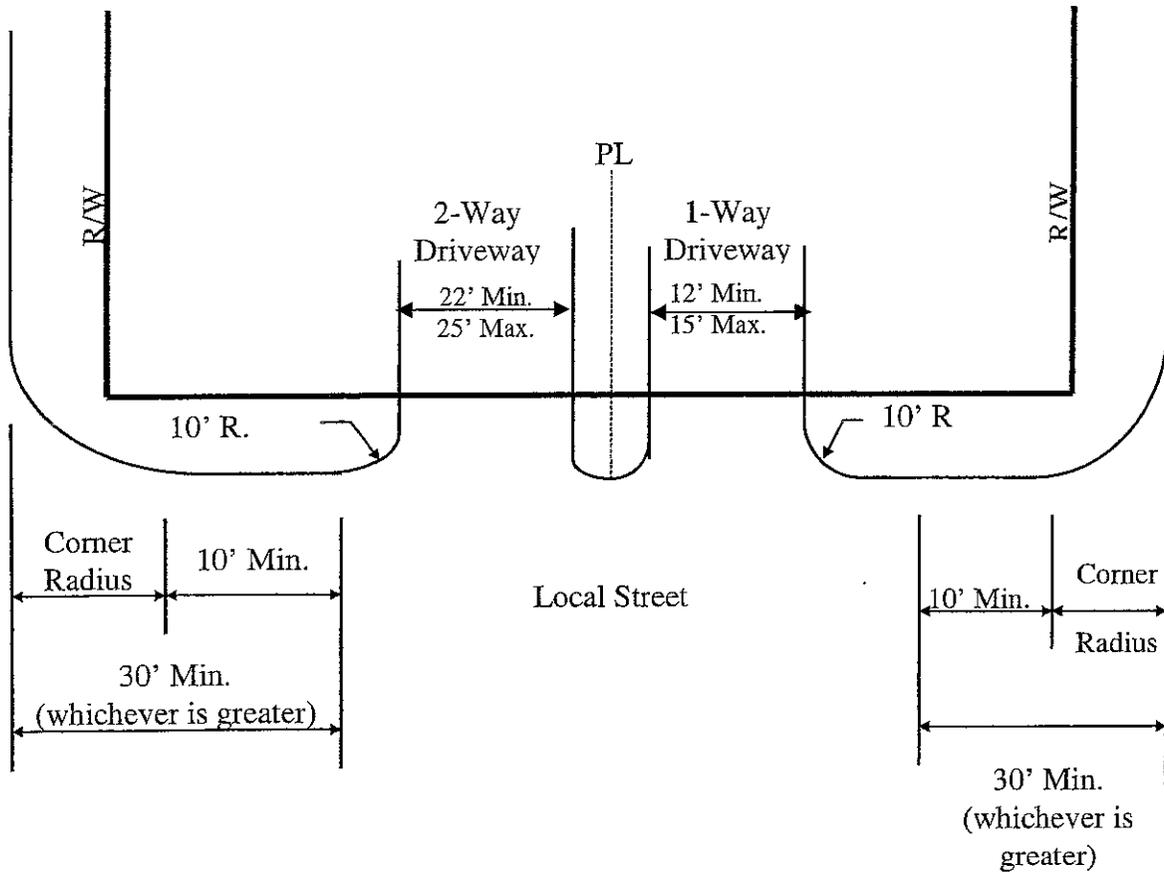
DESIGN STANDARD
SINGLE FAMILY
RESIDENTIAL DRIVEWAY
PROFILE



NOTES

- 1.) An alternate design using flair rather than radius may be used so long as operational characteristics of the radius designs specified above are met.
- 2.) Driveway approaches constructed with 3000# concrete minimum 4" thick on curbed streets.
- 3.) Driveway approaches should intersect the street at a 90 degree angle or as near 90 degrees as practical.
- 4.) When present, warp/ramp sidewalks to match driveway approach grade; 1"/ft. maximum longitudinal slope, 4' minimum width and cross (perpendicular) slope not to exceed 1/4"/ft (see ADA requirements).

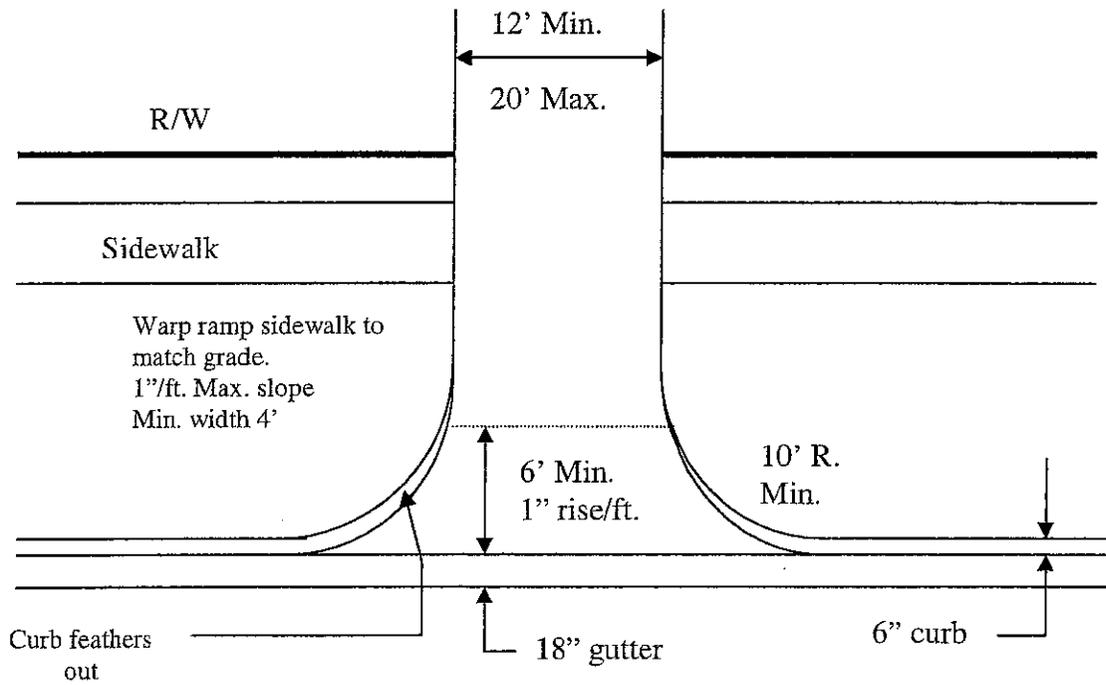
COMMERICAL
PARKING LOT DRIVEWAYS
LOCATION STANDARDS
LOCAL STREETS



NOTES:

- 1.) Minimum spacing between one-way driveway radii serving the same property shall be 30 feet (not shown).
- 2.) Parcels of land with street frontage less than 84' should have only one driveway approach unless on site parking can be improved significantly with the use of more than one.
- 3.) 110' minimum sight distance (horizontal and vertical) measured along the street centerline is required on all local streets.
- 4.) Parking lot driveway approaches, when located on collector or higher classification streets, shall meet location standards specified on streets so classified.

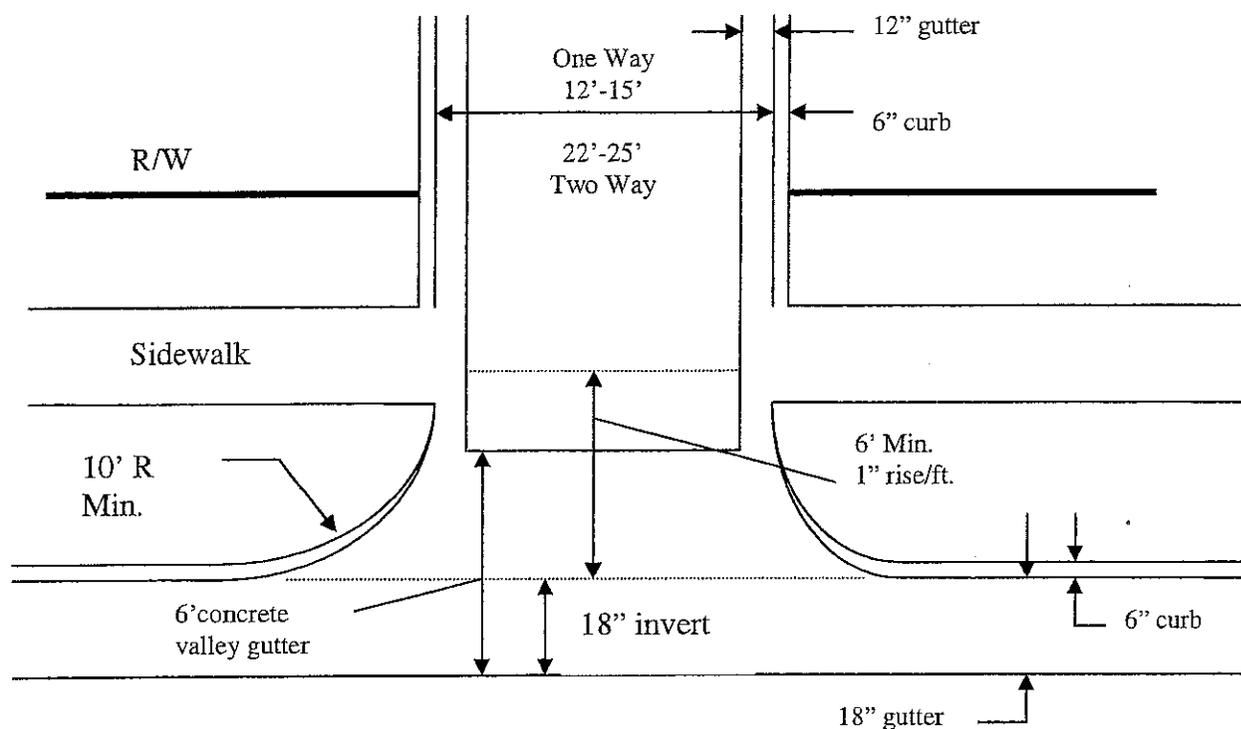
DESIGN STANDARD
RESIDENTIAL PARKING LOT DRIVEWAY



NOTES:

- 1.) Driveway approach constructed with 3000# concrete, minimum 6" thick.
- 2.) This design permitted only when the number of dwelling units ≤ 4 and located on curbed streets classified as local.
- 3.) When length of the driveway exceeds 200 ft. or sight distance along the driveway is < 110 ft., a width of 20' shall be required.

DESIGN STANDARD
COMMERCIAL PARKING LOT DRIVEWAY



NOTES:

- 1.) 3000# concrete, 6" thick curb & gutter with paved asphalt driveway approach, (as shown) or curbed concrete driveway approach acceptable.
- 2.) Warp ramp/sidewalk to match driveway approach grade. (1" /ft. max. slope, min. width 4')
- 3.) Storm water shall not be allowed to drain onto sidewalk from the driveway approach.
- 4.) This design required for multi-family residential when number of dwelling units is greater than 4.
- 5.) Passenger car parking lot design; small percent trucks

LOCATION STANDARD FOR ALL DRIVEWAYS ON STREETS CLASSIFIED COLLECTOR OR HIGHER

Notes

1. 2-way driveways should intersect the street at 90 degrees or as near as practical.
2. Minimum sight distance required varies with street grade and the approach speed; see stopping sight distance table.
3. Minimum spacing between driveway approach radii serving adjacent commercial lots shall be a minimum of 50'.

