

WOODFORD COUNTY, ILLINOIS
EROSION, SEDIMENT AND STORM WATER
CONTROL ORDINANCE

Woodford County, Illinois
Erosion, Sediment & Storm Water Control Ordinance
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SECTION 1: AUTHORITY

1. Woodford County adopts this ordinance pursuant to its authority to regulate storm water management and govern the location, width, course, and release of all storm water runoff channels, streams, and basins in the County. This ordinance applies to unincorporated areas of the County only.
2. The statutory authority for this ordinance is contained in 55 ILCS 5/5-1041, 5-1049 5-15001 *et seq.*, 415 ILCS 5/43, the Federal Water Pollution Control Act including Sec. 402(p) (commonly known as the Clean Water Act), the Federal Register, and other applicable authority, all as amended from time to time.
3. As applicable, the municipalities within the County may adopt and enforce this ordinance pursuant to 65 ILCS 5/1-2-1

SECTION 2: PURPOSE

1. To maintain and improve the quality of water impacted by the storm drainage system within the jurisdiction.
2. To create a set of fair and consistent standards that will facilitate desirable and sustainable development.
3. To assure that new developments and redevelopments do not increase flood or drainage hazards to adjoining and/or adjacent properties and others downstream, or create unstable conditions susceptible to erosion.
4. To require appropriate and adequate provision for site runoff control, especially when the land is developed with a large amount of impervious surface.
5. To facilitate compliance with state and federal standards and permits, including NPDES, by owners of construction sites within the jurisdiction.
6. Compliance with this Erosion, Sediment and Storm Water Control Ordinance does not allow a property owner to violate Illinois drainage law. Various laws, codes, statutes and rules regulate drainage in Illinois, all of which are applicable to the applicant and/or property owner.

SECTION 3: DEFINITIONS

[For the purposes of this article, the following words, terms and phrases shall have the meanings respectively ascribed to them in this section, unless the context clearly indicates otherwise.]

Adjacent lands: Surrounding land that may either impact a site, or be impacted by potential soil erosion, sediment and/or storm water run-off as a result of land disturbing activities conducted on a site and at a minimum is an area within one hundred (100) feet of the site.

Appeals Board: The Erosion, Sediment and Storm Water Control Appeals Board.

Areas of concentrated flow or bodies of water: Any area where water may accumulate or flow, whether continual or as the result of a storm event, including but not limited to lakes, rivers, streams, creeks, ponds, ditches, swales, gullies, ravines, street gutters and other similar features.

Commission: The Tri-County Regional Planning Commission.

Control Measure: Any proposed temporary or permanent measures to be installed to control erosion, sediment and storm water run-off from a project area.

County: The County of Woodford, Illinois.

Department: Woodford County Zoning.

Development: The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.

Disturbed Area: Any area of land on which the pre-development ground surface will be affected or altered by the development activities. This includes but is not limited to grading, clearing, stock piling, tracking and other similar activities.

Erosion: The general process whereby soil or earth is moved by rainfall, flowing water, wind or wave action.

Erosion and Sediment Control Permit: A permit required for earth disturbance activities, associated with any project involving construction of any new single or two-family dwelling, regardless of square footage, or commencing any project with a disturbed area of 5,000 square feet or greater, but less than one-half (1/2) acre.

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Erosion and Sediment Control Plan:: A plan showing how potential erosion and sedimentation occurring on a given site as a result of building, development, or an activity, will be minimized.

Erosion Control Administrator: The person appointed by the Woodford County Board to administer this ordinance.

Erosion, Sediment, and Storm Water Control Permit: A permit required for earth disturbance activities associated with any commercial, institutional, multi-family or industrial project with a disturbed area of more than one-half (½) acre; or a project requiring subdivision approval by a unit of local government with a disturbed area greater than one-half (½) acre.

Final Stabilization: All land disturbing activities at the site have been completed and a uniform perennial vegetative cover has been established, with a density of at least 70 percent, for the unpaved areas and areas not covered by permanent structures, or that employ equivalent permanent stabilization measures.

Flood Insurance Rate Maps (FIRM): Maps prepared by the Federal Emergency Management Agency (FEMA) that depict the special flood hazard areas (SFHA) within a community. These maps include insurance rate zones and floodplains and may or may not depict floodways.

IEPA: The Illinois Environmental Protection Agency.

