

**STRUCTURE CATEGORIES**

**Administrative structure**

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15-5	Reference to Watershed Plan
15-16	Interpretation of Terms and Words
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15-71	Choice of Planning Jurisdiction - Dual County Communities
15-79	Responsibility for Administration
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15-136.3	Wetland Banking - <i>Approval by County Board</i>
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15-202.1.c	Additional Remedies for Special Flood Hazard Areas - <i>filing of liens</i>
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15-60	Answer and Time for Filing
15-61	Public Hearing
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Role of Director

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Waiver status

establish/change municipal status

15-31	Authority
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**Ordinance Standards**

15-111.1	General Information- <i>all developments-applicability of technical provisions</i>
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15-111.5	General Information- <i>all development within Special Management Areas-Applicability-Article 10</i>
15.111.6	General Information- <i>All developers-Applicability-Documents specified in Article 11</i>
15-111.7	General Information- <i>Maintenance required-Responsibility</i>
15-112.1	General Stormwater and Flood Plain Requirements- <i>development technical prohibitions</i>
15-113.8-9	Site Runoff Requirements - <i>flow depths and transfer between watersheds</i>
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15-131	Special Management Areas
15-132.1	Requirements for Regulatory Flood Plain and Regulatory Determination - <i>identification of the floodplain/floodway</i>
15-132.2	Requirements for Regulatory Flood Plain and Regulatory Determination
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15-132.6	Requirements for Regulatory Flood Plain and Regulatory Determination
15-133.1	Requirements for Development within the Regulatory Flood Plain - <i>floodway conveyance</i>
15-133.12	Requirements for Development within the Regulatory Flood Plain - <i>copies of FEMA/OWR forms</i>
15-133.13	Requirements for Development within the Regulatory Flood Plain - <i>CLOMR's</i>
15-133.14	Requirements for Development within the Regulatory Flood Plain - <i>LOMR's</i>
15-133.20	Requirements for Development within the Regulatory Flood Plain - <i>on-site waste disposal systems</i>
15-133.23	Requirements for Development within the Regulatory Flood Plain
15-134.1	Requirements for Wetland Delineation - <i>Presence of wetland determination</i>
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15-135.1	Requirements for Development Affecting the Function and Values of Wetlands
15-135.6	Requirements for Development Affecting the Function and Values of Wetlands
15-135.7	Requirements for Development Affecting the Function and Values of Wetlands
15-135.12	Requirements for Development Affecting the Function and Values of Wetlands
15-114.7	Site Runoff Storage Requirements (Detention) - <i>record of maintenance responsibility for storage facilities</i>
15-146.7	General Requirements - no regulatory floodway; permit from OWR
15-146.6	General Requirements - <i>other appropriate approvals</i>

Analysis and Design standards

15-111.2	General Information - <i>all developments/storage requirements</i>
15-112.2	<p><u>General Stormwater and Flood Plain Requirements</u></p> <p>All developments must comply EXCEPT:</p> <p>15-111.2(a) Single or Two-family Residential Subdivision Land-use Parcels total 3-acres and greater</p> <p>15-111.2(b) Multiple family of non-residential subdivision Land uses (What is the significance of "subdivision") Parcels total 1-acre or greater</p> <p>15-111.2(c) Multiple Family or non-residential developments Parcels total 1-acre and greater new development totals in the aggregate after February 15, 1992 more than 25,000 square feet.</p> <p>15-111.2(d) Road developments in Rights-of-way under the ownership or control of a unit of government area of development totals 1-acre or greater</p>
15-111.3	<p>The Director or Administrator shall consider an exception to 15-111.2 if they meet the following requirements (and others imposed by the Administrator:</p> <p>15-111.3(a) The development is strictly the grading of Pervious area, and</p> <p>15-111.3(a)(1) The Administrator is satisfied that the applicant has demonstrated that, checking all storm events, up to and including the 100-yr critical duration event, grading activity will not:</p> <p>15-111.3(a)(1)(i) Increase runoff volume</p> <p>15-111.3(a)(1)(ii) Increase Peak release rate</p> <p>15-111.3(a)(1)(iii) time decrease associated with the time of concentration</p> <p>15-111.3(a)(1)(iv) contribute to adjacent flood problems</p> <p>15-111.3(a)(1)(v) alter the direction of runoff</p> <p>15-111.3(b) The development is strictly the reconstruction of an existing parking lot, and</p> <p>15-111.3(b)(1) Applicant demonstrates that the reconstruction is in the same footprint as the existing parking lot</p> <p>15-111.3(b)(2) The Administrator is satisfied that the applicant has demonstrated that, checking all storm events, up to and including the 100-yr critical duration event, the development activity will not:</p> <p>15-111.3(b)(2)(i) Increase runoff volume</p> <p>15-111.3(b)(2)(ii) Increase Peak release rate</p> <p>15-111.3(b)(2)(iii) time decrease associated with the time of concentration</p> <p>15-111.3(b)(2)(iv) contribute to adjacent flood problems</p> <p>15-111.3(b)(2)(v) alter the direction of runoff</p> <p>15-111.3(c) The development is a <u>Regional</u> Stormwater Management Project or a Flood Control Project, and It is in substantial compliance with either a watershed plan or other said study, reviewed and approved by the DuPage County Stormwater Management committee</p> <p>15-111.3(d) The development is strictly a streambank stabilization project</p> <p>15-111.3(e) The development is strictly limited to the construction, or reconstruction, of a pedestrian walkway/bike path, all the following</p> <p>15-111.3(e)(1) cannot exceed 12' in width</p> <p>15-111.3(e)(2) constructed by a government agency</p> <p>15-111.3(e)(1) does not violate 15.112</p> <p>15-111.3(f) Limited to Dupage County recognized wetland bank wetland mitigation site</p> <p>15-111.3(g) Limited to a retrofit of an existing stormwater management facility for BMP</p>

