

APPENDIX A

**EUGENE CITY CODE SECTIONS
EC 9.6790-9.6796
EC 6.615
EC 7.143**

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Eugene City Code Sections 9.6790 - 9.6796

9.6790 **Stormwater Management Manual.** In order to implement Section 9.6791 through 9.6797 of this code, the City Manager shall adopt in accordance with EC 2.019, City Manager – Administrative and Rulemaking Authority and Procedures, a Stormwater Management Manual. The Stormwater Management Manual may contain forms, maps and facility agreements and shall include requirements that are consistent with the following goals:

- (1) Reduce runoff pollution from development by reducing impervious surfaces and capturing and treating approximately 80% of the average annual rainfall.
- (2) Control and minimize flows from development in the Headwater Areas using a variety of techniques to release water to downstream conveyance systems at a slower rate and lower volume, thereby reducing the potential for further aggravation of instream erosion problems.
- (3) Emphasize stormwater management facilities that incorporate vegetation as a key element, and include design and construction requirements that ensure landscape plant survival and overall stormwater facility functional success.
- (4) Operate and maintain stormwater management facilities in accordance with facility-specific O & M Plans.
- (5) Reduce pollutants of concern that are generated by identified site uses and site characteristics that are not addressed solely through the stormwater quality measures by implementing additional specific source control methods including reducing or eliminating pathways that may introduce pollutants into stormwater, capturing acute releases, directing wastewater discharges and areas with the potential for relatively consistent wastewater discharges to the wastewater system, containing spills on site, and avoiding preventable discharges to wastewater facilities, surface waters or ground waters.
- (6) Except as otherwise allowed by this land use code, allow disturbances or development within drainage ways only when all of the following conditions exist:
 - (a) The disturbance or development will not impede or reduce flows within the drainage way;
 - (b) The disturbance or development will not increase erosion downstream; and
 - (c) The constructed pipe system is sized to convey all of the runoff from the upstream watershed when the upstream watershed is completely developed.

(Section 9.6790 added by Ordinance No. 20369, enacted June 14, 2006, effective July 14, 2006; amended by Ordinance No. 20417, enacted August 11, 2008, effective July 7, 2009; and Ordinance No. 20521, enacted January 13, 2014, effective March 1, 2014.)

9.6791 **Stormwater Flood Control.**

- (1) **Purpose.** The purpose of EC 9.6791 is to protect life and property from flood and drainage hazards by maintaining the capacity of the city's stormwater conveyance system through the establishment of flood control regulations for stormwater runoff.

(2) Applicability and Exemptions.

- (a) Except as provided in EC 9.6791(2)(b), flood control standards apply to all development permit applications and land use applications.
- (b) The standards in EC 9.6791(3) do not apply to development permit applications where the proposed development will be served by a flood control facility that is a manmade drainage system designed to accommodate stormwater run-off generated by the stormwater basin area.

(3) Standards.

- (a) Stormwater flood control facilities shall be designed and constructed according to adopted plans and policies, and in accordance with standards in EC Chapters 6 and 7, and the stormwater flood control provisions and the facility design requirements set forth in the Stormwater Management Manual.
- (b) Based on the Rational Method flow calculation, stormwater runoff from the development site for the flood control design storm shall be:
 - 1. Discharged into existing stormwater flood control facilities that, considering all developments that have received tentative or final plan approval as of the date the applicant submits a complete application, have the capacity to handle the stormwater runoff; or
 - 2. Retained or detained onsite; or
 - 3. Discharged into a new stormwater flood control facility constructed by the applicant.

- (4) Underground Injection Control Systems.** Stormwater runoff discharged in underground systems is also regulated through the federal Underground Injection Control (UIC) program under Part C of the Safe Drinking Water Act (42 U.S.C. § 300, Chapter 6A, Subchapter XII) and Oregon Administrative Rule Chapter 340, Section 044.

(Section 9.6791 added by Ordinance No. 20369, enacted June 14, 2006, effective July 14, 2006; amended by Ordinance No. 20417, enacted August 11, 2008, effective July 7, 2009; and Ordinance No. 20521, enacted January 13, 2014, effective March 1, 2014.)