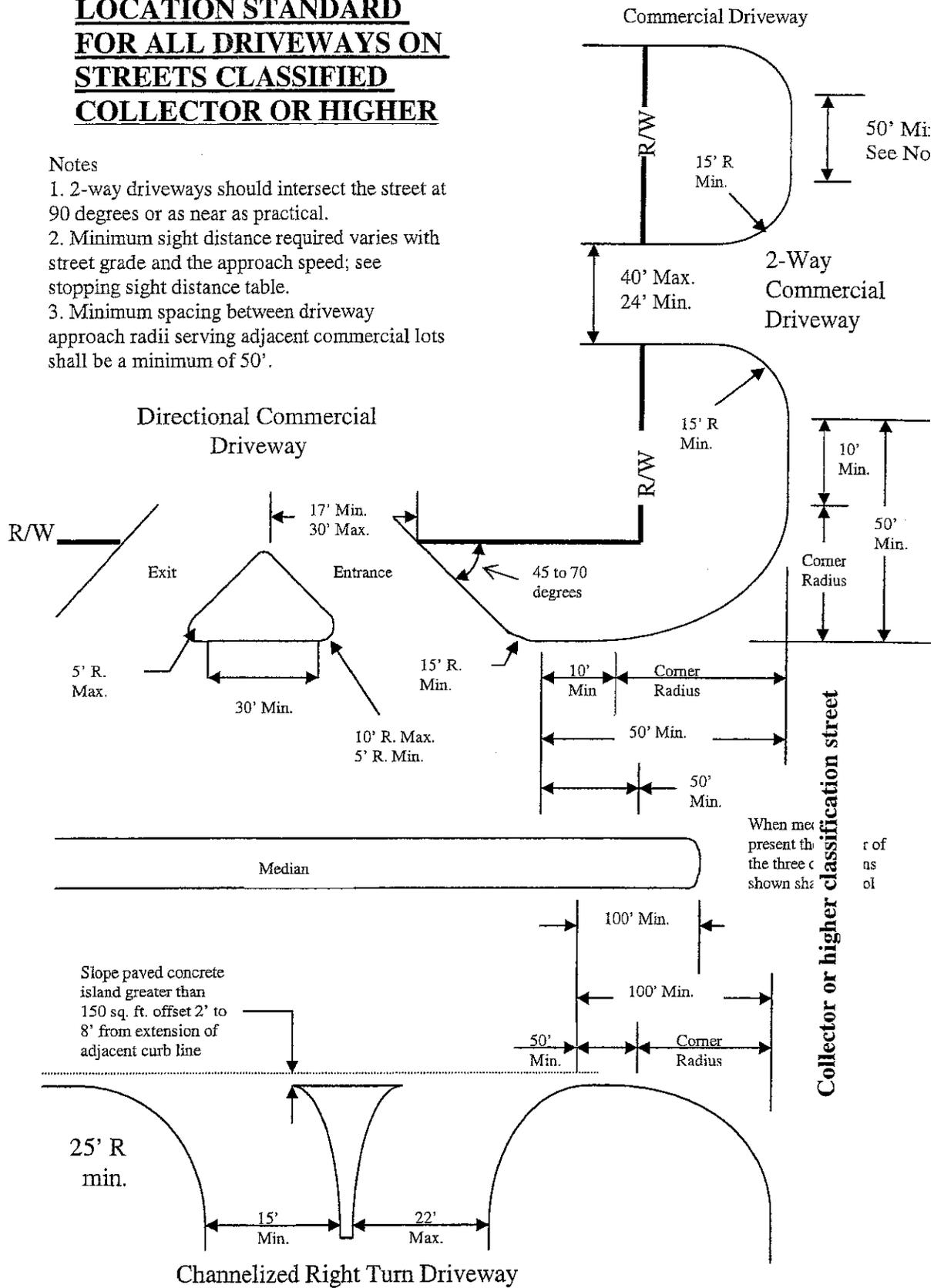


TABLE A

Stopping Sight Distance (level grade)

Speed (mph)	Reaction Distance (ft)	Coefficient of Friction	Braking Distance on Level (ft)	Stopping Distance	Sight Distance
				Computed (ft)	Rounded for Design (ft)
20	73.3	.40	33.3	106.7	110
25	91.7	.38	54.8	146.5	150
30	110.0	.35	85.7	195.7	200
35	128.3	.34	120.1	248.4	250
40	146.7	.32	166.7	313.3	320
45	165.0	.31	217.7	382.7	390
50	183.3	.30	277.8	461.1	470
55	201.7	.30	336.1	537.8	540
60	220.0	.29	413.8	633.8	640

Stopping sight distance measurements should be made using an object height of six (6) inches and a driver eye height of three (3) feet six (6) inches.

Table B below should be referenced to adjust the figures taken from Table A when street grades equal or exceed 3%.

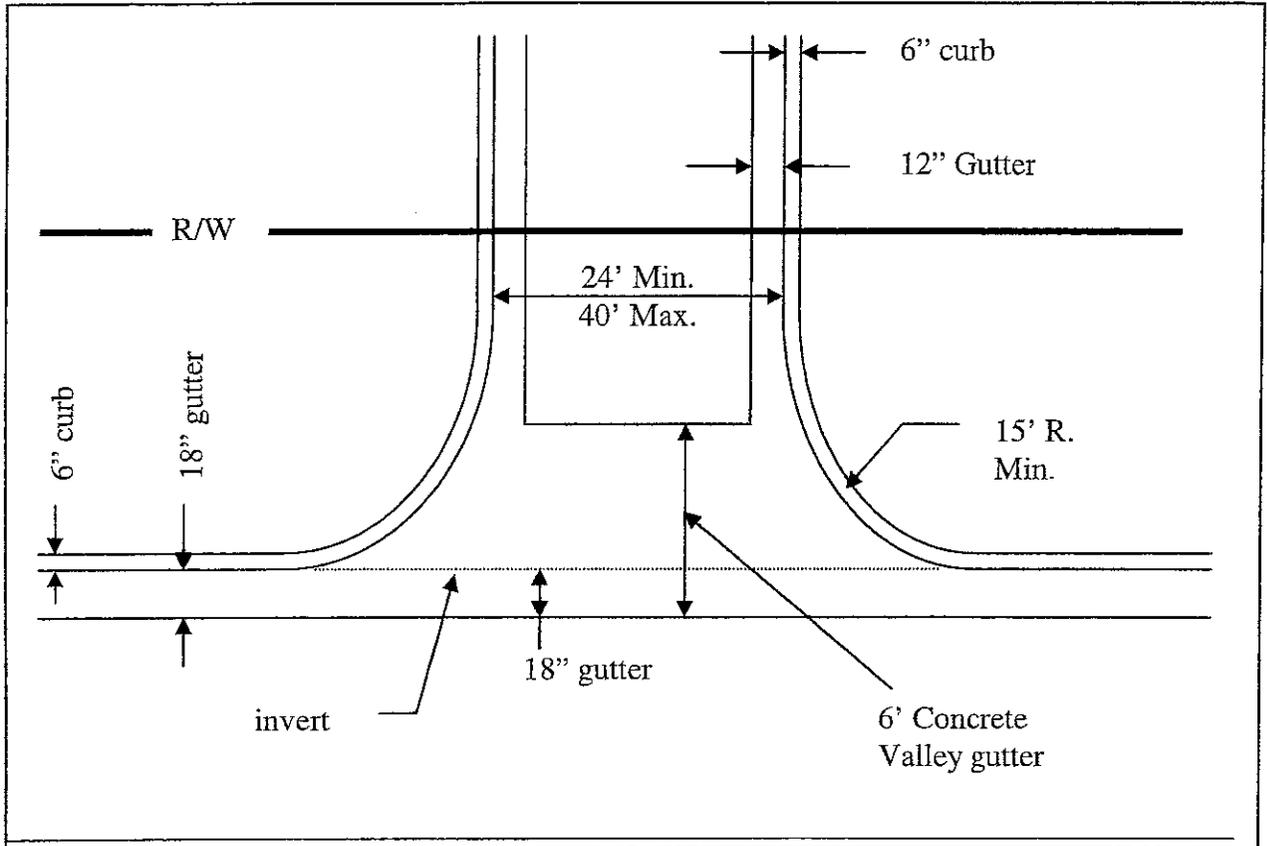
TABLE B

Effect of Grade on Stopping Sight Distance

Speed (mph)	Increase for Downgrades			Decrease for Upgrades		
	Correction in feet			Correction in feet		
	3%	6%	9%	3%	6%	9%
30	10	20	30	-	10	20
35	15	30	50	5	15	25
40	20	40	70	10	20	30
45	25	55	100	15	25	40
50	30	70	130	20	30	50
55	40	90	150	25	40	55
60	50	110	-	30	50	60

COMMERICAL TWO-WAY DRIVEWAY

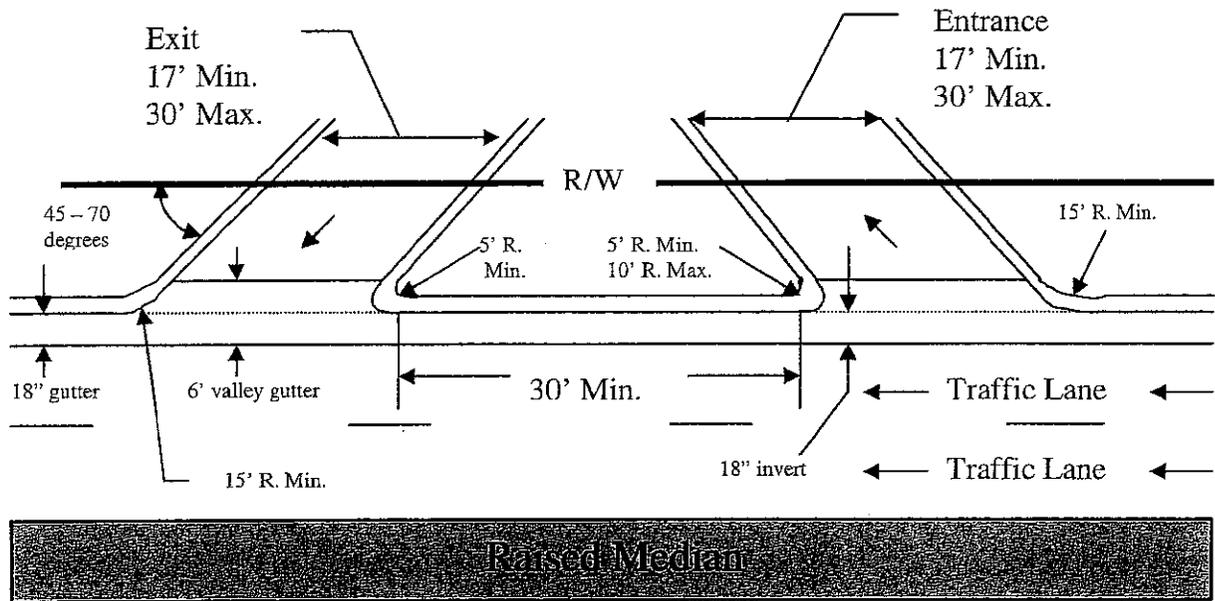
DESIGN STANDARD



NOTES:

- 1.) This design may be permitted on undivided streets and on divided streets where median opening location and design has the approval of the City Engineer.
- 2.) Driveway approach grade less than or equal to 5% desired, 8% maximum.
- 3.) Warp/ramp sidewalk as required (not shown); 1"/ft. maximum slope, 4' minimum width.
- 4.) Curbed asphalt approach surface with concrete valley gutter (shown) or curbed concrete approach surface acceptable.
- 5.) High traffic volume with significant percent trucks required for maximum width of 40'.

