

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
<b>Article 1. Authority and Purpose</b>			
15-1	Statutory Authority	15-1	No change in language
15-2	DuPage County Stormwater Management Plan	15-2	No change in language
15-3	Findings	15-3	No change in language
15-4	Purpose of this Ordinance	15-4	very minor updating of language used, such as using "Illinois Department of Natural Resources-Office of Water Resources" instead of "Illinois Department of Transportation-Division of Water Resources"
15-5.1	References to Watershed Plans	15-5.A	No change in language
15-5.2	References to Watershed Plans	15-5.B	No change in language
15-5.3	References to Watershed Plans	15-5.C	Clarified that projects in watershed plans which have been adopted are considered to be certified under this Ordinance to the extent that certification issues are certified in the plan. Reduces cost of implementation of watershed plans.
15-5.4	References to Watershed Plans	15-5.D	No change in language
15-5.5	References to Watershed Plans	15-5.E	Made watershed specific criteria an appendix of the Ordinance instead of reference reserved sections, to simplify process. To date, watershed specific criteria have not been adopted and there are no current plans to do so.
15-5.6	References to Watershed Plans	15-5.F	No change in language
15-6 thru 15-15	Reserved	not used	
<b>Article 2. Definitions</b>			
15-16	Interpretation of Terms and Words	15-11	No change in language, except for additional language that references Appendix A for definitions.
15-17	Definitions	Appendix A	Some definitions were added; the definitions were moved to Appendix A so that the definitions could be amended without amending the entire ordinance
15-18 thru 15-30	Reserved	not used	
<b>Article 3. Waiver Community Enforcement</b>			
15-31.1	Authority-Community Petition	15-6.	No change in language

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-31.2	Authority-Partial Waiver	15-18A	No change in language, except that words "Special Management Area" were not used and the components of Special Management Areas were used instead: Floodplains, Wetlands and Buffers. This was done so that Communities could if they so desired in the future customize further the extent of County review performed for Partial Waiver.
15-31.3	Authority-Complete Waiver	15-18.B	No change in language,
15-32	Notice of Intent to Petition for Waiver	15-121	No change in language
15-33	Filing and Contents of Petition	15-122	No change in language
15-34	Waiver Community Records	15-123	No change in language
15-35	Committee Review of Waiver Community Programs	15-124	Instead of specifying review of waiver Communities every three years, leaves it up to the Stormwater Committee to set a schedule for review so that funding and budgeting can be taken into account.
15-36 thru 15-45	Reserved	not used	
<b>Article 4. Committee Procedures for Waiver of Enforcement</b>			
15-46	Committee Consideration of Petition	15-125	No change in language
15-47	Standards for Grant of Petition	15-126	Change in language is to use terminology of a "Dupage County Certified Wetland Specialist" instead of "Environmental Scientist". Includes "environmental engineer" for review of BMP's Assures experience more relevant to Dupage.
15-48	Decision: Findings and Decision in Writing	15-127	No change in language
15-49	Final Action Required by Committee	15-128	No change in language
15-50 thru 15-55	Reserved	not used	
<b>Article 5. Committee Enforcement Within waiver Communities</b>			
15-56	Authority for Committee Action	15-7	No change in language, but clarified in title that this section is for complaints
15-57	Complaints	15-129	No change in language
15-58	Complaint Investigation and Review	15-130	No change in language
15-59	Formal Complaint of Committee	15-131	No change in language
15-60	Answer and Time for Filing	15-132	No change in language
15-61	Public Hearing	15-133	No change in language
15-62	Committee Decision	15-134	No change in language

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-63	Committee Determinations	15-135	No change in language
15-64 thru 15-70	Reserved	not used	
<b>Article 6. Dual County Communities</b>			
15-71	Choice of Planning Jurisdiction	15-8	No change in language, change in title to note authority for choice by dual county communities
15-72 thru 15-77	Reserved	not used	
<b>Article 7. General Provisions</b>			
15-78.1	Scope of Regulation	15-23.A	No change in language
15-78.2	Scope of Regulation	15-23.B	Only change in language is that the effective date of the Ordinance, February 15,1992, has been filled in.
15-78.3	Scope of Regulation	15-23.C	No change in language
15-79	Official Lists of Exempt Developments	15-24	The time for filing of the "official list" is long past, so this section carries forward only the original language for revisions of the "official List" and fills in the effective date of February 15,1992.