9.6792 Stormwater Quality.

- (1) Purpose.** The purpose of EC 9.6792 is to reduce runoff pollution and mitigate the volume, duration, time of concentration and rate of stormwater runoff from development by implementing stormwater management techniques that promote the use of natural and built systems for infiltration, evapotranspiration and reuse of rainwater and that use or mimic natural hydrologic processes while capturing and treating approximately 80% of the average annual rainfall.
- (2) Applicability and Exemptions.**
 - (a) The standard in EC 9.6792(3)(a) applies to all land use applications submitted after March 1, 2014, that do not propose construction of a public street, private street or a shared driveway.
 - (b) The standards in EC 9.6792(3)(b), (e)-(g) apply to all land use applications submitted after March 1, 2014, that propose construction of a public street.
 - (c) The standards in EC 9.6792(3)(c), (e)-(g) apply to all land use applications submitted after March 1, 2014, that propose construction of a private street or shared driveway.

- (d) Except as exempt under EC 9.6792(2)(e), the standards in EC 9.6792(3)(d)-(g) apply to applications for all development permits submitted after March 1, 2014.
- (e) The standards in EC 9.6792(3)(d)-(g) do not apply to development permit applications:
 1. For the construction of less than 1,000 square feet of new or replaced impervious surface within a 12 month period;
 2. For interior alterations of an existing structure;
 3. For the construction of more than 1,000 square feet of impervious surface that replaces existing impervious surface for purposes of maintenance or repair for the continuance of the current function, providing that as part of such maintenance and repair the applicant is replacing less than 50% of the length of the stormwater drainage system (including pipes, drainageway catch basins and drywells) on the development site;
 4. For the construction of new or replaced impervious surface where all of the stormwater runoff from the impervious surface will discharge into an on-site, privately maintained underground injection control system that is registered and approved by the Oregon Department of Environmental Quality;
 5. For the construction of a one or two family dwelling on a lot or parcel that was created by a land division application submitted and approved by the City prior to March 1, 2014, that is consistent with the approved land use application and the City's stormwater quality (pollution reduction) standards in place at the time of the land division application; or
 6. For the construction of a one or two family dwelling on a lot or parcel that was created by a land division application that included the construction of a public or private street or shared driveway submitted and approved by the City after March 1, 2014, if the lot or parcel adjoins the public or private street or shared driveway and the facility within the public or private street or shared driveway is an infiltration or filtration facility designed and sized to accommodate stormwater runoff from the adjoining lots or parcels at full buildout of the lots or parcels.

(3) Standards.

- (a) For land use applications not proposing the construction of a public or private street or shared driveway, the applicant shall submit a site development plan that delineates the following conditions existing on the development site:
 1. Infiltration rates less than 2 inches per hour;
 2. Bedrock less than 5 feet below the ground surface;
 3. Groundwater elevations less than 6 feet; or,
 4. Ground surface slopes greater than 10%.
- (b) For land use applications proposing the construction of a public street, stormwater quality facilities to treat the stormwater runoff from the proposed public street shall be selected from the Stormwater Management Manual and shall be based on the following priority order: infiltration, filtration, mechanical treatment.
 1. If selecting an infiltration or filtration facility to treat the stormwater runoff from the public street, the facility can be sized to also treat

- the stormwater runoff from the one and two family dwelling lots or parcels adjoining the public street based on full buildout of those lots or parcels.
2. If using a mechanical facility to treat the stormwater runoff from the public street or if the infiltration or filtration facility is not sized to also treat the stormwater runoff from the adjoining lots or parcels at full buildout, all lots or parcels created by the land division application shall comply with EC 9.6792(3)(d)-(g) at the time of development permit application.
- (c) For land use applications proposing construction of a private street or shared driveway, stormwater quality facilities to treat the runoff from the proposed private street or shared driveway shall be selected from the Stormwater Management Manual and shall be based on the following priority order: infiltration, filtration.
1. An infiltration or filtration treatment facility to treat the stormwater runoff from the shared driveway or private street can be sized to treat the stormwater runoff from the proposed one and two family dwelling lots or parcels that adjoin the shared driveway or private street based on full buildout of those lots or parcels.
 2. If the infiltration or filtration facility is not sized to treat the stormwater runoff from the adjoining lots or parcels at full build out, all lots or parcels created by the land division application must comply with EC 9.6792(3)(d)-(g) at the time of development permit application.
- (d) For development permit applications, stormwater quality facilities shall be selected from the Stormwater Management Manual and shall be based on the following priority order: infiltration, filtration, off-site stormwater quality management.
1. If selecting a filtration treatment facility, the applicant shall submit a report that demonstrates at least one of the following development site conditions exist:
 - a. Infiltration rates are less than 2 inches per hour;
 - b. Bedrock is less than 5 feet below the ground surface;
 - c. Groundwater elevations are less than 6 feet; or,
 - d. Ground surface slopes are greater than 10%.
 2. If selecting off-site stormwater quality management by contributing to the public off-site stormwater quality facilities, through payment of a higher stormwater system development charge adopted as part of the City's system development charge methodology, the applicant shall submit a report that demonstrates there is insufficient land area to construct an approved infiltration or filtration facility by setting forth the required size of the smallest infiltration or filtration facility needed for the development's impervious surface area and a site plan demonstrating that an approved infiltration or filtration facility cannot be located on the development site without reducing the size of the proposed development which is otherwise consistent with all other applicable lot and development standards.
- (e) The selected stormwater quality facilities shall treat all stormwater runoff from all new or replaced impervious surface areas, or an equivalent on-site area, that will result from the water quality design storm except that