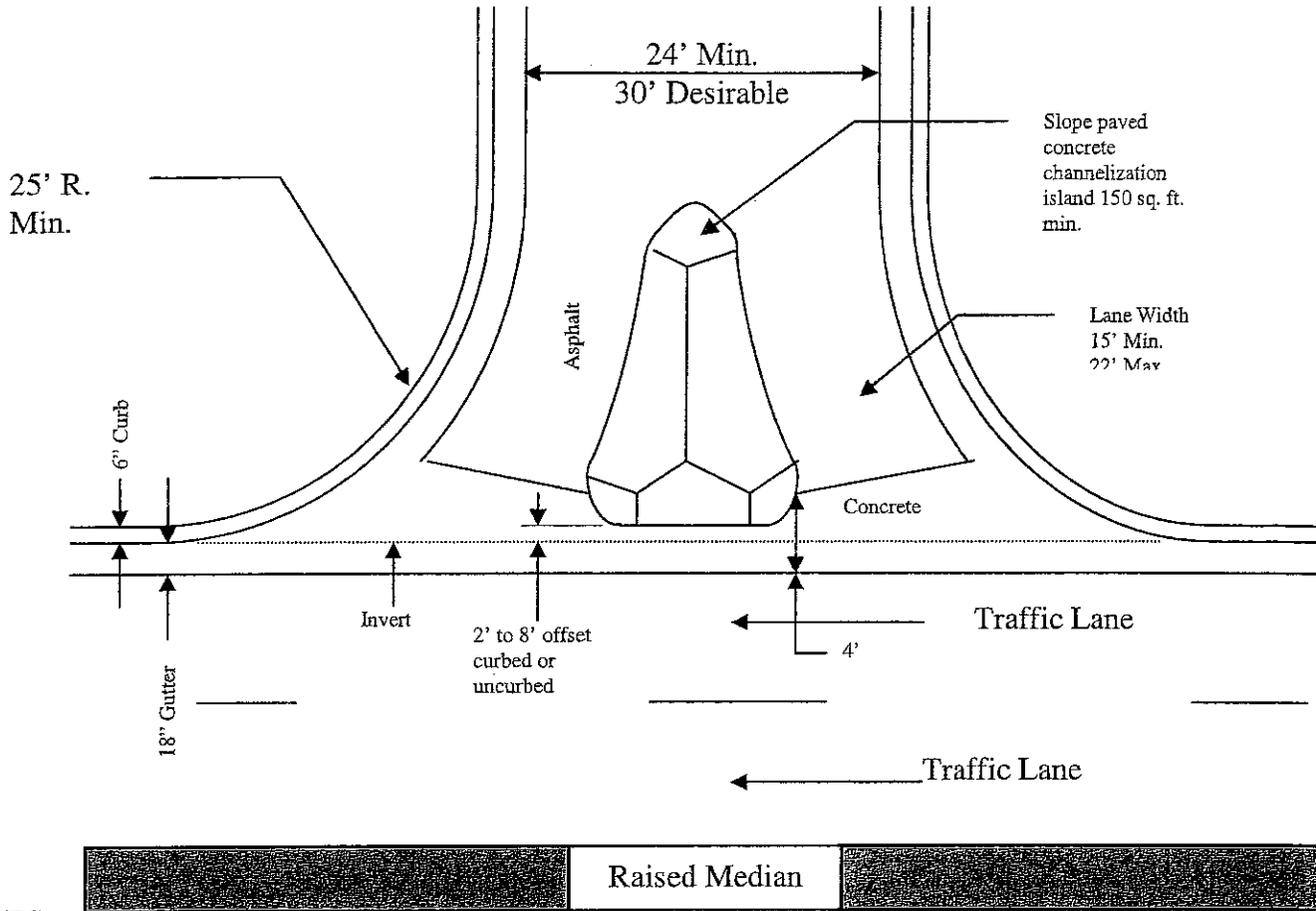
DESIGN STANDARD
COMMERCIAL DIRECTIONAL DRIVEWAY



NOTES:

- 1.) Median crossover (cut) not permitted.
- 2.) Appropriate entrance/exit signing required at the right of way line.
- 3.) Warp/ramp sidewalk as required (no shown); 1"/ft. max. slope 4' min. width.
- 4.) Driveway approach grade less than or equal to 5% desired, 8% maximum.
- 5.) Curbed concrete approach (shown) or asphalt approach with concrete curb and gutter accepted.

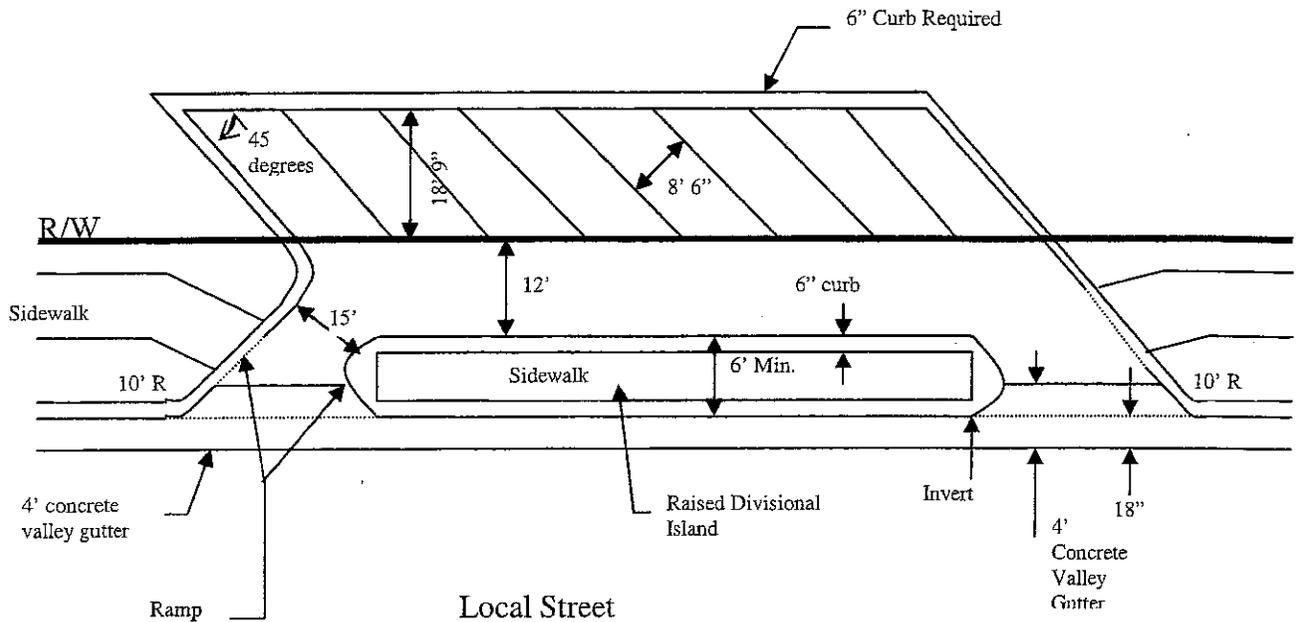
DESIGN STANDARD
COMMERCIAL CHANNELIZED RIGHT TURN DRIVEWAY



NOTES:

- 1.) Median crossover (cut) not permitted.
- 2.) See Detail on Concrete Island ~ Alabama Department of Transportation Specifications
- 3.) Pavement markings may be required. Traffic control signing may be required. See Federal MUTCD
- 4.) Driveway approach grade less than or equal to 5% desired, 8% maximum.
- 5.) Warp/ramp sidewalk as required (not shown) 1"/ft. maximum slope, 4' minimum width.
- 6.) 3-centered compound curve with appropriate offset design on right turn radii acceptable.
- 7.) Acceleration and/or deceleration lane may be required, specified by the City Engineer.

BAY PARKING
MINIMUM DESIGN STANDARD

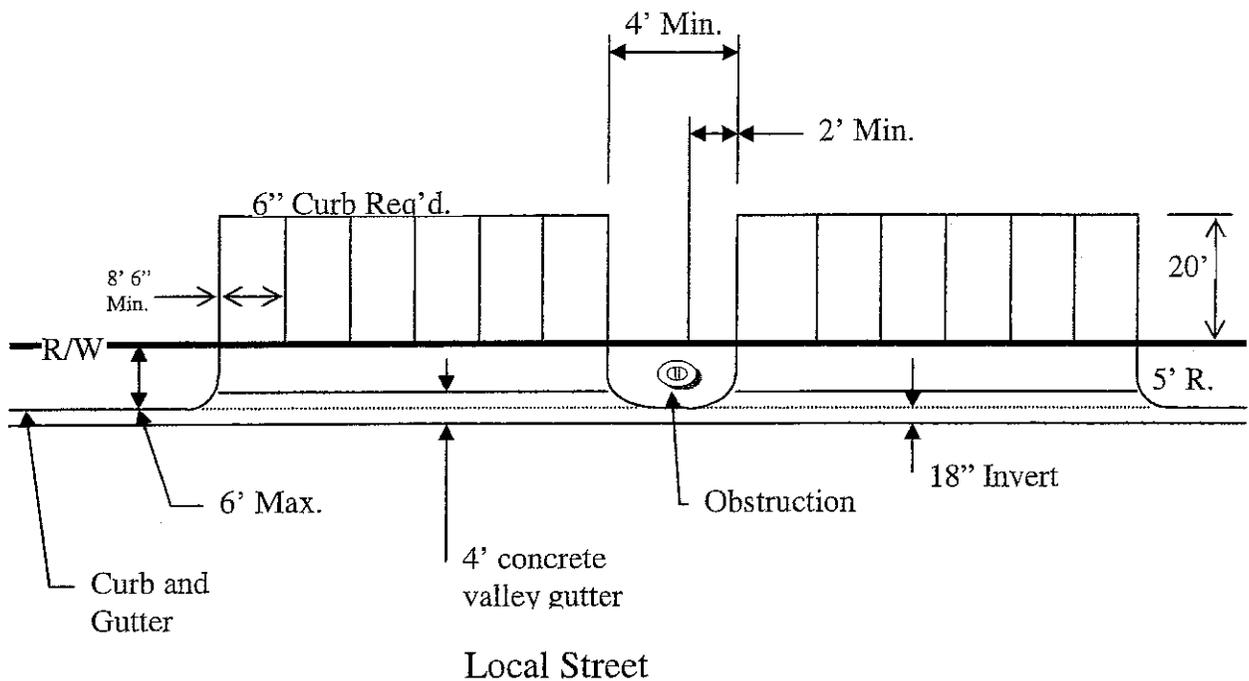


NOTES:

- 1.) Applicable in all locations where sidewalk is present or proposed regardless of parkway width.
- 2.) Bay parking shall not be considered when the number of parking spaces proposed is less than 5.
- 3.) Location of bay parking shall not infringe on corner sight distance requirements at adjacent intersections; specified by the City Engineer.
- 4.) Utility poles and other above ground utility structures shall not be permitted within divisional island.
- 5.) 110' minimum sight distance (horizontal and vertical) measured along the street centerline required on all local streets.
- 6.) Curbed asphalt bay with concrete valley gutter (shown) or curbed concrete bay accepted.
- 7.) Construction of curb and gutter along the entire street frontage shall be required on uncurbed streets.
- 8.) Raised divisional island shall not exceed 300 feet in length.
- 9.) Angle of parking bay may be increased up to 90 degrees with the appropriate increases in aisle width and driveway width specified by the City Engineer.