15-80	Interpretation	15-25	No change in language
15-81	Warning and Disclaimer of Liability	15-26	No change in language
15-82 thru 15-90	Reserved	Not used	
<b>Article 8. Administration</b>			
15-91	Responsibility for Administration	15-12	No change in language
15-92	Duties of Director	15-13	Same list of duties, but two new duties added in 15-13.A.10 and 15-13-A11. The first is to maintain technical interpretations from the MTAP. The second is the same duty that Administrators already had to encourage and conduct studies. Finally, references to "special Management Areas" have been replaced with "floodplains, wetlands and buffers".

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-93	Duties of Administrator in Waiver Community	15-14	Same list of duties with minor wording changes for consistency and clarification as follows: 15-14.A.1-clarifies that work may begin in areas outside of other agency jurisdiction; 15-14.A.5-uses the term "FEMA Map Change" instead of CLOMR and LOMR because FEMA changes its terms from time to time; 15-14.A.16- In partial waiver communities the County provides "authorizations for work in floodplains, wetlands and buffers, to be consistent with terminology change from "permit" to "Certification"; 15-14.A.19 added "or the NFIP" for those Communities who wish to follow FEMA guidance instead of the County on the issue.
15-94	Representative Capacity	15-15	
15-95	Watershed Basin Committee	15-16	The Watershed Basin Committee language has been removed and replaced with the Municipal Technical Advisory Panel. Since 1992 the Watershed Basin Committees have not been used but a need for a body to hear purely technical subject matter disputes was identified in the user surveys and focus groups. the MTAP will be constituted by County Board District instead of Watershed, and in discussion with Municipal Engineers further refinement has been suggested from what is in this draft.
15-96	Oversight Committee	15-17	minor change for consistency: replaced reference to "Municipal Engineers advisory Committee" to "Municipal Technical Advisory Panel".
15-97 thru 15-110	Reserved	not used	
<b>Article 9. Requirements for Stormwater and Flood Plain Management</b>			
15-111.1	General Information-all developments-applicability of technical provisions	15-40	More project distinctions are made and the Table provides much more detailed guidance. Change made to clarify requirements for applicants and reviewers.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-111.2	General Information - all developments/storage requirements	15-40 and 15-68	Replaces zoning based detention requirement with requirements based on impervious areas. Better recognizes redevelopment, and is consistent with reduction in stormwater volume and pollutant reduction.
15-111.3	General Information - Granting Exceptions to 15-111.2	15-68	Exceptions are not based on zoning, but on reduction in impervious area compared to existing conditions. Better recognizes redevelopment.
15-111.3	Site Runoff Storage Requirements (Detention)		
	15-111.3(a)	15-68A Table 2	detention will not be required for grading of pervious areas
	15-111.3(b)	15-68A Table 2	Detention will not be required without an increase in impervious area, so no real change.
	15-111.3(c)	15-5C	added to section on watershed plans
	15-111.3(d)	15-93	Part of streambank stabilization "fast track" program.
	15-111.3(e)	15-68 Table 2	New ordinance does not explicitly exempt a trail, but thresholds are not likely to trigger detention.
	15-111.3(f)	15-68A table 2	Detention is not required unless new impervious areas are being created.
	15-111.3(g)	15-68A table 2	Detention is not required unless new impervious areas are being created.
	15-111.3(h)	15-68A table 2	Single family homes are not specifically exempted, but are likely exempted based on amount of impervious area to be created.
	15-111.3(i)	15-68A table 2	Exemption from detention is more expansive if impervious area is reduced.
15-111.4	General Information -applicability-watershed plans and interim watershed plans	15-5D	Different language but same intent.
15-111.5	General Information-all development within Special Management Areas-Applicability-Article 10	15-40 Table 1	same as cases of development in new ordinance

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-111.6	General Information-All developers-Applicability-Documents specified in Article 11	15-40 and refers to Article 5	Submittal requirements are much more flexible, and there are provisos that allow Administrators to scale submittals to development. General Certifications are created to simplify common cases saving time and expense.
15-111.7	General Information-Maintenance required-Responsibility	No explicit parallel	Pending legal consultation, may be added in if required.
15-112.1	General Stormwater and Flood Plain Requirements-development technical prohibitions	15-27A	applies a test of "unreasonably" and recognizes limits set in Ordinance as "Reasonable"
15-112.2	General Stormwater and Flood Plain Requirements		
	Analysis and design shall:	15-27B	
	15-112.2(a)	15-27.B.1	No change in language
	15-112.2(b)	eliminated	Technical Guidance very out of date, and old language asks that it be "considered".
