

ORDINANCE NO. 2014-01

**JOINT EROSION PREVENTION AND SEDIMENT
CONTROL ORDINANCE**

WHEREAS, the Cities of Hillview, Pioneer Village, Hunters Hollow, Fox Chase and Hebron Estates, Kentucky, by prior resolutions of their duly authorized Legislative bodies have determined that it is in the public interest to have consistent Ordinances addressing the issue of Erosion Prevention and Sediment Control to maintain compliance with the requirements of the National Pollutant Discharge Elimination System and the Kentucky Pollutant Discharge Elimination System Stormwater Phase II General Permit, and

WHEREAS, the Cities of Hillview, Pioneer Village, Hunters Hollow, Fox Chase, and Hebron Estates, Kentucky are currently operating their MS4 program in cooperation with Bullitt County, Kentucky pursuant to a joint permit issued by the State of Kentucky, and

WHEREAS, the Cities of Hillview, Pioneer Village, Hunters Hollow, Fox Chase and Hebron Estates, Kentucky have previously entered into an Interlocal Cooperation Agreement with the Fiscal Court of Bullitt County, Kentucky which is recorded in Deed Book 733 page 295, and

WHEREAS, the Interlocal Cooperation Agreement provides that Bullitt County is the lead agency with primary responsibility for Minimum Control Measure 4 (Construction Site Stormwater Control Requirements) and Minimum Control Measure 5 (Post Construction Stormwater Management) and the Cities have agreed to take appropriate action to adopt for implementation and enforcement the County's Erosion Prevention and Sediment Control Ordinance and Post Construction Stormwater Runoff Ordinance, and

WHEREAS, the Bullitt Fiscal Court has previously adopted Ordinance No. 13-10 an Erosion Prevention and Sediment Control Ordinance and Ordinance No. 13-11 a Post Construction Stormwater Runoff Ordinance, and

WHEREAS, pursuant to the provisions of KRS 83A.060 (5) "A city legislative body may adopt the provisions of any local, statewide or nationally recognized standard code and codification of entire bodies of local legislation by an Ordinance that identifies the subject matter by title, source, and date and incorporates the adopted provisions by reference without setting them out in full, if a copy accompanies the adopting ordinance and is made a part of the permanent records of the City, and

WHEREAS, Bullitt County Ordinance No. 13-10 is an Ordinance relating to the regulation, control and elimination of soil erosion and sedimentation resulting from land disturbance activities in Bullitt County is just such a standard code as its provisions have been established by the Kentucky Division of Water, Phase II Stormwater Regulations and Guidance documents, now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEBRON ESTATES as follows:

SECTION ONE: The City hereby adopts and incorporates by reference as if produced herein in full all provisions and requirements of Bullitt County Ordinance No. 13-10 "A ORDINANCE RELATING TO THE REGULATION, CONTROL, AND ELIMINATION OF SOIL EROSION AND SEDIMENTATION RESULTING FROM LAND DISTURBANCE ACTIVITIES IN BULLITT COUNTY." A copy of said Ordinance is filed in the Office of the City Clerk and attached hereto.

SECTION TWO: This Ordinance shall establish the requirements and procedures to protect the general health, safety, and welfare of the citizens of the City of Hebron Estates and more specifically:

- A. To control or eliminate soil erosion and sedimentation resulting from land disturbance activities during construction within the City of Hebron Estates;
- B. To establish guidelines, conservation practices and planning activities which minimize soil erosion and sedimentation at construction sites;
- C. To comply with all applicable provisions of the National Pollutant Discharge Elimination System and the Kentucky Pollutant Discharge Elimination System Stormwater General Permit for Phase II communities; and
- D. To establish legal authority and procedures for the issuance, approval, administration and enforcement of an Erosion Prevention and Sediment Control Permit.

SECTION THREE: The Clerk is directed to advertise this Ordinance as provided by law.

SECTION FOUR: Should any section, clause, line, paragraph or part of this Ordinance be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this Ordinance.

SECTION FIVE: Any ordinance or part of an ordinance in conflict with this Ordinance or any part of this Ordinance is hereby repealed.

Given first reading at a regular meeting of the City Council of the City of Hebron Estates, Kentucky, on the 7th day of January, 2014. Given second reading, voted upon and passed at the regular meeting of the City Council of the City of Hebron Estates, Bullitt County, Kentucky, on the 4th day of March, 2014.

Votes for 4;

Votes against 0;

Not Voting 0.



JERRY CLARK, MAYOR

ATTEST:



JENNIFER PICHEO, CITY CLERK