

TOWN OF SMYRNA, TENNESSEE
ORDINANCE NO. 08- 05

AN ORDINANCE relative to the amendment of Town of Smyrna Municipal Code, Title 14 "Zoning and Land Use Control", Chapter 6 "Storm Water Management Ordinance", Section 14-606 "Storm water system design and management standards", Subsection (1) "Storm water design or BMP manual" as related to manuals adopted by the Town of Smyrna for storm water purposes.

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(22), Town Council shall have the power to define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, business, occupations, callings, trades, use of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the municipality, and exercise general police powers; and

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(35), Town Council shall have the power to exercise and have all other powers, functions, rights, privileges and immunities granted by general law or necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, morals, and general welfare of the town and its inhabitants, and all implied powers necessary to carry into execution all powers granted in the Charter of the Town of Smyrna, Tennessee; and

WHEREAS, as part of the best management practices related to storm water management, the Town of Smyrna is seeks to minimize storm water run-off and to adopt and address best management practices for construction and development of areas less than one acre.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMYRNA:

Section 1. That Title 14 "Zoning and Land Use Control", Chapter 6 "Storm Water Management Ordinance", Section 14-606 "Storm water system design and management standards", Subsection (1) "Storm water design or BMP manual" of the Town of Smyrna Municipal Code is hereby amended as indicated in Exhibit "A-Black Line" and shall be provided in the Code as appearing in Exhibit "A" attached hereto and incorporated herein by reference as if set forth at length verbatim, the health and welfare of the Town of Smyrna requiring it.

Section 2. This ordinance shall take effect immediately as of the date of the adoption on second and final reading of the re-codified Smyrna Municipal Code, the public health and welfare of the Town of Smyrna requiring it.

PASSED on first reading by the Town Council the 12th day of February, 2008.

PASSED on second reading by the Town Council the 11th day of March, 2008.

TOWN OF SMYRNA, TENNESSEE

Bob Gene Spivey
BOB SPIVEY, Mayor

ATTEST:

Dianne Waldron
DIANNE WALDRON, Town Clerk

TITLE 14

ZONING AND LAND USE CONTROL

CHAPTER 6

STORM WATER MANAGEMENT ORDINANCE

SECTION

14-606. Storm water system design and management standards.

14-606. Storm water system design and management standards.

(1) Storm water design or BMP manual. (a) Adoption¹. The Town of Smyrna adopts as its storm water design and BMP manual the following publications (as such publications may hereafter be amended and/or restated from time to time), which are incorporated by reference in this ordinance as is fully set out herein:

(i) Town of Smyrna Subdivision Regulations (as adopted and/or amended from time to time by the Smyrna Municipal Planning Commission), and including specifically, but not limited to, the Town of Smyrna Water Quality Buffer Zone Policy, the Town of Smyrna Dry Detention Basin Policy, and the Land Disturbance Management Guidelines for Areas Under One Acre.

(ii) TDEC Erosion and Sediment Control Manual.

(iii.) Guide to the Selection and Design of Stormwater Best Management Practices: A Guide for Phase II MS4 Communities for Protecting Post-Construction Stormwater Quality and Managing Stormwater Flow, with the exception that Appendices A, B, C, and D are expressly excluded from adoption and reference herein.

(b) These manuals include policies for dry detention basin design, land disturbance involving less than one acre, water quality buffer zones, and a list of acceptable BMPs, including the specific design performance criteria and operation and maintenance requirements for each storm water practice. The Storm Water Design and BMP Manual may be updated and expanded from time to time, at the discretion of the Smyrna Town Council, upon the recommendation of the Town of Smyrna Public Works Department, based on improvements in engineering, science, monitoring, and local maintenance experience. Storm water facilities that are designed, constructed, and maintained in accordance with these BMP criteria will be presumed to meet the minimum water quality performance standards. (Amended by Ord. #08-____ and Ord. #07-47, Nov. 2007; Ord. #02-03, Feb. 2002, modified)

¹ The publications listed herein have not been reprinted and included in this code. They are of record in the town clerk's office.