	15-112.2(c)	15-27.B.2	No change in language
	15-112.2(d)	Eliminated	Cannot be realistically implemented and is usually ignored.
15-112.3,4	General Stormwater and Flood Plain Requirements-	15-27.B.3	Clarified and made consistent with "impervious area" approach
15-112.5	General Stormwater and Flood Plain Requirements-outside boundary of regulatory floodplain	15-28.A	No change in language. Moved to section on building protection standards.
15-112.6	General Stormwater and Flood Plain Requirements-adjacent to major stormwater system, overflow path, basin	15-28.B	No change in language. Moved to section on building protection standards.
15-113.1-4	Site Runoff Requirements-Major and Minor systems	15-67.A-B	places Minor drainage system design under local criteria, no change for major system.
15-113.5-6	Site Runoff Requirements-design runoff rates	15-67.C-D	Replaces outdated language with more flexible language. Clarifies use of critical duration analysis
15-113.7	Site Runoff Requirements -depth of flow on roadway	15-67.E	Still requires easements but form is flexible.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-113.8	Site Runoff Requirements -Max flow depth	15-67.F	Same depth requirement, but clarifies that it does not apply to at-grade replacement
15-113.9	Site Runoff Requirements -transfer between watersheds	15-67.G	No change in language
15-113.10	Site Runoff Requirements -conveyance	15-67.H	No change in language
15-113.11	Site Runoff Requirements -BMP's required	15-40 Table 1	BMP's are in their own Article 8. Exemption from BMP is based on adding 500 sq. ft. of new impervious area by project.
15-113.12	Site Runoff Requirements -Specific BMP's required	No Parallel	The specified BMP's are very difficult to incorporate within municipal entitlement programs, and a more flexible approach is presented in the new Ordinance.
15-113.13	Site Runoff Requirements -reference to the Clean water Act	No Parallel	This statement is unnecessary. It is a hold-over from the very early days of BMP's.
15-114.1	Site Runoff Storage Requirements (Detention)	No Parallel	References watershed plans where each watershed would develop differing detention requirements, never implemented.
15-114.2	Site Runoff Storage Requirements (Detention) - release rates	15-69.A.1	This has been restated in clearer language.
15-114.3	Site Runoff Storage Requirements (Detention) - event hydrograph methods analysis	15-68.B	Basic requirements have not changed, but language has been made clearer and unnecessary references to models eliminated.
15-114.4	Site Runoff Storage Requirements (Detention) - Continuous simulation	No Parallel	This option is rarely used but still allowable at the discretion of the Administrator, per 15-68.B.3
15-114.5	Site Runoff Storage Requirements (Detention) - release rates less than allowable	No Parallel	The design must be tested against existing conditions discharges in 15-69.B, which accomplishes the same thing.
15-114.6	Site Runoff Storage Requirements (Detention) - H&H calcs for full range of d/s conditions	No Parallel	The control structure will be designed assuming a free discharge per 15-69.A.1, to simplify calculation, and to clarify a section difficult to interpret
15-114.7	Site Runoff Storage Requirements (Detention) - record of maintenance responsibility for storage facilities	No explicit parallel	Pending legal review, this statement may be added.
15-114.8	Site Runoff Storage Requirements (Detention) - design requirements	No Parallel	Section 15-68.E leaves it up to each community to adopt appropriate design criteria for the stormwater basin for their community.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-114.9	Site Runoff Storage Requirements (Detention) - storage facilities w/in floodplain	15-70	No change in Language.
15-114.10	Site Runoff Storage Requirements (Detention)- storage facilities w/in floodway	15-71	No change In language.
15-114.11	Site Runoff Storage Requirements (Detention) - storage facilities w/ off-site tributary area	No Parallel	Unnecessary regulation.
15-114.12	Site Runoff Storage Requirements (Detention) - storage facilities located off-site	15-72	No change In language.
15-115.1	Detention Variance Fee Program-payment	15-68.G and 15-096.A	Language clarified.
15-115.2	Detention Variance Fee Program-reference to fee schedule	15-96.B	No change in language.
15-115.3	Detention Variance Fee Program-waiver community fee schedule	15-96.C	No change in language.
15-116.1-4	Water Quality BMP Fee-in-Lieu Program	15-97.A-D	No change in language.