15-111.3(h)	construction of a single family residence on a parcel of land greater than three acres
15-111.3(i)	Development of over 1-acre on a parcel that is greater than 80% impervious on March 8, 2005, and
15-111.3(i)(1)	The development is not contributing to known off-site flooding problems
	Site runoff storage will be
	Applicant demonstrates this cant be met, and
15-111.3(i)(1)(a)	detention storage is provided in impervious areas, and
	best management practices per 15-113.11 are required, and
	applicant demonstrates practices are appropriate and effective.
15-111.3(i)(1)(b)	required site runoff storage cannot be provided on site, and
	the shorted storage is provided offste
	or
	the shorted storage is
15-111.3(i)(2)	Storage in 15-111.3(i)(1) is provide for entire project regardless of phasing
15-111.3(i)(3)	Site runoff storage facilities sahl meet the requirements of 15-114
15-111.3(i)(4)	known off-site flooding
	Site runoff storage
	Best Management Practices
	Other measures
15-111.3(i)(5)	The post-development site runoff storage shall not be less than the existing storage
15-111.3(i)(6)	No increase in peak release rates up to and including the 100-year
15-111.3(i)(7)	New development is greater than 25,000 sq feet, and
	imperviousness of site is increased above 80% threshold
	then new development must meet .1 cfs/acre release rate for 100-year
15-111.3(i)(8)	Approved stormwater plans or permits with more stringent criteria will apply
15-113.5-6	Site Runoff Requirements- <i>design runoff rates</i>
15-111.4	Developments must meet the applicable specific requirements of Adopted watershed or interim watershed plans
15-114.2	Site Runoff Storage Requirements (Detention) - <i>release rates</i>
15-114.3	Site Runoff Storage Requirements (Detention) - <i>event hydrograph methods analysis</i>
15-114.4	Site Runoff Storage Requirements (Detention) - <i>design runoff volumes</i>
15-114.5	Site Runoff Storage Requirements (Detention) - <i>release rates</i>
15-114.6	Site Runoff Storage Requirements (Detention) - <i>H&amp;H calcs for full range of d/s conditions</i>
15-114.8	Site Runoff Storage Requirements (Detention) - <i>storage facilities</i>
15-114.9	Site Runoff Storage Requirements (Detention) - <i>storage facilities w/in floodplain</i>
15-114.10	Site Runoff Storage Requirements (Detention)- <i>storage facilities w/in floodway</i>
15-114.11	Site Runoff Storage Requirements (Detention) - <i>storage facilities w/ off-site tributary area</i>
15-114.12	Site Runoff Storage Requirements (Detention) - <i>storage facilities located off-site</i>
15-117	Sediment and Erosion Control Requirements
15-133.2	Requirements for Development within the Regulatory Flood Plain - <i>floodproofed structures</i>
15-133.3	Requirements for Development within the Regulatory Flood Plain - <i>applicable uses of the floodplain</i>
15-133.6	Requirements for Development within the Regulatory Flood Plain - <i>new structures elevated/floodproofed</i>
15-133.8	Requirements for Development within the Regulatory Flood Plain - <i>parked recreational vehicles</i>
15-133.11	Requirements for Development within the Regulatory Flood Plain - <i>compensatory storage</i>
15-133.15	Requirements for Development within the Regulatory Flood Plain - <i>Requirements for fill to elevate a building</i>
15-133.17	Requirements for Development within the Regulatory Flood Plain - <i>comp. storage for channel modifications</i>
15-133.18	Requirements for Development within the Regulatory Flood Plain
15-133.22	Requirements for Development within the Regulatory Flood Plain - <i>Floodway modeling</i>
15-134.3	Requirements for Wetland Delineation - <i>wetland classification</i>
15-135.2	Requirements for Development Affecting the Function and Values of Wetlands
15-135.3	Requirements for Development Affecting the Function and Values of Wetlands
15-135.4	Requirements for Development Affecting the Function and Values of Wetlands
15-135.5	Requirements for Development Affecting the Function and Values of Wetlands - <i>mitigation</i>
15-135.8	Requirements for Development Affecting the Function and Values of Wetlands
15-135.9	Requirements for Development Affecting the Function and Values of Wetlands
15-135.11	Requirements for Development Affecting the Function and Values of Wetlands
15-135.14	Requirements for Development Affecting the Function and Values of Wetlands- <i>mitigation prior to issuance of a permit</i>
15-135.15	Requirements for Development Affecting the Function and Values of Wetlands - <i>wetland buffers</i>
15-136	Wetland Banking
15-137	Riparian Environments Requirements
15-146.4	General Requirements - <i>differential water pressure head</i>
15-146.5	General Requirements - <i>sign/seal of STM &amp; record drawings</i>
15-146.9	General Requirements - <i>Special Management Areas reviewed by PE and Environmental Scientist</i>
15-146.10	General Requirements - <i>review/certified by PE for work in floodplain/way</i>
15-146.11	General Requirements - <i>work w/in wetlands review by environmental scientist</i>
15-146.8	General Requirements - <i>calcs &amp; analyses for regulatory floodway</i>

