

AGENDA



Thursday, July 23, 2009

Item(s) to Set Public Hearing(s)
RECOMMENDATION FOR COUNCIL ACTION**Item No. 108**

Subject: Set a public hearing to consider an ordinance amending Sections 25-7-153 and 30-4-153 relating to maintenance of flood detention basins and appurtenances and amending Sections 25-8-231 and 30-5-231 relating to maintenance and inspection of water quality controls. (Suggested date and time: August 20, 2009, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

For More Information: Nancy McClintock, 974-2652; Matt Hollon, 974-2212

Boards and Commission Action: Reviewed by the Environmental Board. Recommended by the Planning Commission.

Prior Council Action: October 18, 2007: Council adopted Resolution No. 20071018-038.

By Resolution dated October 18, 2007, City Council directed the City Manager to evaluate and update the City's practices related to inspection of water quality ponds and enforcement of maintenance requirements. The ordinance presented today is a result of that effort.

The ordinance adds needed clarification regarding proper maintenance by the owners of commercial or multi-family developments served by water quality ponds or flood control basins, proper maintenance by the owners of single-family developments served by ponds/basins pending City acceptance, as well as adding inspection provisions and a re-inspection fee.

Highlights of the proposed ordinance include:

- Maintenance responsibility for commercial/multifamily ponds/basins lies with the owner(s) of the development(s) served, whether or not the pond/basin is located on the same property as the commercial development.
- Maintenance responsibility for single family/duplex ponds/basins lies with the owner of the development served until the City accepts the pond/basin for maintenance. After acceptance, the City takes over maintenance.
- WPDRD director may authorize alternative arrangement for maintenance of a pond/basin.
- If commercial/multi-family pond/basin fails inspection, inspection fees may be charged.