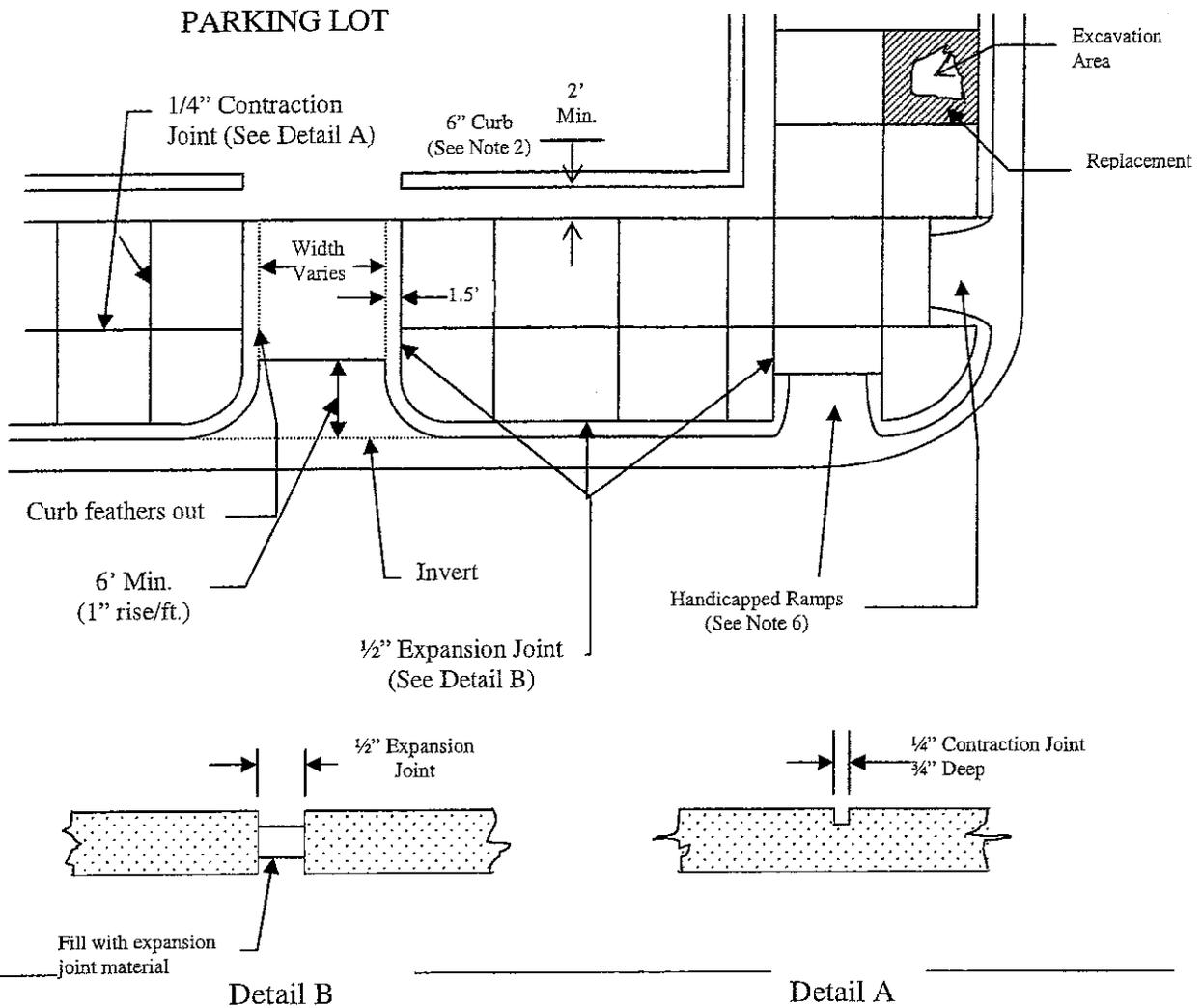
BAY PARKING

DESIGN STANDARD



NOTES:

- 1.) Permitted only in locations where parkway width does not exceed 6' measured from the face of curb or edge of the roadway and no sidewalk is present or proposed.
- 2.) Bay parking should not be considered when the number of parking spaces proposed is less than 5.
- 3.) Bay parking shall not exceed 70% of the street frontage.
- 4.) Angle of parking dependent on roadway width; specified by the City Engineer.
- 5.) Location of bay parking shall not infringe on corner sight distance requirements at adjacent intersections; specified by the City Engineer.
- 6.) 110' minimum sight distance (horizontal and vertical) measured along the street centerline is required on all local streets.
- 7.) Curbed asphalt bay with concrete valley gutter (shown) or curbed concrete bay accepted.
- 8.) Construction of curb & gutter along the entire street frontage shall be required on all uncurbed streets.
- 9.) Where above ground utility structures or water meters are to be retained, separation of parking bays shall be achieved using the utility detail above (Minimum 2 ft. separation face of curb to structure).



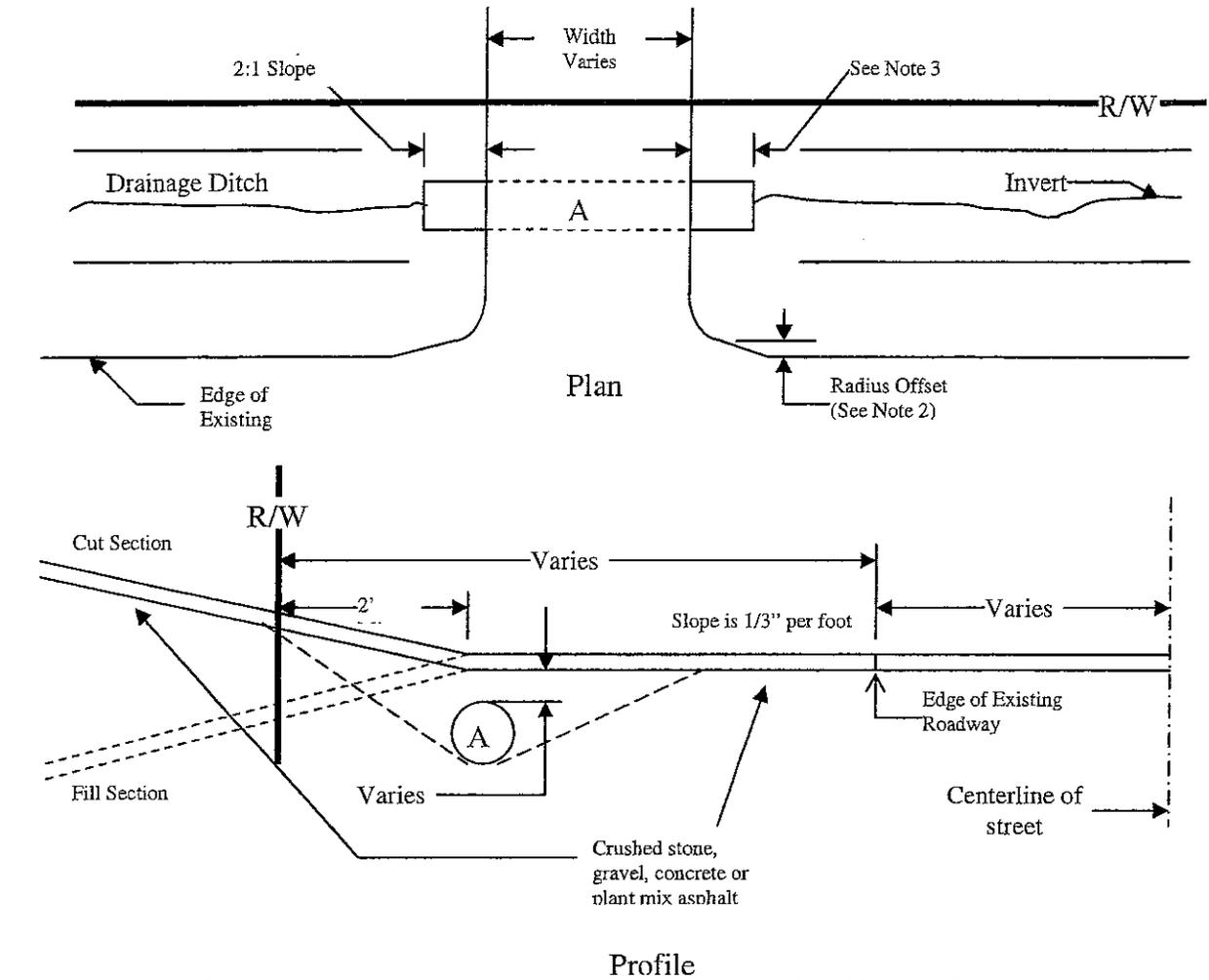
Detail A
 Maximum spacing of 1/4 inch contraction joints shall be ten (10) feet in both transverse and longitudinal directions. Contraction joints may be achieved by saw cutting.

Detail B
 Expansion joints shall be provided between sidewalks and curbs; between changes in concrete thickness; in the sidewalk parallel to and 1 1/2 feet either side of drives and at the property line on all drives. Maximum spacing of all transverse expansion joints shall be forth forty (40) feet.

NOTES:

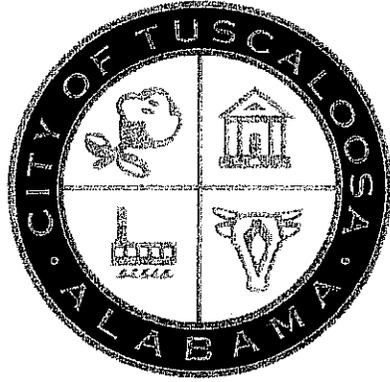
- 1.) Range of driveway approach width permitted – based on adjacent land use. See appropriate driveway location and design standards.
- 2.) See Zoning Ordinance for on site permanent curbing requirements.
- 3.) When sidewalk excavations are necessary, repairs shall include replacement of all sidewalks within the confines of the existing adjacent contraction and/or expansion joints; matching surface texture and color of adjacent sidewalk.
- 4.) Minimum sidewalk material: 4" plain 3000 # concrete.
- 5.) Minimum driveway approach material: 6" plain 3000 # concrete.
- 6.) See Handicapped Ramp Design Standard for details.

