

ORDINANCE NO. 2023 – 022

AN ORDINANCE AMENDING A PRIOR ORDINANCE
OF THE CITY OF FRANKLIN REGARDING EROSION
CONTROL AND NATURAL DRAINAGE

WHEREAS, due to ongoing issues with erosion and sediment control during certain construction projects and, further, due to the fact the existing ordinance has not been updated in almost 30 years, the Board of City Commissioners of the City of Franklin, Kentucky has found and determined that it is in the best interest of the citizens and residents of Franklin to amend and update said ordinance for erosion and stormwater drainage control.

NOW, THEREFORE, BE IT ORDAINED by the City of Franklin, Kentucky, acting by and through its Board of City Commissioners as follows:

1. The following portions of Section 150.18 DEFINITIONS are amended to read as follows:

DRAINAGE FACILITY. Any component of the drainage system. The total drainage system consists of two distinct components, the minor system and the major system. Both systems must be jointly planned and properly engineered.

(1) MAJOR DRAINAGE SYSTEM. The system that conveys the runoff when the capacity of the minor system is exceeded or inoperable due to temporary blockage. The MAJOR SYSTEM consists of major channels, large conduits and impoundments, as well as the less obvious watercourses inundated during surcharging and overflow from the minor system. The objective in MAJOR SYSTEM planning and design is to eliminate property damage and loss of life during major storm events. The peak design storm return period for the MAJOR SYSTEM is 100 years.

FLOODPLAIN. The general floodplain area is the portion of the flood hazard area subject to periodic flooding and delineated by the latest revision of the flood hazard boundary maps prepared by the Federal Emergency Management Agency and designated as the 100-year floodplain boundary. Where no map exists, boundaries of FLOODPLAIN AREA may be determined by hydrologic calculation acceptable to FEMA. In calculating the boundaries of the FLOODPLAIN, the regulatory flood shall be a 100-year frequency flood, and it shall be assumed that the entire drainage area contributing stormwater runoff which is deposited in the channel location in question will be developed as the city zoning and subdivision regulations suggest.

SAFE STORM DRAINAGE CAPACITY. The quantity of stormwater runoff that can be transported by a channel or conduit without having the water surface rise above the top of the channel or conduit plus any designated freeboard.

2. Section 150.20 STORMWATER MANAGEMENT PLAN, paragraphs (B)(8), (9), and (12) are hereby amended to read as follows:

(8) For all detention basins, design hydrographs using the Soil Conservation Service Unit Hydrograph methodology of inflow and outflow for the two (2) year, five (5) year, ten (10) year, twenty-five (25)-year, fifty (50) year and one hundred (100) year design storms such that post-development peak flows are equal to or less than pre-development peak flows. The release rate from any detention facility is to be designed to be equivalent to or less than that of the site or drainage area prior to the proposed development for these storms. The next two downstream structures from the site must be capable of passing these storms or they become the limiting factor for the drainage area. A basin emergency overflow must be capable of controlling, at a minimum, the one hundred (100) year storm discharge. one-hour, 25-year, 24-hour and 100-year, one-hour

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Journal of Management Inquiry 18(6)

401. 2010年10月1日起, 凡在中华人民共和国境内销售货物或者提供加工、修理修配劳务以及进口货物的单位和个人, 均应按照《中华人民共和国增值税暂行条例》及实施细则有关规定缴纳增值税。

1. The first step in the process of identifying a problem is to recognize that a problem exists. This involves gathering information about the situation and identifying the specific issue that needs to be addressed.

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There is a significant difference between the two groups in the mean number of correct answers to the second part of the test, $t(10) = 2.11$, $p = 0.05$. The mean number of correct answers to the second part of the test was 1.5 for the control group and 2.5 for the intervention group.

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United Kingdom regarding the progress of the investigation into the alleged involvement of British intelligence services in the activities of the IRA. This is a matter of great importance to the Commission, and it is hoped that the Government will be able to provide the Commission with the information it requires as soon as possible.

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1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is responsible for the study. The investigator must first identify the problem that is being studied. This is done by the investigator who is responsible for the study. The investigator must first identify the problem that is being studied. This is done by the investigator who is responsible for the study.

~~design runoff events for the site under developed conditions and the calculated ten-year one-hour, 25-year, 24-hour and 100-year, one-hour peak flows from the site under natural and developed conditions;~~

(9) For minor drainage system, the design storm return period is 10 years. For a major drainage system, the design storm return period is 100 years;

(12) Calculations of effects (if any) on established floodplain boundaries. **Changes to approved floodplain areas must be calculated in accordance with the City of Franklin Flood Prevention Ordinance and FEMA requirements.**

3. Section 150.21 DESIGN CRITERIA is hereby amended as follows:

(A) Methods of determining stormwater runoff rate and volume. For the design of drainage and storage facilities, runoff discharge rate and total volume shall be calculated using the rational method, **Soil Conservation Service Unit Hydrograph** method or some other accepted method as agreed in advance with the city's Drainage Coordinator. **For all detention/retention facilities, the Soil Conservation Service Unit Hydrograph method will be required. Total volume outflow must also be considered when reviewing downstream conditions. Further, the "Best Management Practices (BMPs) for Controlling Erosion, Sediment, and Pollutant Runoff from Construction Sites" Manual, most recent edition as revised from time-to-time, as adopted and approved by the Kentucky Department of Environmental Protection, Division of Water, is hereby adopted by the City of Franklin and is incorporated herein by reference and will be relied upon and incorporated in any design and/or drainage control plans approved by the City of Franklin. A copy of the most recent edition of said manual will be maintained at the office of the City Clerk and the Planning and Zoning Office, and will be available on the City of Franklin's website.**

(D) Detention. The increased stormwater runoff resulting from the proposed development may be accommodated by the provision of appropriate detention facilities including wet or dry bottom reservoirs, flat roofs, parking lots, underground vaults, road embankment, recreation areas or streets. The following shall govern the design of detention facilities.