Inspector: The County or their designee responsible for inspecting the selection, installation and maintenance of erosion, sediment, and/or storm water control practices.

Institutional Use: A religious or public use, such as a church, library, public or private school, hospital, or government owned or operated building, structure, or land used for public purpose.

Land Disturbing Activity: Any change in land, which may result in soil erosion from water or wind and the movement of sediments into State or County waters or on to lands in the County, or a change in the amount and/or intensity of storm water run-off, including but not limited to, the covering with an impervious surface, stockpiling, clearing, grading, excavating, rehabilitating, transporting, depositing or filling of land or pit trench dewatering .

National Pollutant Discharge Elimination System (NPDES): The surface water quality program authorized by Congress as part of the 1987 Clean Water Act. This is the EPA's program to control the discharge of pollutants to the waters of the United States (see 40 CFR 122.2 as amended)

NPDES Permit: A permit issued by the IEPA that authorizes the discharge of pollutants to Waters of the State, whether the permit is applicable to an individual, group, or general area-wide basis.

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Normal Agricultural Practices: Activities associated with the preparation and tilling of land for the purposes of growing crops, or raising livestock, which may include, but are not limited to, the construction of conservation measures, plowing, disking, and cultivating.

Perimeter Control: Any control measure installed between the down slope side of the disturbed area and the property line and/or between the down slope side of the disturbed area and any area of concentrated flow.

Pre-project Condition: A condition that may impact erosion, sediment, or storm water run-off characteristics of a site prior to start of construction activity. The pre-project condition shall be based on the predominant land use for the past five years. For example, if a site has been cropland for four of the past five years and in grass just prior to development, the land use would be cropland for the pre-project condition.

Project: Any development involving modification to land which involves a land disturbing activity.

Regional storm water management system: A system which is designed, constructed and maintained to provide storm water control for multiple land owners.

Road: Any right-of-way that has been improved for the purposes of providing a surface for vehicular traffic, including any federal, state, county, township, and municipal controlled facilities.

Sediment: Soil, sand, minerals, or other debris that has been disturbed or eroded and transported by water, wind, gravity, or tracked by equipment tires.

Single Family Dwelling: A building designed for or occupied by one family.

Site: The lot or parcel on which the project is to be developed.

Special Management Area: Floodplain, regulatory floodplain, wetland, wetland mitigation area, stream, river or other water body, steep slopes and areas where trees are to be preserved.

Standards: Standards for control measures for soil erosion, sediment and storm water shall be at least as protective as the requirements contained in the IEPA's Illinois Urban Manual, 2002 or latest amended, the EPA's General NPDES Permit No. ILR10 for storm water discharges from construction site activities, and the Woodford County standards for storm water design analysis found in Appendix A of this article. Where conflict exists, the more restrictive standard shall be used.

Steep Slopes: Land with a slope which equals or exceeds a vertical rise of one foot for a horizontal run of three feet for a vertical height of 35 feet or more.

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Storm Water Pollution Prevention Plan (SWPPP): A document that describes the erosion, sediment, storm water and other control measures to be implemented at a site to prevent or reduce the discharge of pollutants.

Substantial Completion: The point at which all exterior work is completed and the site can be used for the use intended.

Twenty-five year Frequency Storm Event: The storm event rainfall depth during a 24 hour period which is exceeded, on the average, once every twenty-five (25) years.

Two-family Dwelling: A building designed for or occupied by two families.

Two year Frequency Storm Event: The storm event rainfall depth during a 24 hour period which is exceeded, on the average, once every two (2) years.

Utility Service Line: The means by which utility service is provided to service users, such as electric, telephone, television cable, gas, water and sewer pipes.

Working Day: Shall not include Saturday, Sunday or any holiday when the Woodford County Courthouse is closed.

SECTION 4: APPLICABILITY OF ARTICLE

This article shall apply to:

1. All projects within the boundaries and jurisdiction of the County. No land surface shall be disturbed unless an erosion and sediment control permit, or an erosion, sediment and storm water control permit has first been issued for that project, except as follows*:
 - a. Land disturbing activities which do not involve the construction of any new single or two-family dwellings regardless of square footage, and for which the disturbed area is less than 5,000 square feet;
 - b. Normal agricultural practices; or
 - c. Routine maintenance of roads, access ways and utility service lines.