the selected the stormwater quality facility does not need to treat the stormwater runoff from new or replaced impervious surface that is 500 sq. feet or less and does not gravity-feed into the selected treatment facility.

- (f) All stormwater quality facilities shall be sited, designed and constructed according to the water quality provisions and the facility design requirements set forth in the Stormwater Management Manual.
- (g) The standards in EC 9.6792(3) may be adjusted pursuant to EC 9.8030(24).

(Section 9.6792 added by Ordinance No. 20369, enacted June 14, 2006, effective July 14, 2006; and Ordinance No. 20521, enacted January 13, 2014, effective March 1, 2014.)

9.6793 Stormwater Flow Control (Headwaters).

- (1) Purpose.** The purpose of EC 9.6793 is to protect waterways in the headwaters area from the erosive affects of increases in stormwater runoff peak flow rates and volumes resulting from development.
- (2) Applicability and Exemptions.**
 - (a) Except as exempt under EC 9.6793(2)(c), the standards in EC 9.6793(3) apply to all land use applications for development sites in the headwaters area that drain directly into a headwater stream or drain into a pipe that discharges into a headwater stream that are submitted after July 14, 2006 requesting approval of one or more of the following:
 - 1. A cluster subdivision - tentative plan (EC 9.8055);
 - 2. A conditional use (EC 9.8090 or 9.8100);
 - 3. A partition - tentative plan (EC 9.8215 or 9.8220);
 - 4. A planned unit development - tentative plan (EC 9.8320 or 9.8325);
 - 5. Site review (EC 9.8440 or 9.8445);
 - 6. A subdivision tentative plan (EC 9.8515 or 9.8520).
 - (b) Except as exempt under EC 9.6793(2)(c), the standards in EC 9.6793(3) apply to all applications for development permits for development sites in a headwaters area that drain directly into a headwater stream or drain into a pipe that discharges into a headwater stream that are submitted after July 14, 2006.
 - (c) The standards in EC 9.6793(3) do not apply to:
 - 1. A land use application that will result in the construction or creation of less than 1,000 square feet of new or replaced impervious surface at full buildout of the development.
 - 2. A development permit application for any of the following:
 - a. Development of a lot or parcel included in a land use application that was determined by the city to comply with the standards in EC 9.6793(3). For such a development permit, the approved land use plan shall control.
 - b. Development of a lot or parcel that was not included in a land use application that was determined by the city to comply with the standards in EC 9.6793(3) and:
 - (1) Will result in less than 1,000 square feet of new or replaced impervious surface within a 12 month period; or
 - (2) Is to construct or alter a one or two family dwelling; or

- (3) Is for the replacement of more than 1,000 square feet of impervious surface for purposes of maintenance or repair for the continuance of the current function, providing that as part of such maintenance and repair the applicant is replacing less than 50% of the length of the stormwater drainage system (including pipes, drainageway catch basins and drywells) on the development site.
3. Development sites within a drainage basin for which the city has constructed or approved a project to restore the receiving waterway, and the entire downstream system has been designed to accommodate full build-out conditions within the drainage basin.
- (3) Standards.**
- (a) Applications shall demonstrate, using methodology in the Stormwater Management Manual, that peak rates of flow delivered to an existing open waterway at a point above 500 feet in elevation will not increase during storms larger than the water quality design storm and smaller than the flood control design storm as a result of the development that is the subject of the application;
 - (b) For purposes of designing the system as required by the standards in this section, the amount of impervious surface per lot is assumed to be the maximum lot coverage allowed for the use in the zone in which it is located, unless the applicant demonstrates otherwise.
 - (c) All facilities to control the rate of stormwater runoff shall be sited, designed and constructed according to the flow control provisions and the facility design requirements set forth in the Stormwater Management Manual. Flow control facilities must be designed using one of the methodologies outlined in the Stormwater Management Manual.
 - (d) The standards in EC 9.6793(3) may be adjusted pursuant to EC 9.8030(24).