Construction timing

15-112.3,4	General Stormwater and Flood Plain Requirements-
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Building Standards

15-112.5	General Stormwater and Flood Plain Requirements- <i>outside boundary of regulatory floodplain</i>
15-112.6	General Stormwater and Flood Plain Requirements- <i>adjacent to major stormwater system, overflow path, basin</i>
15-133.4	Requirements for Development within the Regulatory Flood Plain - <i>substantial improvements</i>
15-133.7	Requirements for Development within the Regulatory Flood Plain - <i>manufactured homes</i>
15-133.9	Requirements for Development within the Regulatory Flood Plain - <i>existing structures</i>
15-133.10	Requirements for Development within the Regulatory Flood Plain - <i>floodproofing existing structures</i>
15-133.16	Requirements for Development within the Regulatory Flood Plain - <i>means of elevating structures</i>

Drainage-conveyance system requirements and design standards

15-113.1-4	Site Runoff Requirements- <i>Major and Minor systems</i>
15-133.5	Requirements for Development within the Regulatory Flood Plain - <i>parking areas &amp; water depth</i>
15-133.19	Requirements for Development within the Regulatory Flood Plain - <i>release rates for new/modified storm sewer outfalls</i>
15-133.21	Requirements for Development within the Regulatory Flood Plain - <i>sanitary sewer systems</i>

Easements required

15-113.7	Site Runoff Requirements
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Best Management Practices

15-113.11	Site Runoff Requirements-treatment of runoff for pollutants required, with exceptions.
15-113.12	Site Runoff Requirements - incorporation of BMP's
15-116	Water Quality BMP Fee-in-Lieu Program

**Submittals**

15-146.2	General Requirements - <i>payment of stormwater fees</i>
15-146.3	General Requirements - <i>submittals</i>
15-147	Applicability; Required Submittals
15-148	Stormwater Management Permit Application
15-149	Stormwater Submittal
15-150	Flood Plain Submittal
15-151	Wetland Submittal
15-152	Riparian Environment Submittal
15-153	Permit Fees
15-154	Duration and Revision to Permits

**Applicability**

Determining if activity is regulated

15-78	Scope of Regulation - <i>all development of property within the boundaries of the County, including those of any governmental entity, agency, or authority.</i>
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Not regulated by this ordinance

15-78	Scope of Regulation - Structures and land uses existing as of the effective date of this Ordinance except when redeveloped
15-79	The specific proposed developments, without changes from what was approved, listed on "official list of exempt developments"

Determining if a permit is required

15-146.1	General Requirements
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**Ordinance sections required to make ordinance effective legally**

