

TOWN OF WEST WARWICK

ORDINANCE

OF THE

TOWN COUNCIL

ORDINANCE NO. 2018 – 18

AN ORDINANCE AMENDING CHAPTER 13 PLANNING AND DEVELOPMENT, CHAPTER 15.5 SOIL EROSION AND SEDIMENT CONTROL AND CHAPTER 16 STREETS AND SIDEWALKS OF THE CODE OF ORDINANCES OF THE TOWN OF WEST WARWICK,

WHEREAS: The Home Rule Charter of the Town of West Warwick provides that the Town Council shall at least every 5 years cause to be prepared a revision or codification of the Code of Ordinances of the Town of West Warwick which are currently in effect and are appropriate for the continuation as local laws of the Town of West Warwick, and

WHEREAS: The Town Council has directed that all department heads submit revisions or codifications of the sections of the West Warwick Code of Ordinances that pertain to the department of which he or she directs, and

WHEREAS: In accordance with such directive said department heads have submitted to the Town Council such requests and recommendations for the revision or codification of the Code of Ordinances which said department heads believe are appropriate for enactment by the Town Council, and

WHEREAS: The Town Council has reviewed such requests and recommendations and after deliberation thereon has determined that the Code of Ordinances of the Town of West Warwick shall be codified and revised in accordance with the requirements of the Home Rule Charter of the Town of West Warwick,

NOW, THEREFORE, IT IS HEREBY ORDAINED that the Town Council of the Town of West Warwick hereby amends Chapter 13 PLANNING AND DEVELOPMENT, Chapter 15.5 SOIL EROSION AND SEDIMENT CONTROL and Chapter 16 STREETS AND SIDEWALKS of the Code of Ordinances of the Town of West Warwick as follows:

Chapter 13 PLANNING AND DEVELOPMENT

ARTICLE V. POST CONSTRUCTION STORMWATER CONTROL

Sec. 13-75. Purpose.

(b) This article establishes the administrative mechanisms necessary for the town to ensure proper storm water management of runoff from new development and redevelopment projects. The ordinance from which this article is derived is written to work in conjunction with the state department of environmental management's General Permit Rhode Island Pollutant Discharge Elimination System Storm Water Discharge from Small Municipal Separate Storm Sewer Systems and from Industrial Activity at Eligible Facilities Operated by Regulated Small MS4s. Rhode Island Department of Environmental Management's "Rhode Island Stormwater Design & Installation Standards Manual (amended 2015), Rhode Island Community Non-Point Sources Pollution Management Guide (as amended), and Rhode Island Soil Erosion & Sediment Control Handbook (as amended)".

~~Sec. 13-82. Storm water management plans.~~

- ~~(a) Calculations. In addition to the information required for the site plan the following information must also be included with the application, where applicable:~~
- ~~(1) The area of each subwatershed shall be identified on final site plans.~~
 - ~~(2) The area of impervious surfaces (including all roads, driveways, rooftops, sidewalks, etc.) for each sub-basin as identified in the state storm water design and installation standards manual, as amended.~~
 - ~~(3) Weighted curve numbers as determined using urban hydrology for small watersheds (USDA Soil Conservation Service, 1986 or as amended).~~
 - ~~(4) Invert elevations for inlets and outlets. In addition, invert elevations shall be provided for all basins including permanent and/or flood pool stages, including peak discharge rates for each stage.~~
 - ~~(5) The total volume capacity for all flood control and water quality best management practices (e.g., infiltration basin, detention basins, wet ponds, etc.). Volumes must be segregated into permanent and flood pool stage volumes where applicable. Furthermore, the volumes of all sediment storage (basins, forebays, etc.) areas must also be provided.~~
 - ~~(6) Predevelopment and post development peak discharge rates and runoff volumes for the two-year, ten-year, 25-year, and 100-year frequency storm events for each subwatershed to each separate water or discharge point. The water quality volume must also be calculated for each subwatershed. All relevant variables such as curve numbers and time of concentration, along with the supporting computations and worksheets must be included. The entire site shall be included in an evaluated subwatershed.~~
 - ~~(7) Supporting calculations to demonstrate that the proposed development project will meet section 13-81.~~

Sec. 13-82. Storm water management plans.