*The Erosion Control Administrator reserves the right to require any non-agricultural, construction development activity, regardless of disturbed area or type of activity, to comply with this article if it is determined to be the cause of or a contributor to an existing or potential erosion, sediment, or storm water impact. Consideration shall be given to the proximity of special management areas.

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2. Any land within the boundaries and jurisdiction of the County on which there is located a permanent storm water control measure, which was installed pursuant to this ordinance.

SECTION 5: STANDARDS FOR DESIGN AND INSTALLATION OF CONTROL MEASURES FOR SOIL EROSION, SEDIMENT AND STORM WATER

5-1000: EROSION, SEDIMENT, AND STORM WATER CONTROL MEASURES

1. Erosion and sediment control features shall be considered as part of any development's initial site planning process. The following shall be considered in the overall site design:
 - a. The sensitivity of the existing soils to erosion.
 - b. Minimize cut and fill operations by conforming to the natural contours of the land.
 - c. Retain and protect native and mature vegetation.
 - d. Utilize existing natural or established drainageways.
 - e. Emphasize erosion controls first then address sediment control.
2. On-site temporary erosion, sediment, and storm water control measures shall be functional and consistent with the information and requirements of this entire section before land is otherwise disturbed on the site.
3. Soil erosion and sediment control measures shall be appropriate with regard to the amount of tributary drainage area as follows:
 - a. Disturbed areas draining less than 1 acre shall, at a minimum, be protected by a filter barrier or equivalent to control all runoff leaving the site. Vegetative filter strips, with a minimum width of 25-feet in the direction of flow, may be used as an alternative only where runoff in sheet flow is expected. The use of straw bales for this purpose is prohibited.
 - b. Disturbed areas draining more than 1 but fewer than 5 acres shall, at a minimum, be protected by a sediment trap or equivalent control measure.
 - c. Disturbed areas draining more than 5 acres shall, at a minimum, be protected by a sediment basin or equivalent control measure.
4. Pumping sediment-laden water into any storm water facility either directly or indirectly without filtration is prohibited. Water removed from traps, basins and other water holding depressions or excavations must first pass through a sediment control and/or filtration device. When dewatering devices are used, discharge locations shall be protected from erosion.
5. All discharges to an undisturbed area, stabilized area or watercourse shall be designed at a non-erosive velocity.

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6. All temporary and permanent storm water conveyance channels, including ditches, swales, and diversions, and the outlets of all channels and pipes shall be designed and constructed to withstand the expected flow velocity from the design frequency storm without erosion assuming the worst soil cover conditions to prevail in the contributing drainage area over the life of the structure. All materials specified shall be able to withstand these allowable flow velocities without damage or soil erosion. Modifications to existing storm water facilities shall be stabilized within 48 hours.
7. To the extent practicable, proposed ditches and waterways which are to convey offsite flows through the site shall be stabilized upon construction. Where new waterways are constructed, they shall be stabilized to the extent practicable prior to their use to convey flood flows.
8. All storm drain inlets shall be protected by an appropriate sediment control measure when the drainage area to an inlet is disturbed, without regard to whether sediment trapping measures are required.
9. Silt fences can be used to intercept sheet flow only. Un-reinforced silt fences cannot be used as velocity checks in ditches or swales nor can they be used where they will intercept concentrated flows.
10. Reinforced silt fences (normal silt fence reinforced with woven wire fencing) can be used to intercept sediment laden water from disturbed areas less than 1 acre. Their purpose is to reduce the runoff velocity thereby allowing the deposition of transported sediment to occur.
11. Ditch checks shall be utilized, as appropriate, for sediment trapping and velocity control. Straw bales and unreinforced silt fence shall not be used. Reinforced silt fence may be utilized in certain circumstances with prior approval from the Erosion Control Administrator in consultation with the SWCD.
12. The Erosion Control Administrator, in consultation with the SWCD, may require additional soil erosion and sediment control measures to adequately protect special management areas.
13. All trenches, holes or other excavations required for utility installation should be backfilled, compacted and stabilized at the end of each working day. No excavation should be opened more than what can be stabilized by the end of the same day. If an excavation must be left unstabilized or opened overnight, soil erosion and safety protection measures shall be installed.
14. The surface of stripped or disturbed areas shall be permanently or temporarily stabilized within 14 days after final grade is reached or when left idle for more than 21 days.