(1) Storage volume. The volume of storage potential provided in detention facilities shall be sufficient to control the excess stormwater runoff, from the site in its developed state for the ~~ten-year, one-hour, 25-year, 24-hour and 100-year, one-hour~~ **the two (2) year, five (5) year, ten (10) year, twenty-five (25)-year, fifty (50) year, and one hundred (100) year design storms** frequency rainfalls as published by the U.S. Weather Bureau. The allowable stormwater release rate from the detention facilities shall not be exceeded regardless of the depth of stormwater contained in the required stormwater detention facility.

4. Section 150.22 PERFORMANCE STANDARDS (A)(4) and (6) are hereby amended as follows:

(4) In each of the foregoing cases, a drainage easement with sufficient width **(typically 20')** to facilitate maintenance and design flow shall be provided and shown on the plat;

(6) The owner or developer may discharge storm water which has not been concentrated into a lower lying property, if the post-development peak rate does not exceed the pre-development peak rate and if the increase in volume caused by the development will not have an adverse impact on the lower lying property **or if the landowner(s) of the lower lying property is made aware that the peak rate and/or volume for storm water has increased and agrees to accept the additional storm water with any and all imposed conditions. In the latter situation, the landowner(s) receiving the**

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1. The amount subject to tax is \$100,000. The amount of the gift is \$100,000. The amount of the gift is \$100,000.

10. The following table shows the number of people who have been convicted of a crime in the United States since 1990, by age group and gender. The data is presented in millions of people.

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1990-1994: $\beta = 0.07$ ($p = 0.000$); 1995-1999: $\beta = 0.02$ ($p = 0.000$); 2000-2004: $\beta = 0.03$ ($p = 0.000$).

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is assigned to the case. The investigator will then gather information about the problem and the people involved. This information will be used to determine the cause of the problem and to develop a plan to solve it.

increase peak rate and/or volume increase and the developer and owner shall provide an agreement to the City stating said agreement, in a writing approved by the City, which writing shall include, in addition to the lower lying property owner's consent, language which releases the City of Franklin and the Franklin-Simpson Planning and Zoning Office/Commission from all liabilities occurring from said stormwater and/or the provisions of said agreement and a provision indemnifying the City of Franklin and the Franklin-Simpson Planning and Zoning Office/Commission from any losses or damages as a result of the stormwater flow.

5. Section 150.22 PERFORMANCE STANDARDS (C)(9) and (13) are hereby amended as follows:

(9) Railing of fences shall be placed around the top-edge of inlet and outlet structures where the drop is equal to or greater than three and one-half feet.

(13) To provide a maintenance access, the following requirements shall be satisfied:
6. Section 150.22 PERFORMANCE STANDARDS (D)(2)(d)(3) shall be amended as follows:

(c) No basement or first floor elevations shall be lower than an elevation, USGS datum, to be determined on a case-by-case basis, said elevation being at least one foot above the 100-year 24 six-hour storm assuming no outflow from the sinkhole.
7. Section 150.22 PERFORMANCE STANDARDS (G) and (I) shall be amended as follows:

(G) Easement. Permanent easements for the detention and conveyance of stormwater, including easements of access to structures and facilities shall be maintained by the developer, owner, Homeowners' Association, or other person or entity approved by the City unless other acceptable maintenance plans are approved by the City.

(I) Permits required for construction within floodplains. Construction within floodplains will require authorization by the city, Commonwealth Natural Resources and Environmental Protection Cabinet (including FEMA) and the U.S. Army Corps of Engineers, where applicable. Each agency should be consulted well in advance of construction for assistance in completing the required permits.
8. Section 150.24 MAINTENANCE AGREEMENT shall be amended to read as follows:

(A) A maintenance agreement, approved by the City Manager or his or her designee assuring perpetual maintenance of stormwater management improvements shall be executed by the city and the applicant. A Stormwater Maintenance Agreement (SWMA) should be an integral component of the stormwater management plan.

(B) As a minimum, the SWMA O&M plan should address the following activities:
 - (1) Structural repairs, such as bank stabilization, pump repair or pipe replacement;
 - (2) Dredging operations to remove sediment accumulations;
 - (3) Debris removal to ensure inflow and discharge of stormwater;

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(4) "Housekeeping" maintenance, such as grass cutting, weed removal, fence repair and litter removal; and

(5) Mosquito control, e.g., spraying, fish stocking, and vegetation control.

(C) The **SWMA** O&M plan should also assign maintenance responsibilities among involved parties (homeowners, municipality, park or school district and the like).

9. Section 150.25 FEES shall be deleted in its entirety as follows:

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

June 12, 2023

FIRST READING

June 26, 2023

SECOND READING

At a meeting of the Board of Commissioners of the City of Franklin, Kentucky, held on June 26, 2023, on motion made by Commissioner McCreary, and seconded by Commissioner Stewart, the foregoing ordinance was adopted, after full discussion, by the following vote:

Yes LARRY DIXON, MAYOR

Yes JAMIE POWELL

Yes DALE MCCREARY

Yes WENDELL STEWART

Yes HERBERT WILLIAMS

APPROVED BY:

Larry Dixon, Mayor
Larry Dixon, Mayor

ATTEST:

Cathy Dillard
Cathy Dillard, City Clerk