

**ROGUE VALLEY SEWER SERVICES
JACKSON COUNTY, OREGON**

ORDINANCE NO. 10-03

**AMENDING RVS CODE TITLE 4.05.100, 4.05.110, 4.05.120, 9.10.010, 9.10.040
AN ORDINANCE TO ALLOW RVS TO ISSUE PERMITS FOR LARGER AREAS
CURRENTLY ISSUED BY THE STATE AND OTHER UPDATES**

WHEREAS, for several years RVS has assisted the Oregon Department of Environmental Quality with the permitting and administrating of their 1200C Storm Water Construction requirements for development of one acre or less;

WHEREAS, such assistance also has benefit for our local construction community;

WHEREAS, DEQ is now allowing us to increase our assistance to development up to five acres;

WHEREAS, this can be done without an increase in the permit costs with RVS being reimbursed by the existing permit fee including the current annual fee paid until the development has been completed;

WHEREAS, staff is in final negotiations with DEQ on updates to our agreement with them and should have such agreement ready for our next Board of Directors meeting; and

WHEREAS, the document attached to this ordinance (Attachment 'A') identifies the changes as follows.

NOW, THEREFORE, BE IT ORDAINED that RVS Code Subsection C (4.) of Section 4.05.100 is amended to read as follows:

4. Construction Activity Discharges. Any person subject to an RVS Construction Permit or NPDES storm water discharge permit shall comply with all provisions of such permit. ..

Subsection A and B of Section 4.05.110 is amended to read as follows:

- A. Construction activities which disturb more than one acre of land, or are part of a larger common plan of development or sale, are required to obtain a permit through RVS regulating this activity. Applications, transfers, and notice of termination for permits shall be on the forms provided by Oregon DEQ.

1. Construction activities that disturb one to five acres are required to obtain an RVS Construction Permit. A copy of the RVS Construction Permit and fee amounts are available on the RVS website at www.rvss.us.
2. Construction activities that disturb five acres or more are required to obtain an NPDES 1200-C permit from RVS, a DEQ agent. A copy of the 1200-C permit application, forms, guidance documents and fee amounts are available at the DEQ website at www.deq.state.or.us.
3. Transfer Permit Registration. An owner or permit registrant must submit a DEQ-approved transfer form prior to permit expiration, or prior to transfer of ownership or operation.
4. Segregated Parcel(s). The owner or permit registrant may transfer responsibility for permit compliance for a segregated parcel(s) to other entities subject to approval by RVS. The transfer agreement will require the transferee to meet all requirements of the RVS Construction Permit or NPDES 1200-C permit. The permit registrant must still file a notice of termination when all construction activities are completed and protected.
5. SWQ Design Manual. ..
 - iv. Erosion and Sediment Control Plan (ESCP). Unless specifically excluded from the requirements of this chapter, development proposals greater than one acre must include an ESCP; and, development proposals less than one acre must include an ESCP if requested by RVS. Plan requirements and standards are detailed in the SWQ Design Manual, RVS Construction Permit and the NPDES 1200-C permit.

B. Projects Less Than One Acre. Construction activities that disturb less than one acre, are not required to obtain an RVS Construction Permit or NPDES 1200-C permit. Such projects including single-family home construction are required to meet all other provisions of this chapter.

Subsection C of Section 4.05.120 is amended to read as follows:

C. Access. The permit registrant shall allow RVS access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an RVS Construction Permit or NPDES permit to discharge storm water.

Subsection H(2.) of Section 4.05.120 is amended to read as follows:

2. Whether construction is in compliance with this chapter including an approved ESCP and an RVS Construction Permit or NPDES 1200-C permit.

Section 9.10.010 Definitions "Storm water permits" is amended to read as follows:

"Storm water permits" shall mean the RVS Construction Permit or NPDES 1200-C permit which are issued on behalf of the Oregon Department of Environmental Quality, DEQ.

Subsection D of Section 9.10.040 is amended to read as follows:

- D. Storm water permits are issued under an agreement with DEQ at the rates established by DEQ.

EFFECTIVE DATE: December 17, 2010

ROGUE VALLEY SEWER SERVICES

Michael M. Parker, Chairman
Board of Directors

COUNTERSIGNED:

Charles L. Root, Manager

First Reading: October 20, 2010
Second Reading and Passage: November 17, 2010
Effective Date: December 17, 2010