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15. Stockpiles of soil or any other building materials shall not be located within twenty-five (25) feet of a special management area.
16. If a stockpile is to remain in place for more than three days, erosion and sediment control shall be provided for such stockpile.(e.g., perimeter silt fence).
17. All waste generated as a result of site development (including discarded building materials, concrete truck washout, chemicals, litter, sanitary waste or any other waste) shall be properly disposed of and be prevented from being carried off the site by either wind or water.
18. Graveled roads, access drives, parking areas of sufficient width and length, and vehicle wash down facilities if necessary, shall be provided to prevent the deposit of soil from being tracked onto public or private roadways. Any soil reaching a public or private roadway shall be removed before the end of each workday or sooner as directed by the authority maintaining the roadway and transported to a controlled sediment disposal area.
19. All temporary erosion and sediment control measures shall be removed within 30 days after final stabilization is achieved with permanent soil stabilization measures. Trapped sediment and other disturbed soils resulting from temporary measures shall be properly disposed of and the area permanently stabilized.
20. All control measures required under this ordinance shall conform to the design criteria, standards, and specifications provided in the applicable standards now in effect or as hereafter amended.
21. Winter shutdown shall be addressed early in the fall growing season so that slopes and other bare soil areas may be stabilized with temporary and/or permanent vegetative cover for proper erosion and sediment control. All open areas that are to remain idle throughout the winter shall receive temporary seeding, mulching and/or erosion control blanket prior to the end of the fall growing season. The areas to be worked beyond the end of the growing season must incorporate soil stabilization measures that do not rely on vegetative cover such as erosion control blanket and heavy mulching.

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22. Temporary stream crossings of intermittent and perennial streams used only for and during construction shall be designed to convey a two-year flood (minimum) without overtopping unless a more frequent design event is allowed by the Erosion Control Administrator and will not obstruct the portion of the channel carrying the base flow. The entire crossing shall be designed to withstand hydrodynamic and erosive forces up to the base flood event without washing out. Ephemeral streams may be crossed at temporary at-grade crossings provided that the crossing point is stabilized with materials resistant to the erosive forces produced by runoff from the upstream drainage area and the design is approved by the Erosion Control Administrator. All temporary stream crossings shall be completely removed and the stream restored to its preconstruction condition upon completion of construction. Restoration shall incorporate appropriate native vegetation.
23. A soil stabilization chart shall be developed for the project which includes a calendar type chart with both temporary and permanent stabilization measures and each practice's applicable time of year. Examples of temporary practices should include mulching and temporary seeding, and permanent practices should include permanent seeding, dormant seeding, sodding, or use of erosion control blankets. For each practice a minimum rate of application shall be included as a part of the chart or a note in the chart. Seeding and mulching rates, the appropriate seeding dates, and plant species to be used shall be included.

5-1100: PERMANENT STORM WATER CONTROL MEASURES

Storm water controls shall be designed so that the peak discharge rate from the permitted area resulting from the two-year and twenty-five year frequency storm events for the post-project condition do not exceed the corresponding storm event peak discharges for the pre-project condition. Evaluation of submitted plans shall be based on the Storm Water Design Analysis Standards in Appendix "A" or equivalent model.

5-1200: REGIONAL STORM WATER CONTROL SYSTEMS

To allow for the beneficial development and maintenance of regional storm water management systems, where they are available and they are appropriate, an applicant may submit a design dependent on such a system. The applicant shall submit documentation of the approval for the use of the regional storm water management facility from the governmental agency having jurisdiction over it. The applicant shall submit evidence showing that there will be no adverse flooding impact to any receiving stream between the point of discharge and the regional storm water facility. If the applicant is approved to use the regional storm water management system, the applicant may request exemption from the requirements in this section for permanent on site storm water controls from the Erosion Control Administrator. Such exemption shall not apply to any temporary storm water control measures required by this article.

5-1300: ADDITIONAL CONTROL MEASURES

The Erosion Control Administrator may require additional control measures pursuant to the Standards if determined as necessary prior to issuing the permit and after site inspection(s). The contractor is responsible for any additional erosion, sediment or storm water control measures. In special circumstances, planned or specified control measures may be waived with prior approval of the Erosion Control Administrator in consultation with the SWCD.

SECTION 6: MAINTENANCE OF CONTROL MEASURES

Erosion, sediment, and temporary storm water control measures shall be maintained during both the construction season and any construction shutdown periods so they are operating effectively until final stabilization has occurred and permanent storm water control measures are established in a manner specified in the applicable permit issued pursuant to this article.

