

ORDINANCE NO. 15-O- 52

AN ORDINANCE ADOPTING THE McHENRY COUNTY STORMWATER MANAGEMENT ORDINANCE AND PROVIDING FOR CERTAIN AMENDMENTS FOR THE CITY OF WOODSTOCK, McHENRY COUNTY, ILLINOIS

WHEREAS, on January 20, 2004 the McHenry County Board adopted the McHenry County Stormwater management ordinance, and

WHEREAS, the City of Woodstock adopted the provisions and requirements of the McHenry County Stormwater Management ordinance with certain amendments and provisions that would apply to all development within the Corporate Limits of the City of Woodstock effective January 1, 2005, and

WHEREAS, the City of Woodstock applied for and received approval from McHenry County as a designated Certified Community under the terms and conditions of the McHenry County Stormwater Management Ordinance effective January 3, 2005, and

WHEREAS, the County of McHenry, pursuant to the powers granted to it by 55 ILCS 5/5-1062, adopted the McHenry County Stormwater Management Ordinance and a resolution approving amendments to this Ordinance on November 18, 2014, effective December 1, 2014, establishing rules and regulations for floodplain and stormwater management throughout the County of McHenry and superseding any less restrictive municipal rules and regulations therein, and

WHEREAS, the City of Woodstock desires to continue to be approved as a Certified Community under the terms and provisions of the McHenry County Stormwater Management Ordinance, and

WHEREAS, the City of Woodstock desires to adopt the provisions and requirements of the amended McHenry County Stormwater Management Ordinance with certain amendments and provisions that would apply to all development within the Corporate Limits of the City of Woodstock.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Woodstock, McHenry County, Illinois, as follows:

Section One. That the provisions of the McHenry County Stormwater Management Ordinance which was passed and approved by the McHenry County Board on November 18, 2014, are hereby adopted by the City of Woodstock.

Section Two. That the following amendments, deletions, and additions to the McHenry County Stormwater Management Ordinance identified below are adopted by reference and are hereby approved by the City of Woodstock.

A) Delete all references to December 1, 2014 in the McHenry County Stormwater Management Ordinance and replace with August 18, 2015.

B) Article II, Section 15.60.020 Paragraph B (Regulated Development) is amended by deleting items c and e and replacing them with the following and adding item h below.

- c. Any development that hydrologically disturbs 2,500 square feet or more; or,
- e. Any development that results in an additional 5,000 square feet of impervious area since the effective date of this Ordinance; or,
- h. Excavation, fill, or any combination thereof that will exceed 100 cubic yards, excluding demolition and accompanying regrading where natural land contours are maintained.

C) Article VI, Section 15.60.060, Paragraph B5.a.i (Runoff Rate Reduction) is amended by adding the following:

Stormwater storage may be required by the enforcement officer for projects that involve the creation of more than 2,500 square feet and less than 5,000 square feet of impervious surface based on specific site, watershed, and storm sewer conditions.

D) Article VI, Section E, Paragraph E (Buffer Areas) is amended by adding the following items l and m.

l. Buffer areas shall be physically delineated and identified on the site plan to reduce the likelihood of encroachment or future alterations of the buffer area. This may be accomplished by using fencing, permanent signage, lot markers, or other means as approval by the enforcement officer.

m. Vegetation within an approved and established buffer area shall be exempt from the maximum height restrictions otherwise established by the certified community. Vegetation within an approved and established buffer area shall not be exempt from all other regulations and restrictions requiring the control and elimination of noxious weeds and vegetation.

E) Article V11, Section 15.60.070, Paragraph A.1.b (Variances) is amended as follows:

The oversight committee shall be the Woodstock City Council in all matters regarding variance petitions.

F) Article XIV, Section 15.60.140 (Amendments) is amended by adding the following:

The Certified Community may from time to time make local Amendments to the McHenry County Stormwater Management Ordinance as determined to be appropriate and necessary to better achieve the goals and objectives and to protect the health and welfare of the community. Such amendments shall require the approval of the MCSC or the MCSC chief engineer prior to passage and approval by the Certified Community and such amendments that apply only to the certified community may be made without public notice.

The Certified Community shall, upon notice from the County, review and Amendments made by the MCSC to the McHenry County Stormwater Management Ordinance and, upon finding that such Amendments further the objective of providing a consistent level of flood protection throughout the community and are more restrictive than the current regulations, adopt such County Amendment without further notice or public hearing.

Section Three. That all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section Four. That this ordinance shall be known as Ordinance No. 15-0-52 and shall be in full force and effect from and after its passage, approval, and publications as is required by law.

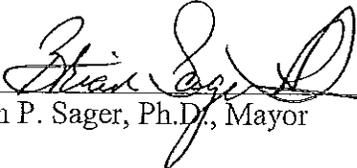
PASSED by the City Council of the CITY OF WOODSTOCK, McHenry County, Illinois and approved by me this 1 day of September 2015.

Ayes: Hart, Larson, Saladin, Starzynski, Thompson, Turner and Mayor Sager

Nays: None

Abstentions: None

Absentees: None



Brian P. Sager, Ph.D., Mayor

Attest:



City Clerk

I, Cindy Smiley, do hereby certify by my signature affixed below that I am the duly appointed and qualified City Clerk of the City of Woodstock, County of McHenry, Illinois, and that as such clerk, I am the keeper of the ordinances, records, corporate seal and proceedings of the Mayor and City Council of said City of Woodstock.

I do hereby further certify that at a meeting of the Mayor and City Council of the City of Woodstock, McHenry County, Illinois, held on the 1st day of September 2015 the foregoing ordinance, Ordinance No. 15-O-52 "An Ordinance Adopting the McHenry County Stormwater Management Ordinance and Providing for Certain Amendments for the City of Woodstock, McHenry County, Illinois" was passed and approved. The passage of said Ordinance was on a roll call vote, on which the vote was as follows:

Ayes: Hart, Larson, Saladin, Starzynski, Thompson, Turner and Mayor Sager

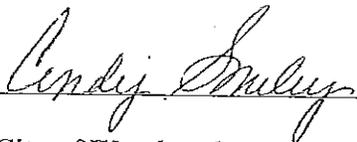
Nays: None

Absentees: None

Abstentions: None

I do further certify that said Ordinance was duly published on the 2nd day of September 2015 in pamphlet form.

IN WITNESS WHEREOF, I have set my hand and caused to be affixed the seal of the City of Woodstock, McHenry County, Illinois on the 2nd day of September 2015.



A handwritten signature in cursive script, reading "Cindy Smiley", is written over a horizontal line.

City of Woodstock
By City Clerk Cindy Smiley

SEAL