(Section 9.6793 added by Ordinance No. 20369, enacted June 14, 2006, effective July 14, 2006.)

9.6794 Stormwater Oil Control.

- (1) Purpose.** The purpose of EC 9.6794 is to protect the city's stormwater system from oil and grease from stormwater runoff of impervious surface areas on properties that produce high concentrations of these pollutants.
- (2) Applicability.** Oil control standards set forth in EC 9.6794(3) apply to:
 - (a) All new commercial and industrial development with parking lots that store wrecked or impounded vehicles; or
 - (b) Any development that would result in an expected daily traffic count greater than one hundred vehicles per 1,000 square feet of gross building area, based on the most recent version of The Institute of Transportation Engineers' Trip Generation Manual; or
 - (c) Any development that would result in 100 or more off-street parking spaces; or
 - (d) Any commercial or industrial development that receives an adjustment approving the installation of 125 percent or more of the minimum off-street parking spaces required by EC 9.6410(3), Minimum Number of

Required Off-Street Parking Spaces and that adjustment will result in, at least, a total of 10 parking spaces.

- (3) **Standards.** Unless adjusted pursuant to EC 9.8030(24), all oil control facilities shall be sited, designed and constructed according to the oil control provisions and the facility design requirements set forth in the Stormwater Management Manual.

(Section 9.6794 added by Ordinance No. 20369, enacted June 14, 2006, effective July 14, 2006.)

9.6795 Stormwater Source Controls.

- (1) **Purpose.** The purpose of EC 9.6795 is to prevent stormwater pollution by eliminating pathways that may introduce pollutants into stormwater.
- (2) **Applicability and Exemptions.** Except as exempted below and except when the source control would duplicate source controls required by a state or federal permit obtained by the applicant, source control standards set forth in EC 9.6795(3), apply to all land use applications, development permits and tenant improvements that result in any of the defined site uses or characteristics listed in EC 9.6795(2)(a)–(h).
- (a) Fuel dispensing facilities and surrounding traffic areas where vehicles, equipment, or tanks are refueled on the premises. A fuel dispensing facility is the area where fuel is transferred from bulk storage tanks to vehicles, equipment, and/or mobile containers. Exempt from this subsection are:
1. Propane tanks.
 2. Fuel dispensing areas generally used to service oversized equipment, for example cranes, that cannot maneuver under a roof or canopy.
 3. Existing fueling areas where scope of work is limited to a new canopy installation over an existing fuel pad that is not being upgraded, an underground tank replacement for compliance with state regulations, or the replacement of a fuel pump on an existing fuel pad that is not being upgraded.
- (b) Exterior storage of liquid materials, for example chemicals, food products, waste oils, solvents, process wastewaters, or petroleum products in aboveground containers, in quantities of 50 gallons or more, including permanent and temporary storage areas. Exempt from this subsection are underground storage tanks or installations requiring a Water Pollution Control Facility (WPCF) permit and containers with internal protections (such as double-walled containers).
- (c) All facilities that store solid waste. A solid waste storage area is a place where solid waste containers, including compactors, dumpsters, and garbage cans, are collectively stored. Solid waste storage areas include, areas used to collect and store refuse or recyclable materials collection areas. Exempt from this subsection are solid waste storage areas for one and two family dwelling and areas used for the temporary storage of wood pallets or cardboard.
- (d) Developments that stockpile or store high-risk or low-risk bulk materials in outdoor containers, as the terms “high risk” and “low risk” are in the Stormwater Management Manual. Exempt from this subsection are:
1. Materials which have no measurable solubility or mobility in water and no hazardous, toxic or flammable properties.