Fully functioning temporary sediment control measures (including, but not limited to perimeter sediment controls) shall remain in place until final stabilization. The intent of the article is to keep the sites protected at all times until final stabilization.

SECTION 7: EROSION AND SEDIMENT CONTROL PERMITS

Before commencing any project involving construction of any new single or two-family dwelling regardless of square footage, or commencing any project with a disturbed area of 5,000 square feet or greater but less than one-half (1/2) acre, the owner of the land, or his representative, shall be required to file an application for an Erosion and Sediment Control Permit, except as otherwise provided in Section 4-1 and Section 8.

Prior to applying for an Erosion and Sediment Control Permit, the applicant shall contact the Woodford County Soil & Water Conservation District (SWCD) to receive and sign the Woodford County Erosion and Sediment Permit Procedure Form. As applicable, evidence that a NOI has been submitted to the IEPA shall be provided to the Woodford County SWCD and the Erosion Control Administrator.

7-1000: APPLICATION

The applicant shall file the application with the Department on forms provided by the Department. The fee for an Erosion and Sediment Control Permit shall be in the amount of two hundred dollars (\$200.00) for each permit. However, no fee shall be required for any project the purpose of which is agricultural, or initiated by a local unit of government. There shall be no refund of any fees paid and no application shall be accepted for filing unless the fee has been paid in full.

7-1100: APPLICATION REVIEW

Review of an Erosion and Sediment Control Permit application shall be limited to verifying that the required information and permit fee have been provided and that it meets the standards. The Erosion Control Administrator shall issue or deny an application within five (5) working days of the filing of a complete application. If the permit is denied, it shall be returned to the applicant with a written explanation of its denial. The application shall be deemed approved if no response is made within the time frames provided above. A copy of the application and all associated paperwork is attached as "Appendix C".

7-1200: DURATION

The Erosion and Sediment Control Permit shall be issued for a period not exceeding two (2) years.

7-1300: CONTENT OF EROSION AND SEDIMENT CONTROL PERMIT

The Erosion and Sediment Control permit shall contain at a minimum the following general conditions:

1. That written approval be obtained from the Erosion Control Administrator prior to making any modification to the erosion and sediment control plan as set forth in the application; and
2. That all control measures identified in the application shall be installed; and
3. That all control measures shall be maintained during construction until final stabilization has been achieved.
4. Such other conditions as the Erosion Control Administrator deems appropriate to ensure compliance with the specific requirements and intent of this article.
5. The Erosion and Sediment Control permit shall have attached to it a copy of the approved Erosion and Sediment Control Plan outlining the location and extent of measures applicable from Section 5: Erosion, Sediment and Storm Water Control Measures and maintenance as outlined in Section 6: Maintenance of Control Measures.

7-1400: PERIODIC SITE VISITS

1. Before construction begins but after any needed erosion and sediment control measures (ESC) are in place, the Inspector will make a site visit to insure proper selection and installation of ESC measures. If problems are found, construction will not be allowed to begin until problems are corrected.

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2. Inspector will make periodic site visits as needed to monitor the site. Builder shall make weekly inspections and within 24 hours of ½ inch rainfall event or equivalent snowfall of ESC measures and perform any maintenance on them as needed (e.g., clean out silt fences when sediment builds up to 1/2 of the fence height).
3. If the Inspector finds a problem on site, the builder will have 48 hours to correct the problem. On the return visit, if the problem has not been corrected, the matter will be referred to the Department.

7-1500: PERMANENT GROUND SURFACE COVER

Under all circumstances, temporary control measures shall be maintained in accordance with Section 7.5-64. Without exception, all disturbed areas must have final stabilization within six months of project completion, or within six months of occupancy, whichever comes first.

SECTION 8: EROSION, SEDIMENT, AND STORM WATER CONTROL PERMITS

Before commencing any commercial, institutional, multi-family or industrial project with a disturbed area of more than one-half (1/2) acre; or a project requiring subdivision approval by a unit of local government with a disturbed area of more than one-half (1/2) acre, the owner of the land, or his representative, shall be required to file an application for an Erosion, Sediment, and Storm Water Control Permit.

