

CHARTER TOWNSHIP OF FENTON
Ordinance No. 652
Adopted November 21, 2005

An ordinance to amend Sections 1 and 2 Storm Water Management Ordinance No. 574 for the purpose of revising the language regarding drainage on residential properties.

THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN ORDAINS:

ARTICLE I. Section 1 of Ordinance No. 574 is hereby amended to provide as follows:

SECTION 1. Purpose.

It is the intent of the Ordinance to encourage the use of Best Management Practices (BMPs) which are structural, vegetative, or managerial practices designed to treat, prevent or reduce degradation of water quality due to storm water runoff. All development projects, new residential construction and existing residential properties shall be designed, constructed and maintained using BMPs to prevent flooding, protect water quality, reduce soil erosion, maintain and improve wildlife habitat and contribute to the aesthetic values of the project. The particular facilities and measures required on-site shall reflect and incorporate existing grade, natural features, wetlands and watercourses on the site to maximum extent feasible.

ARTICLE II. Section 2 of Ordinance No. 574 is hereby amended to provide as follows:

SECTION 2. Acts Prohibited.

It shall be unlawful for any person or legal entity:

- A. To construct, arrange, or continue to maintain any conduit, pipe or drain which collects runoff water, storm water or other waste water from their property or from their roof or from around the foundation of any structure on their property, concentrating the flow thereof and discharging such collected water onto the pavement of any paved public street or into the gutter of any street which has paved curb and gutter, unless such collected water is discharged directly into a storm sewer.
- B. Any storm water drainage from existing or new residential homes shall not be allowed to flow onto adjacent properties.
- C. Discharge untreated storm water to a wetland, lake, pond, stream or ground water recharge area.
- D. To use parking lot surfaces as detention basins unless it is determined that no reasonable alternative exists.

ARTICLE III. Severability.

Each and every article of this amendatory ordinance, and each provision of each article section and subsection is declared to be separable and severable, and a judicial determination that any article, section, subsection or provision of this ordinance is invalid or unenforceable, shall not affect the validity or enforceability of any other article, section, subsection or provision.

ARTICLE IV. Effective Date.

This amendatory ordinance shall be published as required by law and shall take effect immediately after its enactment and publication.

Enacted at a regular meeting of the Charter Township of Fenton Board of Trustees held on the 21st day of November 2005.

Bonnie K. Mathis, Supervisor

Robert E. Krug, Clerk