2. Materials which exist in a gaseous form at ambient temperature.
 3. Materials, except for pesticides and fertilizers, that are contained in a manner that prevents contact with stormwater.
- (e) Developments proposing the installation of new material transfer areas as defined in the Stormwater Management Manual, or structural alterations to existing material transfer areas, such as access ramp re-grading and leveler installations. Exempt from this subsection are areas used only for mid-sized to small-sized passenger vehicles and restricted by lease agreements or other regulatory requirements to storing, transporting or using materials that are classified as domestic use, for example, primary educational facilities (elementary, middle or high schools), buildings used for temporary storage and churches.
- (f) All development with a designated equipment or vehicle washing or steam cleaning area, including smaller activity areas such as wheel-washing stations. Exempt from this subsection are:
1. Washing activity areas generally used to service oversized equipment than cannot maneuver under a roof or canopy, for example cranes and sail boats.
 2. Evaporation unit installed as part of a wash recycling system are exempt from the wastewater connection requirement.
 3. One and two family dwelling sites.
- Development that is intended for the storage of 10 or more fleet vehicles shall include a designated vehicle washing area.
- (g) All development projects that disturb property suspected or known to contain contaminants in the soil or groundwater.
- (h) All development with new covered vehicle parking areas, or existing parking structures that are being developed. Exempt from this subsection are single-level canopies, overhangs and carports.
- (3) Standards.** Unless adjusted pursuant to EC 9.8030(24), all source controls shall be designed and constructed according to the source control provisions set forth in the Stormwater Management Manual.
- (4) Enforcement.** Failure to construct, operate and maintain source controls when a land use application, development permit or tenant improvement has resulted in a defined site use or characteristic listed in EC 9.6795(1)(a)-(h) is subject to enforcement in accordance with EC Chapter 6.

(Section 9.6795 added by Ordinance No. 20369, enacted June 14, 2006, effective July 14, 2006.)

9.6796 Dedication of Stormwater Easements.

- (1) Purpose.** The purpose of EC 9.6796 is to ensure that city maintained stormwater management facilities designed and constructed in accordance with EC 9.6791-9.6795 and the Stormwater Management Manual can be accessed by the city for routine and/or emergency maintenance to protect life and property from flood and drainage hazards, ensure that water quality is protected, and to ensure that waterways in the headwaters area are protected from the erosive effects of runoff.
- (2) Applicability.** Stormwater easement standards set forth in EC 9.6796(3) apply to all land use applications and development permits that result in the construction of a city maintained stormwater management facility.
- (3) Standards.** The applicant must dedicate public easements approved by the city over city maintained stormwater management facilities provided the city

makes findings to demonstrate consistency with constitutional requirements. The conveyance of ownership or dedication of easements may be required in any of the following circumstances:

- (a) Except for areas on the city's acknowledged Goal 5 inventory, where the subject property in the proposed development is or will be periodically subject to accumulations of surface water or is traversed by any open drainage way, headwater, stream, creek, wetland, spring, or pond, including those not maintained by the city which drain onto or from city-owned property or into city maintained facilities.
- (b) For areas on the city's acknowledged Goal 5 inventory, where the subject property in the proposed development is or will be periodically subject to accumulations of surface water or is traversed by any water course or channel.
- (c) Where necessary to extend public drainage facilities and services to adjoining undeveloped property.
- (d) To provide necessary drainage from the public right-of-way.
- (e) Where the facility will provide treatment for runoff from the public right-of-way and the City will be maintaining the facility.

(Section 9.6796 added by Ordinance No. 20369, enacted June 14, 2006, effective July 14, 2006; administratively corrected January 1, 2008; and Ordinance No. 20521, enacted January 13, 2014, effective March 1, 2014.)

9.6797 Stormwater Operation and Maintenance.

- (1) All stormwater facilities shall be operated and maintained in accordance with EC Chapters 6 and 7, and the Stormwater Management Manual.
- (2) Unless the applicant proposes private maintenance of the facility, a stormwater facility that will provide treatment for runoff from the public right-of-way shall be:
 - (a) Designed and constructed through the Privately Engineered Public Improvement (PEPI) process; and
 - (b) Located in public rights of way or public easements dedicated in accordance with EC 9.6796; and
 - (c) Selected from the list of stormwater facilities identified in the Stormwater Management Manual as a type of facility that the City will operate and maintain.

(Section 9.6797 added by Ordinance No. 20369, enacted June 14, 2006, effective July 14, 2006; and Ordinance No. 20521, enacted January 13, 2014, effective March 1, 2014.)

Eugene City Code Section 6.615

6.615

Stormwater Facility Operation and Maintenance.