8-1000: ADDITIONAL REQUIREMENTS

All construction sites that will result in the disturbance of one or more acres total land area, construction sites less than one acre of total land that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb one or more acres total land area shall comply with the provisions of the IEPA General NPDES Permit No. ILR10 for Storm Water Discharge for Construction Site Activities including, but not limited to:

1. Submit a Notice of Intent (NOI) to the IEPA with appropriate fee, at least 30 days prior to the commencement of construction.
2. Prepare a Storm Water Pollution Prevention Plan (SWPPP) meeting the requirements of Part IV of the ILR10 permit.
3. Complete and submit to the IEPA within 5 days an Incident of Noncompliance (ION) report for any violation of the SWPPP observed during an inspection, including those not required by the Plan.
4. Complete and submit a Notice of Termination (NOT) to the IEPA when a site has been finally stabilized and all storm water discharges from the construction sites that are authorized by the permit are eliminated.

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5. Include signed contractor certification statement in plans or notes with wordage as follows: "I certify under penalty of law that I understand the terms and conditions of the National Pollutant Discharge Elimination System (NPDES) permit ILR10 that authorizes the storm water discharges associated with industrial activity for the construction site identified as part of this certification."
6. A copy of the SWPPP and required inspections shall be maintained on the site at all times.

8-1100: APPLICATION

The applicant shall file the application with the Department on forms provided by the Department. The applicant shall supply the number of copies of application documents as provided in the application. Each application shall be accompanied by the following information:

1. Existing site conditions map. A map of existing site conditions on a scale, of at least one inch equals one hundred (100) feet, showing the site and immediately adjacent areas and the locations of the following site information:
 - a. Site boundaries and adjacent lands which accurately identify site location;
 - b. Lakes, streams, wetlands, channels, ditches, and other water courses on and immediately adjacent to the site;
 - c. Floodways and/or Zone A of the Floodplain as determined on the Flood Insurance Rate Map (FIRM), and indicating the map panel number;
 - d. All off-site drainage onto or through the project site;
 - e. Location and dimensions of storm water management components on or adjacent to site;
 - f. Locations and dimensions of structures, roads, highways, easements and paved areas; and
 - g. Site topography: show contours at vertical intervals as follows:
 - (I) Slope of six (6 %) percent or less, two-foot interval.
 - (II) Slope of over six (6%) percent but less than fifteen (15%) percent, five-foot interval.
 - (III) Slope of over fifteen (15%) percent, ten- or twenty-foot intervals.
2. Plan of final site conditions. A plan of final site conditions drawn to the same scale as the existing site map submitted pursuant to subsection (1)a, and which includes information to accurately depict post-construction appearance of site, e.g., contours, paved areas, building, landscaping, and other changes to the site, along with other predominate site features, e.g., open areas, bodies of water.

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3. Erosion and Sediment Control Plan. A plan detailing erosion, sediment and storm water control measures drawn to the same scale as site map submitted pursuant to subsection (1)a, that shall include:
 - a. Location of special management areas;
 - b. Locations and dimensions of all proposed land disturbing activities;
 - c. Locations and dimensions of all temporary soil and aggregate stockpiles;
 - d. Location, dimension and construction details of all erosion, sediment and storm water control measures necessary to meet the requirements of this article;
 - e. Statement regarding provisions for maintenance and maintenance requirement of the erosion, sediment and storm water control measures during construction as outlined in Sec 6: Maintenance of Control Measures;
 - f. The name, address and phone number at which the person responsible for erosion and sediment control may be reached on a 24-hour basis.
4. Storm water management plans and controls. Design calculations and information related to the permanent storm water management system for any project with a net increase of impervious area greater than one-half (1/2) of an acre. For the purposes of this section, the net increase is the cumulative change since the implementation of this article, April 15, 1996. For example, in year 1, a commercial site increases the parking lot by 20,000 square feet. In year 2, the same commercial site adds a building with an area of 20,000 square feet. In year 1, no permanent storm water control measures (or calculations) are required by the ordinance. In year 2, storm water calculations shall be submitted and shall be based on the total increase of 40,000 square feet of impervious area. The following information shall also be provided by the applicant:
 - a. A map showing the drainage area divides, including off-site drainage areas that drain into the site;
 - b. Location and identification of soil types for entire watershed;
 - c. Location and identification of vegetative cover for entire watershed;
 - d. Run-off curve number calculations for both pre- and post-project conditions for all subwatersheds;
 - e. Time of concentration calculations for both pre-and post-project conditions for all subwatersheds, and include a map showing hydraulic flow lengths used;
 - f. Peak flow-rate calculations for 2 year and 25 year storms for both pre-and post-project conditions;
 - g. Design calculations for detention basin outlets for both 2 year and 25 year storms, include stage-storage table and discharge rating curve data or outflow calculations (refer to optional form in Appendix A);