(a) The drainage plan, storm drainage calculations, runoff rates and system design shall be based on the application of the appropriate method as follows:

The Rational Method: This method is the preferred method for small systems of three acres or less, when no wetlands, ponds or other storage depressions are present and where drainage is toward the point of analysis.

TR – 55: This is the preferred method for calculating runoff volumes, peak discharge rate and flood storage requirements for site development between one acre and 2000 acres.

TR – 20: This is for large complex watersheds and systems beyond the scope of TR – 55.

The drainage plan and drainage calculations shall contain the following information:

1. An estimate of the quantity of stormwater surface runoff presently flowing from the land proposed to be subdivided, and that which would be generated by the proposed subdivision, calculated on the basis of a 25 year frequency rainfall.
2. An estimate of the quantity of stormwater surface runoff entering the subdivision naturally from upstream areas within the watershed under present conditions, calculated on the basis of a 25 year frequency rainfall.
3. An analysis of the capability of existing watercourses, storm sewers, culverts and other drainage facilities within the land proposed to be subdivided to handle the runoff as calculated under 1 and 2 above, and proposals to handle such surface runoff. Culvert and storm sewers shall be designed for a 25 year frequency rainfall, with a minimum pipe size of 15 inches and a minimum pipe gradient of one per cent.
4. Proposals for disposal of surface runoff, downstream from the subdivision without damage to the land and improvements and to the receiving water body.
5. The drainage plan shall further indicate how the following specific requirements will be met:
 - a. That each lot will be adequately drained;
 - b. That the natural drainage patterns will be maintained whenever possible;
 - c. That all existing watercourses will be left open, unless approval to enclose is granted by the planning board;
 - d. That all new open watercourses will be seated, soldered or paved, depending on grades and soil types;
 - e. That a continuous drainage system will be installed and connected to a natural or man-made watercourse or to an existing pipe storm drainage system. Whenever feasible, such drainage system shall be designed as a nonstructural system consisting of swales, sheet flow and open drainage which attenuates nonpoint pollution and regulates the rate of flow. The ultimate destination of such continuous drainage shall be a permanent natural body of water or wetland. When the planning board determines that such ultimate destination is impractical, the board shall require the

construction of a retention area capable of accommodating proposed stormwater volumes based on a two-year, 25 year and 100 year frequency rainfall.

f. When any part of the drainage system is proposed for location outside the public street right-of-way, provisions for future maintenance approved by the planning board and town engineering department will be provided;

g. That all necessary easements to offstreet watercourses will be obtained by the subdivided;

h. Where volume velocity of the surface runoff is high, the flow therefore shall be controlled by rip-rap, sediment basins, flow spreaders or other applicable devices, best management practices and/or techniques recommended in the Rhode Island Stormwater Design and Installation Standards Manual, the Rhode Island Community Nonpoint Source Pollution Management Guide and the Rhode Island Soil Erosion and Sediment Control Handbook;

i. The siting of stormwater management structures, including dry and/or wet ponds and swales, shall be incorporated into the natural landscape to enhance functional values of the structures and provide visual amenity to the site;

j. How the existing storm drainage will be protected during construction.

6. The proposed drainage system shall be designed to accommodate stormwater such the post construction conditions do not result in peak runoff increases in rate or volume from the preconstruction conditions.

7. The plan should include an assessment of structural integrity to withstand discharge from two-year, 25 year and 100 year storm.

Chapter 15.5 SOIL EROSION AND SEDIMENT CONTROL

ARTICLE I. IN GENERAL

Sec. 15.5-3. Plan approvals.

All plan approvals under this chapter shall be made by the building inspector. The building inspector, with the ~~mayer's~~ Town Council's approval, may designate such authority to another town official or agency. The building inspector and/or his/her designee shall have attended a soil erosion and sediment control training session sponsored by the United States Department of Agriculture Soil Conservation Service and Conservation Districts or shall be a professional engineer with any emphasis in the field of civil engineering.

