

Chapter 52 Ordinance Update Summary

Proposed Definitions:

FINAL STABILIZATION. A construction site status where any of the following conditions are met:

(A) All soil disturbing activities at the site have been completed and a uniform (that is, evenly distributed, without large bare areas) perennial vegetative cover with a density of At least 70% of the native background cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent measures (such as use of riprap, gabions, or other measures) have been employed.

(B) For individual lots in a residential construction site by either:

(1) the homebuilder completing final stabilization as specified in condition (A) above; or

(2) only after prior approval from the Public Works Director, or their authorized representative, the homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization.

(C) For construction activities on land used for agricultural purposes, final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to surface water and areas that are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (A) above.

Section 52.38 Updates

(B) These documents may be delivered to the Public Works Director either in person or by mailing it to:

Public Works, Stormwater ~~Manager~~

City of Mansfield

1200 E. Broad St.

Mansfield, Texas 76063

Or email:

stormwater@mansfieldtexas.gov

Section 52.40 Updates:

~~(1) Ensuring that existing vegetation is preserved where feasible and that disturbed portions of the site are stabilized as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased. Stabilization measures may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures;~~

(1) To the extent possible and where feasible preserve existing vegetation. Stabilization measures for all disturbed areas associated with the construction project, regardless of physical location within or without the site, shall be implemented in compliance with the Stormwater Pollution Prevention Plan prepared for the construction site and in accordance with any additional requirements contained within the effective Texas Commission on Environmental quality Construction General Permit TXR 150000.

(5) Prevention of the discharge of building materials, including cement, lime, concrete and stucco operations, and mortar, to the MS4;

~~(10) Timely maintenance of vegetation, erosion and sediment control measures, and other best management practices, in good and effective operating condition. This includes applying effective stabilization measures for disturbed areas within 14 days when construction activities have temporarily or permanently ceased. Areas where construction activities will begin again within 21 days are not required to install stabilization measures~~

(10) Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, must be treated to the extent practicable and so that sediments are filtered or settled prior to ultimate discharge from site or into an underground storm sewer system.

Section 52.42 Updates:

Section 52.42 Privately Owned Stormwater Facility Requirements

(A) Owners, operators, or other benefitted users of property with a privately owned stormwater facility, control device, measure, structure, or other component shall be responsible for maintenance in accordance with the maintenance plan or recommendations as described by the manufacturer, design engineer, or other party responsible for determining maintenance needs. Maintenance records or other evidence of maintenance activities that have taken place shall be retained by the owners, operators, or other benefitted users and shall be made available to the Public

Works Director, or their authorized representative, as needed to provide proof of maintenance and/or inspections.

- (B) Owners, operators, or other benefitted users of newly developed, or redeveloped properties with a privately owned stormwater facility after the effective date of this section shall have a maintenance plan or recommendations for the facility, control device, measure, structure or other component filed with the real property records of the county in which the property is located. The Public Works Director, or their authorized representative, may request a copy(ies) of the maintenance plan or recommendations prior to submission to the county of record.
- (C) Owners, operators, or other benefitted users of a property with a stormwater facility, control device, measure, structure, or other component commits an offense if maintenance is not conducted in accordance with the maintenance plan or recommendations causing failure of the stormwater facility, control device, measure, structure, or other component to function as intended/designed.
- (D) Owners, operators, or other benefitted users of a property with a stormwater facility, control device, measure, structure, or other component commits an offense if the stormwater facility, control device, measure, structure, or other component is disabled, removed, or otherwise intentionally caused to fail without the prior approval of the Public Works Director, or their authorized representative."