15-117.1	Sediment and Erosion Control Requirements-factors to consider in design	15-56.A-F	Language clarified.
15-117.2	Sediment and Erosion Control Requirements-measures required, must be functional, and maintained	15-56.A-F	Language clarified and made consistent with current requirements.
15-117.3	Sediment and Erosion Control Requirements-design practices by area disturbed.	15-57.K	Language clarified and made consistent with current requirements.
15-117.4	Sediment and Erosion Control Requirements-filtering of pumped water	15-57.O	Language clarified and made consistent with current requirements.
15-117.5	Sediment and Erosion Control Requirements-discharges downstream cant be erosive	15-57.P	Language clarified and made consistent with current requirements.
15-117.6	Sediment and Erosion Control Requirements-conveyance of a 25-year storm	15-57.S	Language clarified and made consistent with current requirements.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-117.7	Sediment and Erosion Control Requirements-storm drain inlets	15-57.V	Language clarified and made consistent with current requirements.
15-117.8	Sediment and Erosion Control Requirements-silt fences	15-57.K.1	Language clarified and made consistent with current requirements.
15-117.9	Sediment and Erosion Control Requirements-reinforced silt fences	15-57.K1.c	Language clarified and made consistent with current requirements.
15-117.10	Sediment and Erosion Control Requirements-special management areas	15-57.K2.c	Language updated since term "Special Management Areas" not used in new version
15-117.11	Sediment and Erosion Control Requirements-unstabilized area at end of workday	15-57	Most of this item is a construction safety requirement which was not included in new Ordinance requirement to install SE/SC practices covered throughout section.
15-117.12	Sediment and Erosion Control Requirements-stabilized within 14 days	15-56.F	This has been revised to state that applicant must follow current NPDES requirements (7 days)
15-117.13	Sediment and Erosion Control Requirements-no stockpiles in special management areas.	15-57.x	Language updated to current standards
15-117.14	Sediment and Erosion Control Requirements-sesc for stockpile left 3-days required.	15-57.Y	No change
15-117.15	Sediment and Erosion Control Requirements-waste cannot be carried off by wind or water	15-57.Z	Language updated to current standards
15-117.16	Sediment and Erosion Control Requirements-construction access and tracking soil onto roadways.	15-56.F	This has been revised to state that applicant must follow current NPDES requirements
15-117.17	Sediment and Erosion Control Requirements-removal of SESC measures and removal of sediment	15-57.AA	No change
15-117.18	Sediment and Erosion Control Requirements-references to other design manuals and technical guidance	15-57.BB-BB.2	Language clarified and made consistent with current requirements.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-117.19	Sediment and Erosion Control Requirements-superseding referenced design manuals design storm and making all designs for 25-year, 24-hour	15-57.E and F	Relies on IEPA NPDES Permit. Design storm remains the same
15-118	Reserved for Special Requirements in the Salt Creek Watershed	No Parallel	No special requirements for each watershed were ever developed. Current policy is to not vary Ordinance requirements for development by watershed, but to keep the minimum standard uniform throughout the County.
15-119	Reserved for Special Requirements in the East Branch DuPage River Watershed	No Parallel	No special requirements for each watershed were ever developed. Current policy is to not vary Ordinance requirements for development by watershed, but to keep the minimum standard uniform throughout the County.
15-120	Reserved for Special Requirements in the West Branch Dupage River Watershed	No Parallel	No special requirements for each watershed were ever developed. Current policy is to not vary Ordinance requirements for development by watershed, but to keep the minimum standard uniform throughout the County.
15-121	Reserved for Special Requirements in the Sawmill Creek Watershed	No Parallel	No special requirements for each watershed were ever developed. Current policy is to not vary Ordinance requirements for development by watershed, but to keep the minimum standard uniform throughout the County.
15-122	Reserved for Special Requirements in the Des Plaines River Tributaries Watershed	No Parallel	No special requirements for each watershed were ever developed. Current policy is to not vary Ordinance requirements for development by watershed, but to keep the minimum standard uniform throughout the County.
15-123	Reserved for Special Requirements in the Des Plaines River Tributaries Watershed	No Parallel	No special requirements for each watershed were ever developed. Current policy is to not vary Ordinance requirements for development by watershed, but to keep the minimum standard uniform throughout the County.