- (1) **Purpose.** The purpose of section 6.615 is to ensure that stormwater management facilities designed and constructed in accordance with sections 9.6790 through 9.6797 of this code and the Stormwater Management Manual adopted by administrative order of the city manager are operated and maintained in a manner that protects life and property from flood and drainage hazards, protects water quality, and protects the waterways in the headwaters area from the erosive effects of runoff.
- (2) **Applicability.** Section 6.615 applies to all stormwater facilities designed and constructed in accordance with sections 9.6791 through EC 9.6797 of this code and the Stormwater Management Manual.
- (3) **Maintenance responsibility.**
 - (a) Unless the city accepts the responsibility to operate and maintain a stormwater facility, all stormwater management facilities shall be privately operated and maintained.
 - (b) All stormwater facilities shall be operated and maintained in accordance with the applicant's Operations and Maintenance Plan submitted to the city with the application proposing the private operation and maintenance of the stormwater facility.
- (4) **Reports.** Periodic reports verifying that the stormwater facility is and has been operated and maintained as required in (3)(b) above, shall be prepared and submitted to the city within the time and manner required by administrative rules adopted by the city manager pursuant to section 2.019 of this code.
- (5) **Enforcement.**
 - (a) **Inspections.** The city may make periodic inspections to ensure compliance with this code, the Stormwater Management Manual, and the Operations and Maintenance Plan. Authorized representatives of the city may enter private property at reasonable times to ensure such compliance and to conduct on-site inspections or routine maintenance of stormwater facilities. If the premises are occupied, the city representative shall first present proper credentials and request entry. If the premises are unoccupied, reasonable efforts shall first be made to locate the owner or person in charge of the premises and request entry. No person shall deny a request for, or interfere or prevent any inspection authorized by this section. Should entry be refused, the city shall have recourse to every remedy provided by law to secure entry, including the issuance of a search warrant.
 - (b) **Violations.** Failure to operate and maintain a stormwater facility in accordance with section 6.615, the Stormwater Management Manual or the Operations and Maintenance Plan may result in:
 1. The issuance of a stop work order or compliance order by the city;
 2. The issuance of a citation into municipal court for violation of this code;
 3. The imposition of an administrative civil penalty pursuant to the provisions of section 2.018 of this code as authorized by section 6.995 of this code;

4. An order to investigate all of the impacts caused by the violation; and/or
 5. Abatement of the unlawful actions as a nuisance as provided in sections 6.005 through 6.115 of this code, including, but not limited to, complete restoration of all impacts to open waterways resulting from the unlawful actions.
- (c) For purposes of subsections (5)(b)2 and (5)(b)3 of section 6.615, each date that the unlawful condition exists shall constitute a separate violation.
- (d) For purposes of enforcing an administrative civil penalty imposed under this section and, if applicable, entry of a lien pursuant to section 2.018(11), if the violation for which the penalty was imposed involves a stormwater facility located on a portion of a planned unit development, condominium or other development that is commonly owned or owned by a homeowners' association, each parcel or unit in the development shall be liable for the administrative civil penalty, and the city may enter a lien for the full amount of the unpaid administrative civil penalty against each parcel or unit in the development.
- (e) Failure to file a periodic report required by subsection (4) of this section and administrative rules adopted pursuant to that section may result in imposition of an administrative civil penalty pursuant to the provisions of section 2.018 of this code.
- (f) Appeal. Any person to whom a stop work order or compliance order is issued may appeal the stop work order or compliance order within the time and in the manner prescribed in section 2.021 of this code. Notwithstanding any other provision of this code, a stop work order or compliance order shall be effective upon issuance, and shall continue in effect during the pendency of any appeal.
- (6)** Rules and fees. The City manager may adopt rules and fees for implementation of section 6.615, using the procedures in sections 2.019 and 2.020 respectively of this code.

(Section 6.615 added by Ordinance No. 20373, enacted November 22, 2006, effective December 22, 2006.)

Eugene City Code Section 7.143

7.143 **Public Improvement Construction – Wastewater Sewer Systems and Stormwater Management Facilities.**

- (1) Unless physical constraints prevent construction or unless adjoining properties are outside the service basin, all public improvements to unimproved public ways not already containing a wastewater sewer system must include a wastewater sewer system constructed in accordance with section 7.085 of this code.
- (2) All public improvements to public ways must include stormwater management facilities that are constructed in accordance with the Design Standards for Stormwater Facilities in Public Improvement Projects. Capacity of the stormwater management facilities shall be sized in accordance with the flood control design storm. The pollution reduction facilities must treat all stormwater runoff from all new or replaced impervious surface exceeding 1000 square feet, or an equivalent on-site area, that will result from the water quality design storm.

(Section 7.143 added by Ordinance No. 20390, enacted August 13, 2007, effective September 14, 2007.)