

**ORDINANCE NO. 2014-05**

**COMMON COUNCIL FOR THE CITY OF LEBANON, INDIANA**

**AN ORDINANCE AMENDING THE CITY OF LEBANON STORMWATER CODE**  
**(ORDINANCE NO. 2006-15)**

WHEREAS, The City of Lebanon, Boone County, Indiana (“City”), may, pursuant to Indiana law [I.C. 36-1-3 (Home Rule)], enact ordinances for effective governance; and

WHEREAS, the City of Lebanon Stormwater Code (“Code”) as established by Ordinance No. 2006-15 requires the storage and controlled release of excess stormwater runoff for all new business, commercial and industrial developments, residential subdivisions, planned developments, rural estate subdivisions, redevelopments, or other new construction located within the City of Lebanon; and

WHEREAS, Section Three of the Code (codified as Lebanon City Code Section 56.040 et seq.) generally establishes stormwater quantity requirements for development and redevelopment projects within the City; and

WHEREAS, some areas within the City may not include adequate facilities and infrastructure for the conveyance, storage or acceptance of stormwater from developed or redeveloped properties; and

WHEREAS, The Common Council for the City of Lebanon (“Council”) finds it in the best interests of the City to amend the Code to provide for the installation, repair and management of facilities and infrastructure for storm water and to adequately provide for development and management of existing infrastructure.

NOW, THEREFORE, BE IT ORDAINED AND ADOPTED as follows: The Lebanon Stormwater Code, currently codified as Section 56.041 is hereby amended such that:

1. A new Section Three is added so that Section 56.041 (A) states (added language italicized):

*The City of Lebanon Stormwater Management Board is authorized, but is not required, to classify certain geographical areas as “Designated Drainage Areas”. In determining Designated Drainage Areas, the City of Lebanon Stormwater Management Board shall consider such factors as topography, soil type, capacity of existing drains, and distance from adequate drainage facility.*

*Land that does not have an adequate outlet, taking into consideration the capacity and depth of the outlet, may be designated as a Designated Drainage Area by the City of Lebanon Stormwater Management Board. Special terms and conditions for development within any Designated Drainage Area shall be included in the stormwater management permit.*

*The City of Lebanon Stormwater Management Board may establish an Infrastructure Development Fee ("IDF") Rate for a Designated Drainage Area. The City of Lebanon Stormwater Management Board may also waive an established Infrastructure Development Fee for consideration of land rights, construction costs, or other agreeable interests.*

*The magnitude of the IDF for a given parcel will be determined by the declared IDF Rate and the volume of detention storage necessary to prevent an increase in downstream flow rates and/or upstream flooding elevations. A master hydrologic and hydraulic model for the Designated Drainage Area will be developed and maintained under the direction of the City of Lebanon Storm Water Management Board.*

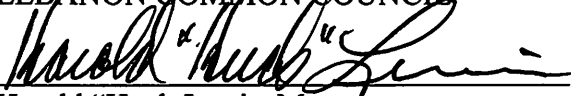
*All developments and redevelopments must submit a hydrologic model with accompanying hydrologic parameter calculations for the parcel(s) being developed. The model and hydrologic parameters will be incorporated into the master hydrologic and hydraulic models, under the direction of the City of Lebanon Storm Water Management Board, to determine the detention storage necessary to mitigate any detrimental effect of the development on the stormwater drainage for the City. The resulting detention volume will be multiplied by the IDF Rate to establish the IDF for the development. The IDF Rate established by the City of Lebanon Storm Water Management Board shall be subject to approval by the Common Council for the City of Lebanon.*

2. All remaining paragraphs in Section 56.041 are sequentially re-numbered and re-lettered to correspond to the aforementioned amendment, such that the current subsection (A) will become subsection (B), the current subsection (B) shall become subsection (C), the current subsection (C) shall become subsection (D), and the current subsection (D) shall become subsection (E).
3. This Ordinance shall take effect upon adoption and as provided for under Indiana law and shall repeal any prior ordinances that conflict herewith.


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PASSED AND ADOPTED THIS 24<sup>th</sup> day of MARCH 2014.

LEBANON COMMON COUNCIL

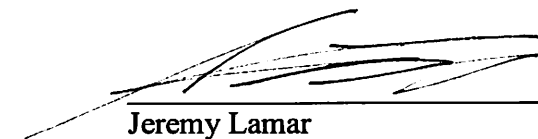
  
Harold "Huck" Lewis, Mayor

  
Keith Campbell

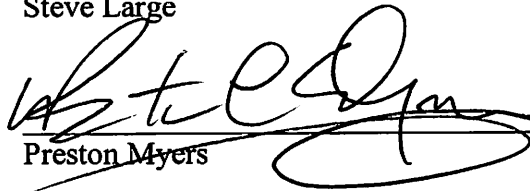
  
John Copeland

ABSENT  
Lana Kruse

  
Mike Kincaid

  
Jeremy Lamar

ABSENT  
Steve Large

  
Preston Myers

ATTEST:

  
Tonya Thayer, Lebanon Clerk-Treasurer