15-124 thru 15-130	Reserved	not used	

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
<b>Article 10: Special Management Areas</b>			
15-131	Special Management Areas	No Parallel	The term "Special Management Area" has been eliminated in the Ordinance draft, in favor of listing the areas of regulation as "Floodplain, Wetland and Buffer". This is so that review of these areas could be "unpacked" by a waiver community and some areas brought under Community review as part of being Partial waiver. The underlying concept for "Special Management Areas" was that in 1992 regulation of these at a local/regional level was new, and many communities were very hesitant to regulate them, and many believed there would be significant challenges to the underlying authority. In 2011, the concepts are not new, many engineers and scientist are around to review these areas, and no significant challenges have prevailed.
15-132.1	Requirements for Regulatory Flood Plain and Regulatory Determination - identification of the floodplain/floodway	15-77.A and 15-77.C	Specified floodplain and floodway boundary is based on most recent FEMA FIRM, DFIRM, RFM, or LOMC; established model hierarchy for source of BFE.
15-132.2	Requirements for Regulatory Flood Plain and Regulatory Determination	15-77.C	Established hierarchy of sources for floodplain boundary to eliminate using multiple hydraulic models for one project site. Only use FEQ model if it is regulatory model recognized by FEMA, otherwise, FEMA-accepted models may be used for hydraulic modeling required for project.
15-132.2.e	Requirements for Regulatory Flood Plain and Regulatory Determination - project specific flood plain studies	15-77.C.2	Change in language was to establish rules for when site-specific floodplain studies are required: (1) unmapped channels with greater than 100 acres of tributary area and (2) depressional storage areas with greater than 20 acres of tributary area.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-132.3	Requirements for Regulatory Flood Plain and Regulatory Determination - Project Specific Floodplain study	15-77.C2 and 15-77.D	Change in language was to establish rules for when site-specific floodplain studies are required: (1) unmapped channels with greater than 100 acres of tributary area and (2) depressional storage areas with greater than 20 acres of tributary area. Also, instead of saying "OWR or their designee," revised to simply say "IDNR-OWR," since this is one of the duties not delegated to the County.
15-132.4	Requirements for Regulatory Flood Plain and Regulatory Determination - Approval of OWR & FEMA	15-77.H	Specifies what types of projects require IDNR-OWR approval, all other projects may be permitted through the County's delegated authority.
15-132.5	Requirements for Regulatory Flood Plain and Regulatory Determination - floodway designation	15-77.E and 15-77.F	Clarified to avoid floodway being equivalent to floodplain when there is no defined floodway; follows IDNR-OWR
15-132.6	Requirements for Regulatory Flood Plain and Regulatory Determination	15-78.A.3 and 15-79.H	Specifies what types projects require a CLOMR and/or approval from IDNR-OWR.
15-133.1	Requirements for Development within the Regulatory Flood Plain - floodway conveyance	15-79.E	Modified language to allow up to a 0.1-foot increase in flood elevations associated with bridge or culvert construction, in accordance with IDNR-OWR regulations.
15-133.2	Requirements for Development within the Regulatory Flood Plain - flood proofed structures	15-78.B.2	No change in flood proofing language, but the low opening elevation is now defined as the higher of (1) the flood elevation from the regulatory profile and (2) the flood elevation from an FEQ model that has undergone the quality
15-133.3	Requirements for Development within the Regulatory Flood Plain - applicable uses of the floodplain	15-78.C.1	No change in flood proofing language, but the low opening elevation is now defined as the higher of (1) the flood elevation from the regulatory profile and (2) the flood elevation from an FEQ model that has undergone the quality
15-133.4	Requirements for Development within the Regulatory Flood Plain - substantial improvements	15-78.B.3 and 15-77-B	No change in substantial improvement language, but the low opening elevation is now defined as the higher of (1) the flood elevation from the regulatory profile and (2) the flood elevation from an FEQ model that has undergone the quality control process.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-133.5	Requirements for Development within the Regulatory Flood Plain - parking areas & water depth	15-78.B.5.g	Revised to allow flood depths of greater than one foot on parking areas that are specifically allocated for overflow parking. No change for parking areas that used as permanent parking areas; low opening elevation is now defined as the higher of (1) the flood elevation from the regulatory profile and (2) the flood elevation from an FEQ model that has undergone the quality control process.