**STANDARD FOR DESIGN AND DRAINAGE
OF DRIVEWAYS ON ALL UNCURBED STREETS**



NOTES:

- 1.) See appropriate driveway design standards for range of permitted widths.
- 2.) Radius offset dependent on roadway width; specified by the City Engineer.
- 3.) Size, type, location, and grade of drainage structures shall be approved by the City Engineer.
The length of the drainage structure shall be the permitted driveway width plus length required to achieve 2:1 earth sloped fill to the structure ends unless a pipe end treatment is proposed.
- 4.) Driveways located in fill sections shall be crowned in such a manner as to direct storm water runoff from the roadway into the drainage ditch before it reaches the right-of-way line.
- 5.) Minimum erosion control shall be the solid sodding of the disturbed area within the drainage ditch and 2:1 sloped earth fill at the drainage structure ends. The Engineer may require more than minimum control or approve alternate methods which provide protection equal to or greater than the specified minimum.



CITY OF TUSCALOOSA
PHASE II STORMWATER PROGRAM

LANDSCAPE ORDINANCE



CITY OF TUSCALOOSA

OFFICE OF THE CITY ENGINEER

APPROVED



City Attorney

Prepared By: Eric Thompson/JPW III
Requested: Planning Commission
Presentation on: 02/17/09
Suspension of Rules: No

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA
AMENDMENT NO. 1182

Amendment to Text of the Zoning Ordinance Pertaining to
Article XIX, Landscape and Buffer Requirements
Sections 24-250 through 24-264
(A08-0418)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, that the text of the Zoning Ordinance of Tuscaloosa, adopted by Ordinance No. 1754 on October 3, 1972 be, and the same is hereby, amended as follows:

That Article XIX, Landscape and Buffer Requirements, Sections 24-250 through 24-263 of the Code of Tuscaloosa be amended to add article XIX as follows:

***Article XIX: Landscape and Buffer Requirements**

Sec. 24-250. Statement of Intent

(a) This article recognizes the importance of trees and landscaping throughout the City and their relationship with the economic, ecological and cultural processes that give Tuscaloosa its tradition and identity. Through preservation, replacement, and maintenance of the urban forest, this article will provide a better quality of life for the citizens of Tuscaloosa while promoting the stability of residential neighborhoods making them more livable and desirable, and educating the public in the areas of preservation and conservation of the natural processes that exist within the City.

Urban landscaping aids in preventing soil erosion, siltation of streams and reservoirs and flood damage. Trees are valuable in providing shade and cooling effects, in preventing air and noise pollution, as well as preserving the character of the City.

(b) The purpose of this article is:

- 1) To promote the public health, safety and welfare by decreasing incompatibility between adjacent uses, by establishing a buffer between residential and business uses and by preserving property values;
- (2) To make Tuscaloosa, Alabama a more attractive and healthy environment in which to live, and better control noise, glare and heat;
- (3) To preserve, protect and maintain the health of existing vegetation, encourage the incorporation of plant materials, especially native plants, and ecosystems into landscape design where possible and discourage the proliferation of invasive species of plants;
- (4) To establish and maintain the maximum sustainable amount of tree cover on public and private lands in the City;
- (5) To promote the character of the City by encouraging aesthetically pleasing sustainable designs of commercial, industrial and residential areas while still allowing for innovative, diverse and cost-conscious approaches to the design, installation and maintenance of the landscape;
- (6) To promote the conservation of the local waterways and aquifers by encouraging the planting of local plant species or site specific species when possible, providing means for natural aquifer recharge; preventing excess runoff by containing the maximum amount of water on site possible and facilitating compliance with State and Federal legislation relative to water and air quality, including the Clean Air Act (42 U.S.C. §7401, et seq.) and the Clean Water Act (33 U.S.C. §1251, et seq.).

c) Scope

This article does not contain all the regulations and requirements for development activities, design and construction nor does approval of a landscape plan pursuant to the provisions herein serve as a substitute for obtaining and complying with all other applicable city ordinances, building and related codes, zoning restrictions, and other applicable regulations. Without limiting the generality of the foregoing development activities may also require building and related technical permits and inspections, compliance with zoning and subdivision ordinances and regulations. Municipal utilities

for water and sewer require compliance with separate ordinances and policies of the water and sewer department of the City.

Sec. 24-251. Applicability

(a) Property affected by this article:

(1) All property located within the Corporate Limits of the City of Tuscaloosa, Alabama.

a. The provisions of this ordinance shall apply to all new construction, development, redevelopment, or change of use for any multifamily residential, commercial, or industrial use and shall become applicable to any property for which a land development permit is required. The requirements shall remain applicable at all times once the property has become subject to these provisions.

b) Landscape Plan required.

Prior to any development on any property in the City, the developer or person in charge or control thereof submit an application to the Landscape Administrator and obtain approval of a landscape plan authorizing development on the property in accordance with the provisions of this article. A landscape plan must be submitted and approved by the Landscape Administrator prior to the issuance of a Land Development Permit or Building Permit.

Sec. 24-252. Definitions

Application: A form provided by and submitted to the Office of Planning and Economic Development by a developer desiring a landscape plan to engage in development as herein defined.

Applicant: A developer as herein defined, including applicant or developer's representative, who is applying for approval of a landscape plan.

Area: The provisions of this article shall have applicability to all site and land development projects and development activities within the corporate limits of the City and the City's police jurisdiction, including the development of subdivisions and planned unit developments (not individual lots within subdivisions).

Bioswale: Vegetated surfaces that are designed to treat sheet flow from adjacent surfaces. Bioswales function by slowing runoff velocities, filtering out sediment and other pollutants and by providing some infiltration into underlying soils.

Buffer: Property used to visibly separate one land use from another through screening and distance.

Calliper: The diameter or thickness of a nursery-grown tree trunk as measured at 6" above the top of the root mass.

Canopy Trees: Any of the trees listed as a canopy tree in Section 24-261, or other species approved by the landscape administrator.

City: The City of Tuscaloosa, Alabama, a Municipal Corporation, organized and operating pursuant to Ala. Code 11-44B-1 et seq. (1975), whose address is 2201 University Boulevard, Tuscaloosa, Alabama 35403.

Construction: Any improvement, replacement, alteration or renovation activity including that which erects a building or structure, including accessory use, and/or parking or landscape area or development as herein defined

Critical Root Zone: An area around a tree that is within the drip line of a tree.

DBH (diameter at breast height): The diameter of a tree 4½ feet above ground level.

Developer: Any person, firm, partnership, corporation or other legal entity engaged in or seeking to engage in development activity as herein defined including a developer that has been issued approval of a landscape plan pursuant to the provisions of this article.

Development: Any manmade or earth change to property within the City including, but not limited to, preparation of property for the construction of buildings or other structures, mining, dredging, filling, grading, regrading, paving, clearing, excavating, or drilling operations. This definition also includes changes or improvements to any property subject to these regulations such as curb and gutter, storm drainage structures, streets, drainage facilities, sidewalks, and related public or private roads and the installation of utilities.

Director: The Director of the Office of Planning and Economic Development or his designee.

Drip line: The perimeter of a tree's canopy.

Grading: Altering the shape of the ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the property in its cut or filled condition.

Green Space: Any area retained as permanently vegetated property.

Land Development Permit (LDP): A written document prepared and executed by the City Engineer or his/her designee which authorizes development in accordance with the provisions in Article 12 Chapter 21 Section 21-212 of the City Code and subject to any additional or specific requirements that may be stated therein.

Land Development Plan: A properly documented written plan, prepared, signed and stamped by a registered professional engineer, licensed in the state, consisting of a completed application with supporting documents demonstrating that development as herein defined will occur upon an identified parcel of property within the area in compliance with the provisions of this article. The land development plan shall include drainage plans in compliance with city drainage standards, and compliance with technical specifications issued by the City Engineer. An engineering drawing showing all the important physical features both existing and proposed, of a given parcel of property and abutting the right-of-way shall also be submitted with the application and form part of the plan. The land development plan will adequately and sufficiently address in accordance with the provisions of this article traffic, parking, stormwater, sanitary sewer, erosion, use of Best Management Practices (BMPs), sanitary sewer and related components.

Landscape Administrator: The staff member designated by the Director of Planning and Economic Development to administer this article.

Landscape Plan: A plan showing all plant types to be used, all planting standards and specifications, location, scheduling, stormwater mitigation areas identified and showing detailed design specification for solid type, depth and construction of said mitigation area, and any other appropriate details considered important for the compliance with this article. Also, any alternative compliance methods should be identified.

Landscaping: The treatment of grade, groundcover, vegetation and ornamentation for a given area. Landscaping shall include plant materials such as trees, shrubs, groundcovers, perennials and annuals; and any other materials such as rocks, water, walls and fences; and any other feature affecting layout and use of the site.

Lot—Parcel—Plot—Property: A single undivided portion of property that is either legally recorded in the office of the Tuscaloosa County Probate Judge, or is being proposed in good faith by well-prepared plan drawings for the purpose of being legally recorded. It is the responsibility of the property owner (or his/her agent) to insure that the property is legally recorded with the office of the Tuscaloosa County Probate Judge.

Low Impact Development (LID): A set of approaches and practices intended to reduce runoff of water and pollutants from the site at which they are generated by means of infiltration, evapotranspiration, and reuse of runoff. LID techniques manage water and water pollutants at the source and thereby prevent or reduce the impact of development on rivers, streams, lakes, coastal waters, and ground water.

Park: Any public property set aside for open space and recreation purposes.

Parking Area: The paved area including parking spaces and abutting aisle ways.

Parking Lot: A surface used for the parking, storage or display of motor vehicles, boats, recreational vehicles, etc.

Parking Space: A delineated area reserved for the parking of a single vehicle.

Perimeter Planting Strip: Property located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.

Property Line: The boundary between 2 or more lots.

Street Tree or Trees: Any existing tree or any tree to be planted on the street right-of-way.

Rain Garden: Vegetated surfaces that are designed to treat sheet flow from adjacent surfaces. Filter strips function by slowing runoff velocities, filtering out sediment and other pollutants, and by providing some infiltration into underlying soils.

Redevelopment: The demolition and/or rebuilding or expansion of a site's physical development in association with the following guidelines:

- 1) If the original building size is less than 2,000 square feet, then a 25 percent or greater expansion of the building will require compliance with this article;
- 2) If the building size is between 2,001 square feet and 5,000 square feet, then a 20 percent or greater expansion of the building will require compliance with this article;
- 3) If the building size is between 5,001 square feet and 10,000 square feet, then a 15 percent or greater expansion of the building will require compliance with this article;
- 4) If the building size is over 10,000 square feet, then a 10 percent or greater expansion of the building will require compliance with this article.