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- h. Location dimensions, and construction details of proposed detention basins and outlets;
 - i. Detention volume calculations;
 - j. Summary of peak flow-rates for pre-, post- and proposed conditions with detention showing that the requirements of the ordinance are met (refer to optional form in Appendix A); and
- 5. Schedule or sequence of development or installation of the elements of the site management control measures proposed above.
 - 6. A detailed estimate of quantities and estimated costs, prepared by a registered professional engineer, of all control measures required under this section.
 - 7. A plan of the continued management and maintenance of such permanent control measures.
 - 8. Application fee. An application fee shall be submitted at the time of application. The fee shall be in the amount of seventy-five dollars (\$75.00) per acre with a maximum fee of \$2500.00. However, no fee shall be required for any project the purpose of which is agricultural.
 - A fractional acre shall be rounded to the nearest whole acre. There shall be no refund of any fees paid and no application shall be accepted for filing unless the fee has been paid in full.

8-1200: APPLICATION REVIEW

Within five (5) working days of submittal of the application, the Erosion Control Administrator shall respond in writing to the sediment and erosion control practices portion. Within twenty (20) working days of submittal of the application, the Erosion Control Administrator shall respond to the storm water management plans and control portion of the application by either issuing a permit, issuing a request for additional information, or issuing a statement denying the permit with an explanation of cause. The application shall be deemed approved if no response is made within the time frames stipulated above.

8-1300: FINANCIAL SECURITY AGREEMENT

Before any Erosion, Sediment and Storm Water Control Permit is issued, the applicant shall deliver to the Erosion Control Administrator a surety bond, irrevocable letter of credit or executed escrow agreement in the name of Woodford County for one hundred (100) percent of the applicant's engineer's estimated cost for all control measures required under this section. If the control measures are necessitated by construction which is also subject to the current Woodford County Subdivision Code, the applicant may submit one surety bond, irrevocable letter of credit or executed escrow agreement to cover one hundred (100) percent of both the Control Measures required pursuant to this section and the improvements governed by the current Woodford County Subdivision Code. A signed contractor's bid that meets the specifications of the engineer's estimate for the work can be used to establish the

amount of security required, if such estimate is accepted by the Erosion Control Administrator.

8-1400: DURATION

The Erosion, Sediment and Storm Water Control Permit shall be issued for a period not exceeding two (2) years.

8-1500: PERMIT CONDITIONS

The Erosion, Sediment and Storm Water Control Permit shall contain at a minimum the following general conditions:

1. That written approval be obtained from the Erosion Control Administrator prior to making any modification to the approved Erosion and Sediment Control Plan and the Storm Water Management Plan as set forth in the permit;
2. That all control measures required in the permit shall be installed;
3. That all control measures shall be maintained during construction;
4. Such other conditions as the Erosion Control Administrator deems appropriate.

8-1600: PERMANENT GROUND SURFACE COVER

Without exception, all disturbed areas must have final stabilization within six months of project completion, or within six months of occupancy, whichever comes first.

8-1700: PERIODIC & FINAL INSPECTIONS; NOTICE OF PERMANENT STORM WATER CONTROL MEASURES

1. Inspector will make periodic site visits as needed to monitor the site. Builder shall make weekly inspections and within 24 hours of ½ inch rainfall event or equivalent snowfall of Erosion, Sediment, and Storm Water Control measures and perform any maintenance on them as needed.
2. If the Inspector finds a problem on site, the builder will have 48 hours to correct the problem. On the return visit, if the problem has not been corrected, the matter will be referred to the Department.
3. Within fourteen (14) days after completion of construction, the applicant shall notify the Erosion Control Administrator that the permanent storm water control measures are ready for final inspection. If the inspection shows that the control measures and maintenance plan comply with the Standards in Appendix "A" of this article, the Erosion Control Administrator shall issue a Notice of Permanent Storm Water Control Measures. The owner shall record the Notice with the Woodford County Recorder of Deeds within fifteen (15) days after the Notice is issued.

8-1800: MAINTENANCE OF PERMANENT STORM WATER CONTROL MEASURES

Anyone owning property with a permanent storm water control measure existing thereon and installed pursuant to this ordinance shall maintain the control measure so that it functions in compliance with the Standards.