ARTICLE II. SOIL EROSION AND SEDIMENT CONTROL PLAN

Sec. 15.5-21. Plan preparation.

The erosion and sediment control plan shall be prepared by a registered professional engineer, or registered landscape architect, ~~or a Soil and Water Conservation Society certified erosion and sediment control specialist and~~ Five copies of the plan shall be stamped, signed and

submitted to the building official or his/her designee.

Sec. 15.5-22. Plan contents.

The erosion and sediment control plan shall include sufficient information about the proposed activities and land parcel(s) to form a clear basis for discussion and review and to assure compliance with all applicable requirements of this chapter. The plan shall be consistent with the data collection, data analysis, and plan preparation guidelines in the current "Rhode Island Stormwater Design & Installation Standards Manual" "Rhode Island Soil Erosion and Sediment Control Handbook," prepared by the U.S. Department of Agriculture, Soil Conservation Service, R.I. Department of Environmental Management, R.I. State Conservation Committee and at a minimum, shall contain:

- (1) A narrative describing the proposed land disturbing activity and the erosion and sediment control measures and stormwater management measures to be installed to control erosion that could result from the proposed activity. Supporting documentation, such as a drainage area, existing site, and soil maps shall be provided as required by the building official or his/her designee.
- (2) Construction drawings illustrating in detail existing and proposed contours, drainage features, and vegetation; limits of clearing and grading, the location of soil erosion and sediment control and stormwater management measures, detailed drawings of measures; stock piles and borrow areas; sequence and staging of land disturbing activities; and other such information needed for construction.
- (3) Other information or construction plans and details as deemed necessary by the building official or his/her designee for thorough review of the plan prior to action being taken as prescribed in this chapter. Withholding or delay of such information may be reasons for the building official or his/her designee to judge the application as incomplete and grounds for disapproval.

Chapter 16 STREETS AND SIDEWALKS

ARTICLE II. DRIVEWAYS AND CURB CUTS

Sec. 16-33. Plan required; supervision.

A plat or plan showing the location of a driveway or driveways shall accompany all applications for permits to cut curbs on highways. All work shall be done under the supervision of the ~~highway commissioner~~ Public Works director (or on state roads the Rhode Island Department of Transportation).

ARTICLE IV. EXCAVATIONS

Sec. 16-61. Permit required.

It shall be unlawful to take up any pavement or dig and trench or hole, or make any other excavation within the lines of any street or public highway in the town without first having obtained a permit therefore from the director of public works. State roads within the town will require a permit from

the Rhode Island Department of Transportation. The fee shall be paid by the applicant for such permits and will be in the amount as shall be set from time to time by resolution of the town council. The permit fee includes administrative costs, inspections as necessary, and all other associated costs. Agencies and departments of the town will be exempt from all fees established by this article. There will be no fee for an existing property owner improving or installing curb or sidewalks.

Sec. 16-63. Application required; agreement to comply and protect town.

Whenever the convenience of any person requires the taking up of any pavement, or the digging of any trench or hole, or the making of any other excavation within the lines of any street or public highway in the town, he shall make written application for a permit therefor to the director of public works or Rhode Island Department of Transportation, setting forth the location and nature of the work to be done. Said application shall contain an agreement to comply with the regulations of this article, and to hold the town harmless from any damage or loss sustained by said town on account of injuries or property damages suffered by persons using said highways due to the existence of such excavation or the failure of such applicant to comply with the regulations of this article. In addition, the applicant shall provide proof to the director of public works that it has complied with all rules and regulations as may be adopted by the department of environmental management, from time to time, regarding such excavation.

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POSTED: MAY10, 2018

FIRST READING AT COUNCIL MEETING ON: MAY 22, 2018

SECOND READING AT COUNCIL MEETING ON: JUNE 5, 2018

COUNCIL PRESIDENT:

John D'Amico (Vice)

TOWN CLERK:

[Signature]

ADVERTISED IN: KENT COUNTY DAILY TIMES

THIS ORDINANCE WILL TAKE EFFECT ON: JULY 3, 2018