Severability

15-1.2	Statutory Authority
15-1.3	Statutory Authority
15-4	Purposes of this Ordinance
15-80	Interpretation
15-81	Warning and Disclaimer of Liability
15-94	Representative Capacity
15-166	Prohibited Acts
15-167	Prosecution of Violations
Article 13	Performance Security
Article 14	Enforcement and Penalties
Article 15	Appeals
Article 16	Variances
Article 17	Miscellaneous Provisions

**DEVELOPMENT DISTINCTIONS**

Type of Development	Ordinance Section	
Building	15-17 definition	A structure that is constructed or erected above ground and enclosed by walls and a roof
Dam	15-17 definition	
Developer	15-17 definition	
Development	15-17 definition	<p>affecting the discharge of stormwater:</p> <ul style="list-style-type: none"> <li>Any activity</li> <li>Excavation</li> <li>fill</li> <li>alteration</li> <li>subdivision</li> <li>change in land use</li> <li>change in practice</li> </ul> <p>Occurring in special management areas (note this overlaps COE, IDNR, FEMA):</p> <p>manmade change to improved or unimproved real estate</p> <ul style="list-style-type: none"> <li>manmade changes include: <ul style="list-style-type: none"> <li>buildings and other structures</li> <li>mining</li> <li>dredging</li> <li>filling grading paving</li> <li>excavation</li> <li>drilling operations</li> <li>storage of equipment</li> <li>storage of materials</li> </ul> </li> </ul> <p>does not include</p> <ul style="list-style-type: none"> <li>maintenance of stormwater facilities</li> </ul>
Existing Manufactured Home Park	15-17 definition	<p>sets "existing" as:</p> <ul style="list-style-type: none"> <li>predating the effective date of the floodplain management regulations adopted by a community</li> </ul>
Lowest floor	15-17 definition	<p>Not considered the lowest floor:</p> <ul style="list-style-type: none"> <li>unfinished or flood resistant enclosure: <ul style="list-style-type: none"> <li>not in a basement,</li> <li>not built to render structure in violation of applicable non-elevation design requirement of the Code of Federal Regulations 44, Part 60.3</li> </ul> </li> <li>used solely for: <ul style="list-style-type: none"> <li>parking vehicles</li> <li>building access</li> <li>storage</li> </ul> </li> </ul>
Maintenance	15-17 definition	<p>must return facility to:</p> <ul style="list-style-type: none"> <li>Natural functions</li> <li>functions for which it was designed and constructed</li> </ul>
Minor stormwater system	15-17 definition	<p>Portion of stormwater facility designed to convey runoff from 10-year event or less, includes:</p> <ul style="list-style-type: none"> <li>street gutters,</li> <li>storm sewers</li> <li>small open channels</li> <li>swales</li> <li>anything similar</li> </ul>
New Construction	15-17 definition	<p>For determining Insurance Rates:</p> <ul style="list-style-type: none"> <li>start of construction on or after whichever of these is later: 12/31/74 or Date of initial FIRM</li> <li>includes subsequent improvements</li> </ul> <p>for flood plain management purposes:</p> <ul style="list-style-type: none"> <li>start of construction on or after <ul style="list-style-type: none"> <li>on or after effective date of floodplain management ordinance adopted by the community</li> <li>includes subsequent improvements to such structures</li> </ul> </li> </ul>
Stormwater Facility	15-17 definition	<p>measures which serve as a means of draining surface and subsurface water from land</p> <ul style="list-style-type: none"> <li>ditches</li> <li>channels</li> <li>conduits</li> <li>bridges</li> <li>culverts</li> <li>levees</li> <li>ponds</li> <li>natural impoundments</li> <li>Manmade impoundments</li> <li>wetlands</li> <li>wetlands buffers</li> <li>riparian environments</li> <li>tile</li> <li>swales</li> <li>sewers</li> <li>Bmps</li> <li>natural or artificial structures or measures</li> </ul>

Structure	15-17 definition	anything that is erected or constructed, including: buildings manufactured homes tanks dams sewers constructed channels outfalls parking lots driveways roads sidewalks concrete patios
Substantial Damage	15-17 definition	damage of any origin sustained by a structure whereby: the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before damage occurred
Substantial Improvement	15-17 definition	any of the following whose cost exceeds 50% of the fair market value of the building individually in the aggregate determined from the equalized assessed value before improvement before start of construction rehabilitation addition other improvement before damage occurred repair reconstruction Cost of improvement includes volunteer Labor Donated materials Cost of improvement does not include: Project for improvement to correct existing violations of identified by code enforcement official conditions and deemed minimum necessary to assure safe living conditions State or local code specifications health sanitary safety any alteration of a historic building that will not preclude continuing designation as historic
usable space	15-17 definition	space(including basements) used for: dwelling storage utilities other beneficial purposes