Right-of-way: A general term denoting public ownership or interest in property, usually in a strip which has been acquired for or devoted to the use of a street or alley.

Runoff: The water from precipitation that flows over the ground.

Shrub: A low growing usually multi-stemmed, woody plant.

Stormwater: As defined in Section 21-151 of the City Code of Tuscaloosa.

Street Trees: Any existing tree or any tree to be planted on the street right-of-way.

Tree: A usually tall, woody plant, distinguished from a shrub by having comparatively greater height and, characteristically, defined as:

Canopy (Large Maturing) — Single trunk whose height is greater than 35 feet at maturity, or

Understory (Small Maturing) — Single trunk or multi-stem whose height is less than 35 feet at maturity.

Tree, Blighted: Any tree that does not exhibit healthy characteristics and is determined to be hazardous as determined by the Director.

Tree, Dead: A tree that does not contain any live tissue, i.e., green leaves or live limbs.

Tree, Deciduous: Any tree which naturally loses its leaves in the Fall.

Tree, Mature: Any tree which has attained the capability of flowering and reproducing.

Tree, Private: Any tree located on private property.

Tree, Public: Any tree located on City property or State, County or City right-of-way.

Tree, Replacement: A new tree planted on a site to meet minimum site density factor requirements (regardless of whether trees existed prior to any development).

Tree, Understory: Understory tree species used shall have an average mature crown spread of at least 15 feet when grown in Tuscaloosa, Alabama. Understory tree species shall be a minimum of 5 feet in height and have a caliper of at least 1½ inches immediately after planting.

Tree Planting Standards and Specifications: The design standards and specifications adopted for the planting or maintenance of trees.

Tree Protection and/or Planting Plan (TP/PP): A plan that identifies Tree Protection Areas where existing trees are to be protected and preserved, and replacement trees planted on a property to meet minimum requirements, as well as methods of tree protection to be undertaken on the site and other pertinent information.

Tree Protection Area (TPA): Any portion of a site wherein are located existing trees which are proposed to be preserved in order to comply with the requirements of this article. The TPA shall include no less than the total area beneath the tree canopy as defined by the drip line of the tree or group of trees collectively.

Tree Save Area: All areas designated for the purpose of meeting tree density requirements and/or preserving natural buffers.

Utility Easement: The right-of-way acquired by a utility or governmental agency or private agency to locate utilities, including all types of pipelines, television cable, telephone and electric cables. Also includes corridors on Public rights-of-way occupied by overhead utility lines.

Vegetated: Any ground surface covered with plant life.

Sec. 24-253. Landscape plan submittal requirements

(a) **Approval.** A landscape plan must be submitted and approved by the Landscape Administrator prior to the issuance of a Land Development Permit or Building Permit.

(b) **Format and materials**

The landscaping plan and details shall be drawn to the same standard scale as the development plan or a scale which shows all landscaping accurately. Landscape plans shall be included in the Land Development Plan submitted to the City Engineer as part of an application for a Land Development Permit and the Building Official as part of an application for a building permit as applicable. All landscape plans must be reviewed and approved by the Landscape Administrator.

(c) **General information:**

Complete landscape plans submitted for review and approval shall include the following:

(1) Title block, showing the title of the development, the name and address of the owner/developer, the name and address of the person or firm preparing the plan, the date of preparation, the scale, the north point, and the date of all revisions.

(2) A location map, showing the relative location of the site to the nearest existing public street intersection.

(3) The boundaries of the subject property including the location and description of all adjoining property, the location and names of all adjoining streets and easements.

(4) The required number of parking spaces and the proposed number of parking spaces of subject property/development.

(5) Location and dimensions of all entrances and exits of the parking lot and the manner in which vehicles will be parked, and the location and names of all utility lines, easements or rights-of-ways on, or adjacent to, the site.

(6) All details needed to communicate appearance, and methods of construction and/or installation.

(7) A planting schedule, keyed to the plant materials shown on the landscape plan, listing all proposed plant materials by botanical name, common name, cultivar or variety if any, quantity of materials, size of materials at planting, plant spacing, and existing trees approved for use.

(8) Location of all existing and proposed buildings, accessory structures and paved areas.

24-254. General Requirements

(a) Site protection and general planting requirements

(1) Topsoil. To the extent needed and practical, topsoil moved during the course of construction shall be preserved and stockpiled for re-use on the site.

(2) Existing trees. Preservation of each existing healthy tree of an approved species (see attached table), within required landscape areas, shall count toward fulfillment of the requirements of this section.

a. The existing tree to be preserved must be approved by the Landscape Administrator to receive credit toward meeting the requirements of this section.

- b. Existing trees that are credited towards meeting the requirements of this section shall be subject to the same maintenance and replacement requirements as newly planted trees.
- (3) Each existing tree that is credited towards meeting the requirements of this section may reduce the number of required parking spaces as specified in Section 24-256 of this article.
 - (4) Slope plantings. Landscaping of all cuts and fills and/or terraces shall be matted or protected until plant cover is adequate to control erosion.
 - (5) Plantings within Utility Company Easements must comply with the following:
 - a. Minimum distances measured horizontally from trees to overhead utility lines shall be:
 - (i) Canopy Trees: 30 feet
 - (ii) Understory Trees 15 feet
 - b. The location and species of trees proposed for location in utility easements shall be approved before installation.
 - c. Any part of a tree growing within 15 feet of an overhead utility line will require maintenance by a certified line trimmer approved by any affected utility companies.
 - d. This Article shall not be construed to impair the following: (1) the right of eminent domain granted by State laws to utilities, whether public or private, or (2) a utilities right to design, locate, erect, construct, re-construct, alter, protect or maintain utility poles, drainage ditches, structures, towers, lines, conduits, pipes or mains reasonably required in the public service or (3) a utilities right to exercise authority conferred by statute, franchise, certificate of convenience and necessity, license or easement. Maintenance, repair, and extension of any public and private utility lines or related infrastructure are expressly allowed. The preceding will apply to work done by the utility's employees, agents and contractors doing work for the utility.

- (6) All plantings shall maintain a 3 foot clearance around all fire suppression equipment as well as a clear, accessible path, visible from the main approach.

(b) **Garbage and/or Trash Receptacles**

- (1) All commercial garbage and/or trash receptacles shall be placed on a pad approved by the City Engineer that allows for pick-up and maintenance as needed.
- (2) All commercial garbage and/or trash receptacles shall be screened by a hedge and/or structure which is impermeable to sight from the main right-of-way. If hedges are to be used, the hedge must be 4 feet tall when planted and capable of reaching a height of 6 feet within 2 years. Any screening structure shall be a minimum of 6 feet tall when installed.
- (3) Garbage and/or trash receptacles which are located behind buildings shall be screened from sight from public rights-of-way.
- (4) Garbage and/or trash receptacle sites shall not be located within landscaped areas that are required by this article.

Sec. 24-255. Landscaping Requirements.

In addition to the provisions in section 24-254, the following requirements shall apply to all parking lots and required buffers:

(a) **Perimeter planting requirements for parking areas**

- (1) A continuous perimeter planting strip, exclusive of access driveways and other approved penetrations, with a minimum width of 10 feet measured from the edge of the parking area, is required. Existing street trees may be applied towards perimeter planting requirements along public rights-of-way.
- (2) Canopy trees are required, and trees of a minimum 2 inches in caliper and 12 feet high shall be planted at a maximum of 50 foot on center. Minimum lateral separation from overhead utilities shall be 30 feet for canopy trees. Shrubbery with a minimum 18-inch height at installation capable of forming a minimum 3 foot high evergreen hedge shall be provided in the landscape areas adjacent to public rights-of-way. In the event that pre-existing overhead

utility lines prevent the use of canopy trees, understory trees shall be planted on 30 to 40 feet centers.

- (3) Planting strips are to be sodded, seeded, mulched or planted with shrubs or ground cover so as to leave no bare ground after landscape materials have been installed and permitted to grow for 2 years.
- (4) Existing trees which meet, in whole or in part, the perimeter and internal planting requirements, may be applied toward the landscape requirements.
- (5) No required landscaping shall be installed in proximity to the intersection of two rights-of-way that will result in an obstruction of vision as determined by the traffic engineer.
- (6) Stormwater inlets shall be located within a perimeter planting strip and incorporate bioswales, rain gardens or other staff approved stormwater mitigation techniques to promote infiltration and reduce stormwater runoff and non-point source pollution. Alternative designs that accomplish the intent of this ordinance may be permitted under Section 24-258.

(b) Internal planting requirements

- (1) Based on parking area size and layout, trees shall be planted within landscape islands within the paved parking area so that every parking space is within 60 feet of the trunk of a tree. Perimeter trees and street trees as outlined above may be used to satisfy this requirement.
- (2) There shall be no more than 12 contiguous (linear) parking spaces without a landscape island. Trees are required in the landscape island. A landscape island used to satisfy this requirement shall contain a minimum of 250 square feet of area per tree with a minimum width of 8 feet. Tree size and spacing are the same as for the perimeter planting requirements. Shrubbery shall be provided in the island.
- (3) Landscape islands, based on the above requirements, shall be sodded, seeded mulched or planted with shrubs and/or groundcover.

- (4) The integration of Low Impact Development techniques as part of the landscape plan shall be required and may be used to meet these requirements.
- (5) All stormwater inlets shall be located within a landscape island and incorporate rain gardens, bioswales or other staff approved stormwater mitigation techniques to promote infiltration and reduce stormwater runoff and non-point source pollution.

(c) Buffer Planting Requirements

(1) Standards.

- a. In order to decrease incompatibility between adjacent uses, an appropriate landscaped buffer shall be required. Planted buffers shall provide a visually impervious barrier, be uniformly dense at all heights from the ground, and be a minimum of 4 feet above grade throughout the entire length and width of the planting. The buffer shall be planted with at least one (1) tree that qualifies as a canopy tree, for each 30 linear feet of buffer. Within one (1) year after installation, that portion of the buffer planted as prescribed above shall be at least 6 feet above grade throughout the entire length of the planting.
- b. Walls and fences may be permitted within the required buffer, however, no such wall or fence may be used to reduce or exempt the property from compliance with the buffer planting requirements. The location of the fence or wall within the buffer shall be approved by the Landscape Administrator.
- c. All walls and fences located within buffer areas shall be finished on both sides with the same type of finish.

(2) Buffer Widths

- (a) The following widths and wall standards shall apply to all buffers required by this chapter. Where there is a conflict between perimeter planting requirements and buffer planting requirements, the more stringent provision shall apply.
 1. Industrial zones and/or uses adjacent to residential uses/zones:
50 foot

2. Commercial zones and/or uses adjacent to residential uses/zones. The property owner shall choose one of the following options:
 - a. 35 feet
 - b. 15 feet with an opaque wall constructed along the property line
 - c. 10 feet with an opaque wall constructed along the property line and parking lot constructed between the buildings and the buffer.

3. Multi-family residential zones and/or uses adjacent to residential zones/uses:
 - 20 feet

 - (b) Where an opaque wall is required by Section 24-255(c)(2)(a), such wall shall be at least 6 feet in height and constructed of masonry materials including, but not limited to, Architectural CMU, brick, stone, stucco, or comparable masonry products. Cementitious siding materials, cast stone, and other commercially available synthetic or simulated masonry products may be used alternately or in combination with any of the materials listed above.