SECTION 9: ENFORCEMENT AND STOP WORK ORDER FEE

This chapter shall be administered and enforced by the Erosion Control Administrator, who shall make or cause to be made, periodic inspections of all work authorized by permits issued in accordance with this ordinance to insure that said construction is in compliance with the provisions of the same; he/she shall make or cause to be made, investigations of violations of this chapter and shall cause any violations to be corrected.

Any permit issued pursuant to this ordinance shall be revoked by the Erosion Control Administrator when he/she finds from personal inspection or from competent evidence that the rules, regulations or standards under which said permit was issued are being violated. To defray costs of administering stop work orders posted by the field inspectors as a result of a violation of any of the terms of the ordinance, a fee of two hundred fifty dollars (\$250) per stop work order will be charged.

SECTION 10: PENALTY

The violation of any of the terms of the ordinance shall constitute an offense punishable by a fine not to exceed five hundred dollars (\$500.00), with each day the violation remains uncorrected constituting a separate offense. Such fine is in addition to any other remedy provided by law.

SECTION 11: APPEALS

11-1000: APPEALS BOARD

The Appeals Board shall consider and decide upon appeals of any decision, order, or requirement of the Erosion Control Administrator made pursuant to this article.

1. The Appeals Board is hereby authorized to be established. Said Appeals Board shall consist of 5 members including a member of the Conservation, Planning, and Zoning Committee of the Woodford County Board, the County Engineer, or their representative, a member of the Soil and Water Conservation District, a member appointed by the Chairman of the Tri-County Regional Planning Commission, and an at-large citizen. Preference shall be given to individuals who are professional

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engineers, licensed architects, licensed landscape architects, landscape contractors, earthmoving contractors, home builders, or citizens who have extensive experience in erosion, sediment and storm water management. The 5 members on the first Appeals Board shall draw lots to establish terms of 1, 2, 3, 4, and 5 years, respectively. Thereafter, as terms expire, each appointment shall be for 5 years.

2. The chairman of the Appeals Board shall be elected at the beginning of each calendar year from among the members by a majority of the members.
3. All decisions of the Appeals Board must receive the support of a majority of its members. A majority of the members of the Appeals Board shall constitute a quorum for the transaction of business; and all questions, which shall arise at meetings, shall be determined by the votes of the majority of members present. The Appeals Board shall keep minutes of its proceedings showing the vote of each member upon every question or if absent or failing to vote, indicating such facts, and shall keep records of its examinations and other official actions. Every rule, and every order, requirement, decision, or determination of the Appeals Board shall immediately be filed in the Woodford County Zoning Office and shall be a public record. The concurring vote of three (3) members of Appeals Board shall be necessary to reverse any order, requirement, decision or determination of the Erosion Control Administrator. The Appeals Board shall adopt its own rules of procedure not in conflict with State law or this chapter.

11-1100: APPEALS TO APPEALS BOARD

Any person directly aggrieved by any decision, order, requirement, or determination of the Erosion Control Administrator made pursuant to this article shall have the right to appeal such action to the Appeals Board. Such appeal shall be made within thirty-five (35) days from the date of the action appealed from, shall be filed in writing, and shall include a short, concise statement of why the action is being appealed. The fee for such an appeal shall be \$225.00 payable to Woodford County Zoning and is due with the application. In addition, the person filing the appeal shall pay all required publication costs associated with the appeal.

Upon receipt of a notice of appeal, the Zoning Office shall set a date for a public hearing before the Appeals Board. Such public hearing shall commence not sooner than 15 days nor more than 30 days after the date of receipt of the notice of appeal. At least 15 days notice of the time and place of such hearing shall be published in a newspaper of general circulation in the County. The Appeals Board shall decide the appeal within seven (7) days after the conclusion of the public hearing. The Appeals Board may affirm, modify or reverse any appealed action.

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11-1200: APPEALS TO COURT

Appeals from the Appeals Board shall be made in conformity with the provisions of the Illinois Administrative Review Act, 735 ILCS 5/3-101 et. seq. Copies of any orders or proceedings ordered by the appellant shall be furnished to him/her at his/her own cost.

SECTION 12: EFFECTIVE DATE

Upon adoption by the Woodford County Board, these amendments shall be in full force and effect on _____.