 - (c) Where walls are required in accordance with this section, the prescribed trees shall be spaced no further than 30 feet apart.

 - (d) No wall shall be constructed of wood, PVC or vinyl.

Sec. 24-256. Tree Preservation and Off-Street Parking Credits

The following section provides incentives for the reduction of impermeable surface through the addition of landscaping.

The following section only applies to commercial parking lots and in no case shall the combined reduction in parking exceed the following criteria: 10% for parking lots containing 1-74 spaces; 15% for parking lots containing 75-125 spaces and 25% for parking lots containing 126 or more spaces.

- (a) Trees which meet the perimeter planting requirements, whether existing or new, may be counted as 1 parking space per tree and be used to fulfill the total parking requirement of the development not exceeding the following percentages:
 - (1) Minimum parking requirements of 1 – 74 spaces: 10%
 - (2) Minimum parking requirements of 75 – 125 spaces: 15 %
 - (3) Minimum parking requirements of 126 or more: 25 %

(b) Interior landscape islands may be counted as 2 parking spaces per island and may be used to fulfill a portion of the total parking requirement of the development not exceeding the following percentages:

- (1) Minimum parking requirements of 1 – 74 spaces: 10%
- (2) Minimum parking requirements of 75 – 125 spaces: 15 %
- (3) Minimum parking requirements of 126 or more: 25 %

(c) Tree Preservation and Credit: Existing healthy trees may be included in the minimum planting requirements and credited toward trees required by this article in a landscape plan as per the following schedule:

DBH of preserved tree(s)	Number of trees credited
9-19 inches	2
20-25 inches	3
26-29 inches	4
30-35 inches	5
36 inches or greater	6

- (1) A tree proposed for use as a credit to satisfy minimum planting requirements must be approved as part of the site plan review process.
- (2) The landscape area surrounding a preserved tree shall be located so that the trunk of the tree is as close to the center of the landscape area as practical, and specific preservation practices shall be followed to insure exchange of water and oxygen to the root zone.

(d) Protection of Preserved Trees during Construction

Existing tree(s) shall only be credited where the following management standards are met:

- (1) During construction, the critical root zone of the tree(s) to be preserved shall be fenced and protected from compaction, trenching, harmful grade changes and/or other injury and be shown on an approved landscape plan.
- (2) Pavement, building foundations or other impervious surfaces shall not encroach into the critical root zone, unless specific preservation practices are followed to insure exchange of oxygen, water and nutrients to the root system.

- (3) Sidewalks or other forms of hard surfaces that do not require soil compaction and are not intended for vehicular use may be located within the critical root zone only if specific preservation practices are followed to insure exchange of oxygen, water and nutrients to the root system.

Sec. 24-257. Compliance

The architect, landscape architect, engineer, surveyor of record, horticulture professional, or landscape contractor for any criteria for which this article applies must certify to the Landscape Administrator that the landscaping has been installed to meet the minimum requirements of this article. The site will be inspected by the Landscape Administrator before a final certificate of occupancy will be issued.

In the event that inclement weather delays the installation of landscape materials, the developer may make a written request to the Landscape Administrator for an extension to the time of completion for the planting schedule in the approved landscape plan. The request must specifically state the reason for the delay as well as an estimated date for completion. Failure to complete the installation within 15 days of specified date will constitute non-compliance.

Sec. 24-258. Alternative Compliance

(a) Intent

The Landscape Requirements are intended to encourage development practices which are conscious of the character of the City and its ecological processes. Conditions associated with individual sites may under certain circumstances warrant approval of alternative methods of compliance. Conditions may arise where normal compliance is impractical or impossible, or where maximum achievement of the Purpose and Intent of this article can only be obtained through alternative compliance. It is not the intent of this section to allow alternative compliance on the basis of economic hardship. In the event that such conditions are present, the Landscape Administrator shall have authority to adjust the requirements of this chapter as provided in subsection (b).

(b) Request for Alternative Compliance Review

Requests for alternative compliance must be made in writing at the time of submittal of the landscape plan for approval by the landscape administrator, when one or more of the following conditions are met:

- (1) Improved environmental quality would result from alternative compliance.

- (2) Topography, soil, vegetation, drainage or other site conditions are such that full compliance is impractical.
- (3) Spatial Limitations, unusual shaped pieces of property, or prevailing practices in the surrounding neighborhood may justify alternative compliance.
- (4) Public safety considerations make alternative compliance appropriate.
- (5) Public Improvement projects make alternative compliance appropriate.
- (6) The site is part of a development for which a master plan has been submitted which makes adequate provision for landscaping.

Sec. 24-259. Landscaping Requirements for Urban Areas

Within the area platted and known as the Original City Survey and within the area described in Section 24-220a(2), otherwise known as the University Area Neighborhood, landscaping shall be provided on the public right-of-way adjacent to any development as applicable in Section 24-221, in accordance with Exhibit "A", Typical Street Cross Section, and Exhibit "B", Typical Street Cross Section with Overhead Utilities and meeting the approval of the director of TDOT. Both Exhibits "A" and "B" are adopted herein by reference and shall remain on file in the Office of Planning and Economic Development.

Sec. 24-260. Maintenance

The owner of property developed in accordance with an approved landscape plan shall be responsible for maintaining all landscaping in good condition. The maintenance required under this section shall include the prompt replacement of all dead or damaged landscaping materials, whether from natural or unnatural causes, so as to insure continued compliance with the requirements of this ordinance.

Sec. 24-261. Approved Tree List

Trees contained in the following list are preapproved for use and meet the requirements of this article. Any tree which is not on this list may be submitted for approval to the landscape administrator prior to the approval of a Land Development Permit. Trees which exhibit poor health characteristics, are not native to the climate range in Tuscaloosa or are considered invasive will not be approved for installation.

66

Scientific Name

Common Name

Canopy Trees

Acer spp.
Betula nigra
Carpinus caroliniana
Carya spp.
Cedrus deodora
Celtus laevigata
Cornus x 'Rutican'
Cryptomeria japonica
Fagus grandifolia
Fraxinus americana
Fraxinus pennsylvanica
Ginkgo biloba
Juniperus virginiana
Liquidambar styraciflua 'Rotundaloba'
Liriodendron tulipifera
Magnolia grandiflora
Magnolia virginiana
Metasequoia glyptostroboides
Nyssa sylvatica
Ostrya virginiana
Oxydendrum arboreum
Pistacia chinense
Platanus occidentalis
Quercus spp.
Salix alba
Salix babylonica
Sequoia sempervirens
Taxodium distichum
Taxodium ascendens
Tsuga canadensis
Ulmus alata
Ulmus parvifolia
Zelkova serrata

Maple Tree
River Birch
American Hornbeam
Hickory
Deodor Cedar
Sugar Hackberry
Constellation Dogwood
Japanese Cryptomeria
American Beech
White Ash
Green Ash
Ginkgo
Eastern Red Cedar
Fruitless Sweetgum
Tulip Tree
Southern Magnolia
Sweet Bay Magnolia
Dawn Redwood
Black Gum
Hophornbeam
Sourwood
Chinese Pistache
Sycamore
Oak Tree
White Willow
Weeping Willow
Redwood
Bald Cypress
Pond Bald Cypress
Hemlock
Winged Elm
Lacebark Elm
Japanese Zelkova

Understory Trees

Acer palmatum
Amalanchier x 'Autumn Brilliance'
Cercis canadensis
Cornus florida
Cornus kousa
Crataegus phaenopyrum

Japanese Maple
Autumn Brilliance Serviceberry
Eastern Redbud
Flowering Dogwood
Kousa Dogwood
Washington Hawthorn

Ilex latifolia	Lusterleaf Holly
Ilex x attenuate	Foster Holly
Ilex x 'Emily Bruner'	Emily Bruner Holly
Ilex x 'Nellie R. Stevens'	Nellie R. Stevens Holly
Ilex verticillata	Winterberry
Juniperus virginiana 'Idylwild'	Idylwild Juniper
Lagerstroemia indica	Crapemyrtle
Magnolia stellata	Star Magnolia
Magnolia x soulangiana	Saucer Magnolia
Malus spp.	Crabapple
Myrica cerifera	Southern Wax Myrtle
Osmanthus fortunei	Fortune's Osmanthus
Osmanthus fragrans	Tea Olive
Prunus serrulata	Japanese Flowering Cherry
Prunus subhirtella	Higan Cherry
Prunus x yedoensis	Yoshino Cherry
Thuja occidentalis	Arborvitae
Vitex agnus-castus	Lilac Chaste Tree

Sec. 24-262. Legal Aspects, Other Regulations.

All local, state and federal laws and regulations shall be considered when interpreting provisions of this article or technical specifications promulgated pursuant to this article. In each instance, the more restrictive requirement shall govern unless sound engineering judgment can determine and prove that the more restrictive requirement would be otherwise unnecessary. In most instances, laws and regulations that are phrased more explicitly shall apply over those items that are not phrased as precisely.

Nothing herein contained shall authorize a person to engage in development or earth changes within the area defined herein in a manner inconsistent with current zoning or subdivision regulations or other applicable codes or ordinances. All development or earth changing activity within the area defined herein shall be in conformity with current zoning or subdivision regulations and all other applicable codes or ordinances.

A landscape plan does not authorize any person or developer to engage in any activity that would violate any other applicable code, ordinance, regulation or state or federal laws nor substitute for obtaining any licenses or permits otherwise required.

Sec. 24-263. Penalty for violation.

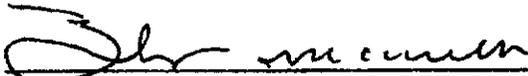
Any person, firm, corporation, or agent, who shall violate a provision of the code herein adopted or fails to comply therewith or with any of the provisions thereof, shall be

guilty of a misdemeanor and, on conviction, be punished as provided for in section 1-8 of the Code of the City of Tuscaloosa. The violation of or the noncompliance with each individual requirement, rule or regulation, of such code, and each day's continuation thereof, shall constitute a separate and distinct offense.

Sec. 24-264. Effective Date.

This ordinance is effective immediately upon passage and publication. The provisions contained herein shall not apply to the completion of a development that on or before the effective date has a current land development permit or current building permit, or to the completion of a planned unit development or riverfront development with final approval, but shall apply to redevelopment, change of use or expansion of such a development pursuant to Section 24-251. However, if the land development permit or building permit or approved planned unit development or riverfront development lapses or expires, all provisions contained herein shall apply.

APPROVED:



OFFICE OF PLANNING AND ECONOMIC DEVELOPMENT

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

**SYNOPSIS
TUSCALOOSA CITY COUNCIL MEETING
MARCH 24, 2009**

CONVENED: 6:00 p.m.

MEMBERS PRESENT

Mayor Maddox

President Pro Tem Taylor

Councilmembers Howard, Almond, Garrison, Tyner and Lundell

ABSENT

Councilmember Tinker

BUSINESS CONDUCTED: All votes are unanimous unless otherwise indicated.

Approved minutes of previous meeting (T/Ty)

Council Committee Reports

Clerk's Report of Mayor's Veto

Suspended the rules of procedure. (L/Ty)

Reconsidered the approval of an alcohol license application for Hajjaj, LLC for off-premises retail table wine and off-premises retail beer. (L/Ty. City Attorney Bob Ennis from OCA gave a departmental report recommending that the Council reconsider alcohol licenses for this applicant that was approved on March 3.)

Denied the alcohol license application of Hajjaj, LLC for off-premise retail table wine and off-premises retail beer. (L/H; Ty, A-no. City Attorney Bob Ennis from OCA and police officer Chris James each gave departmental reports recommending that the Council deny the alcohol licenses for this applicant that were approved on March 3. On behalf of the applicant, Attorney LuAnn Springer requested that the Council table this matter for two weeks to allow time to clear the charges.)

Returned to the agenda.

Approved items a through g on the consent agenda. (H/L)

- a. Declaring property surplus and authorizing its disposal.
- b. Authorizing sole source purchase of Verizon EV-DO Wireless Cellular Services.
- c. Authorizing utility account credits; total: \$2,122.22.

- d. Authorizing the issuance of a Housing Rehabilitation Grant under the Community Development Block Grant Housing Rehabilitation Program for the Washington Square neighborhood; total: \$5,000.00.
- e. Authorizing the issuance of a Housing Rehabilitation Grant under the Home Program; total: \$5,000.00.
- f. Authorizing the Mayor to execute a permit to the City of Northport for use of the City of Tuscaloosa drill field for tactical training. (A09-0257)
- g. Authorizing settlement of the Worker's Compensation claim; total: \$57,162.00. (08-0148)

Approved Zoning Amendment No. 1182 to amend the text of the Zoning Ordinance pertaining to Landscape and Buffer Requirements. (A08-0418) (L/H. John McConnell from the Office of Planning and Economic Development gave a report on the proposed zoning amendment and stated that the Planning Commission recommended this amendment. In addition, OCE Director Joe Robinson gave a report on the City's effort to mitigate storm water drainage. Several citizens representing various organizations offered support for the ordinance. Others, although recognizing the progress that the ordinance signifies, requested that the Council refrain from adopting the ordinance until mandatory penalties be added. Several residents requested that the City begin working on revising the subdivision regulations. Staff members addressed questions on fines, penalties and the plans for revising the subdivision landscaping regulation.)

Approved the ABC application of Casual Class Catering, Inc. to hold a special events retail license on April 4, 2009 at the Tuscaloosa Air Show. (09-017a) (H/L; G-abstained. Vincent Brown from the Revenue Department and police officer Chris James each gave departmental reports. The applicant was present to answer questions from the council.)

Councilwoman Almond left the meeting.

Approved the ABC application of Casual Class Catering, Inc. to hold a special events retail license on April 25, 2009 at Water Oaks Farm. (09-018a) (H/L; G-abstained. Vincent Brown from the Revenue Department and police officer Chris James each gave departmental reports. The applicant was present to answer questions from the council.)

Authorized execution of Requisition No. 61 for payment from the Series 2007A Warrant Issue; total: \$2,765.00. (A07-0767) (Ty/L)

Approved license application for Private Investigator/Uniformed Security Guard for Michael Tingle. (L/T. Vincent Brown from the Revenue Department gave

Adopted 05-27-08
APPROVED

City Attorney

Prepared By: RWE
Requested: _____
Presentation on: 05-27-08
Suspension of Rules: _____

ORDINANCE NO. 7254

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE
CODE OF TUSCALOOSA PERTAINING TO EFFECTIVE
ENFORCEMENT OF CONSTRUCTION
SITE EROSION AND CONTROL
(A08-0184)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

SECTION ONE. That Section 21-212, "Definitions" of the Code of Tuscaloosa be, and it is hereby, amended to revise the definition of "Area" to read as follows:

"Area. The provisions of this article shall have applicability to all site and land development projects and **development** activities within the corporate limits of the city and the city's police jurisdiction, **including the development of subdivisions and planned unit developments (not individual lots within subdivisions) and the development of single family residential homes in Flood Hazard areas.**"

SECTION TWO. That Section 21-218, "Land development: permit requirement," subsection (a) "Generally" of the Code of Tuscaloosa be, and it is hereby, amended to read as follows:

"(a) *Generally.* Prior to any development on any property in the Area, the Developer or person in charge or control thereof shall make application to the city engineer and obtain a land development permit ("LDP") authorizing Development on the Property in accordance with the provisions of this article. **If approval of construction plans by the City Engineer are otherwise required, the LDP must be approved and issued prior to approval of construction plans.**

All Development activity on the Property shall be under the supervision of a professional engineer or his/her designated representative employed by the person or contractor in charge or control of the site of the Development. No development activity shall occur on any property in the area until a land development permit has been issued pursuant to the provisions hereof."

SECTION THREE. That Section 21-218, "Land development: permit requirement," subsection (e) of the Code of Tuscaloosa be, and it is hereby, amended as follows:

"(e) *[Exceptions.]* Land development permits are not required for:

- (1) Emergency repairs of a temporary nature made on public or private property which are necessary for the preservation of life, health or property and which are made under such circumstances where it would be impossible or impracticable to obtain a land development permit.
- (2) Temporary excavation for the purpose of installing, maintaining, or repairing any public street, public utility facility or any utility service lines.
- (3) Agricultural activities.
- (4) **Any lot within a** subdivision or planned unit development having received final plat approval in accordance with applicable subdivision regulations, zoning ordinances and approved by the city engineer.
- (5) Driveways or driveway approaches. **(Driveway permit required instead in accordance with the provisions hereof)**
- (6) Modifications, alterations or additions to an existing single-family dwelling.
- (7) Development activity on a lot for a single-family dwelling unit if the lot is not within a flood hazard area."

SECTION FOUR. That Section 21-218, "Land development: permit requirement," of the Code of Tuscaloosa be, and it is hereby, amended to add subsection "(g)" as follows:

"(g) The city engineer shall issue a placard to the Developer indicating that a LDP has been issued. The Developer shall prominently display the placard at the site that is the subject of the LDP."

SECTION FIVE. That Section 6-3, "Chief building official," of the Code of Tuscaloosa be, and the same is hereby, amended by the addition of subsection (c) as follows:

"(c) The chief of inspection services shall also have the following authority if he should reasonably determine that there is a violation of any provision of Article XII, "Regulation of Certain Land Development Activities," of Chapter 21; Article IX, "Storm water Phase II" of Chapter 21; Chapter 6, "Buildings; Construction and Related Activities"; Section 16-102, "Same - Control at Site" of Chapter 16; or Article III, "Sewage Disposal" of Chapter 13; all of the Code of Tuscaloosa, as amended, until such violation has been rectified:

- Suspend code inspection services at the site of construction;
- Refuse to issue a Certificate of Occupancy at the site of construction for any building or premise or portion thereof on the property;
- Issue a stop work order at the site of construction;
- Or any combination of the foregoing."

SECTION SIX. That Section 6-6 of the Code of Tuscaloosa, currently Reserved, be and the same is hereby ordained to provide as follows:

"Sec. 6-6. Building permit required; violations of Certificate of Occupancy.

It shall be unlawful to commence the excavation for or the construction of any building, permanent sign, or other structure, including accessory structures, or to store building materials or erect temporary field offices, or to commence the moving or alteration (except necessary repairs not affecting bearing or external walls, chimneys, stairways, or heights of buildings) of any structure, including accessory structures until the building official has issued, for such work, a building permit. It shall be unlawful to continue to perform activities in regard to which a Stop Work has been issued by an authorized City official.

It shall be unlawful to use or occupy a building or premises or part thereof in violation of the terms and conditions of the Certificate of Occupancy."

SECTION SEVEN. That Section 21-221 of the Code of Tuscaloosa be, and the same is hereby, amended as follows:

"Sec. 21-221. Erosion control required generally.

Notwithstanding the fact that development activity on the Property may be exempt from the requirements of a LDP or DLDP pursuant to the provisions of this article, any person causing any development, any earth change or constructing or reconstructing a driveway approach on any property, regardless of size, within the Area shall take the necessary erosion control measures, utilizing best management practices, to provide for sedimentation facilities that prevent erosion and/or sedimentation in or upon city streets, **public rights-of-way, public storm drainage facilities or public easements, public utilities,** public water reservoirs, creeks, rivers and streams and/or property of others."

SECTION EIGHT. That Subsection (a) of Section 21-223, "Enforcement and penalties," of the Code of Tuscaloosa be, and the same is hereby, amended as follows:

"(a) If at any time development occurs on any property in the area or construction of a driveway approach not consistent with the requirements of the LDP or DLDP or the provisions of this article, a written notice to comply **and/or to stop work** may be given by the city engineer stating the nature and location of the alleged noncompliance and specifying what remedial steps are necessary to bring the matter into compliance and, at the option of the city engineer, ordering that all development activity or construction or reconstruction of driveway approaches cease. It shall be unlawful for a person or developer to continue to engage in development or construction or reconstruction of driveway approaches after the issuance of a stop work order by the city engineer or for the person or developer to fail or refuse to take the remedial measures necessary to bring the activity into compliance within the time required. In addition, the city engineer may request the office of the city attorney to pursue civil sanctions and remedies against the developer.

The Chief of Inspection Services or any of his inspectors, the Director of the Department of Transportation and any of her designated representatives, the Director of the Water and Sewer Department and any of his designated representatives, the Director of the Department of Planning and Economic Development and any of his designated representatives and the Director of Environmental Services and any of his designated representatives may also issue stop work orders under the same circumstances, provided; however, if such a stop work order is issued, the City Engineer shall be notified."

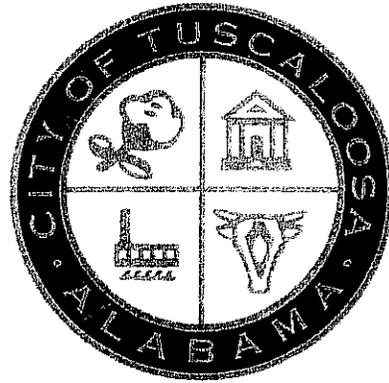
END DOCUMENT: OFFICE OF THE CITY ATTORNEY

FUNDING REQUIRED: Yes No

By: _____
Finance Director

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced 05-27-08 _____
Passed _____
2nd Reading _____
Unanimous 05-27-08 _____
Failed _____
Tabled _____
Amended _____
Comments: _____



CITY OF TUSCALOOSA
PHASE II STORMWATER PROGRAM

REFERENCES

- ILLICIT DISCHARGE DETECTION AND ELIMINATION: A GUIDANCE MANUAL

WPSTORMWATER.WEEBLY.COM/UPLOADS/3/9/3/9/3939038/IDDE_MANUAL.PDF

- ALABAMA HANDBOOK FOR EROSION CONTROL

SWCC.ALABAMA.GOV/PAGES/EROSION_HANDBOOK.ASPX

- 2009 INTERNATIONAL BUILDING CODE