15-133.6	Requirements for Development within the Regulatory Flood Plain - new structures elevated/flood proofed	15-78.B.1 and 15-78.B.3	Clarifies that existing structures may be floodproofed but new structures must be elevated to one foot above the BFE. Also sets forth elevation requirements for accessory structures; low opening elevation is now defined as the higher of (1) the flood elevation from the regulatory profile and (2) the flood elevation from an FEQ model that has undergone the quality control process.
15-133.7	Requirements for Development within the Regulatory Flood Plain - manufactured homes	15-78.B.5.d	No change in language; but the low opening elevation is now defined as the higher of (1) the flood elevation from the regulatory profile and (2) the flood elevation from an FEQ model that has undergone the quality control process.
15-133.8	Requirements for Development within the Regulatory Flood Plain - parked recreational vehicles		No change in language.
15-133.9	Requirements for Development within the Regulatory Flood Plain - existing structures	15-78.B.5.e	This is already covered under the substantial improvement language.
15-133.10	Requirements for Development within the Regulatory Flood Plain - flood proofing existing structures	15-78.B.3	No change in language.
15-133.11	Requirements for Development within the Regulatory Flood Plain - compensatory storage	15-78.B.1	Removed the requirement of compensatory storage being operational prior to placement of fill. Clarified that "incremental" compensatory storage is between the 0-10 year and 10-100 year flood elevations. Also specifies that compensatory storage shall be based on the regulatory model.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-133.12	Requirements for Development within the Regulatory Flood Plain - copies of FEMA/OWR forms	15-78.D.1 and 15-77.B	No change in language.
15-133.13	Requirements for Development within the Regulatory Flood Plain - CLOMR's	15-78.A.5	Revises the CLOMR requirements to match those of FEMA; a CLOMR is required if (1) the boundary of the regulatory floodway is revised or (2) there is a 0.1-ft or greater increase
15-133.14	Requirements for Development within the Regulatory Flood Plain - LOMR's	15-78.A.3	Revised to follow NFIP regulations: a building permit shall not be issued before the LOMR is issued.
15-133.15	Requirements for Development within the Regulatory Flood Plain - Requirements for fill to elevate a building	15-78.A.4	Specifies that any fill must follow guidelines in FEMA Technical Bulletin 10-01.
15-133.16	Requirements for Development within the Regulatory Flood Plain - means of elevating structures	15-78.B.4	No change in language, but the low opening elevation is now defined as the higher of (1) the flood elevation from the regulatory profile and (2) the flood elevation from an FEQ model that has undergone the quality control process.
15-133.17	Requirements for Development within the Regulatory Flood Plain - comp. storage for channel modifications	15-78.B.5	Specifies that compensatory storage associated with channel modification be provided at a 1:1 ratio.
15-133.18	Requirements for Development within the Regulatory Flood Plain	15-78.D.3	Clarifies that projects that provide a watershed benefit through water quality improvements must provide compensatory storage to mitigate for any increases in
15-133.19	Requirements for Development within the Regulatory Flood Plain - release rates for	15-78.A.1	Unnecessary regulation.
15-133.20	Requirements for Development within the Regulatory Flood Plain - on-site waste disposal systems	Eliminated.	No change in language.
15-133.21	Requirements for Development within the Regulatory Flood Plain - sanitary sewer systems	15-78.C.2	Unnecessary regulation.
15-133.22	Requirements for Development within the Regulatory Flood Plain - Floodway modeling	Eliminated.	Developed model hierarchy to avoid using multiple hydraulic models for same project. Established FEQ modeling guidelines for evaluating projects.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-133.23	Requirements for Development within the Regulatory Flood Plain	15-79.C and 15-79.D	Revised language to clarify that hydrologic and hydraulic impacts shall be evaluated for post-project conditions instead of future conditions.
15-133.23	Requirements for Development within the Regulatory Flood Plain	15-79.B	Revised language to clarify that hydrologic and hydraulic impacts shall be evaluated for post-project conditions instead of future conditions.
15-133.24	Requirements for Development within the Regulatory Flood Plain - Floodway Appropriate Uses	15-79.A	Modified appropriate uses to include recreational facilities such as playing fields and trail systems including any related fencing built parallel to the direction of flood flows.
15-133.25	Requirements for Development within the Regulatory Flood Plain - Floodway Conveyance	15-79.F	No change in language.
15-134.1	Requirements for Wetland Delineation - Presence of wetland determination	15-82.A	Text updated clarified, allowance for reduced work effort when no wetlands present on site or development is more than 100' away from wetland area
15-134.2	Requirements for Wetland Delineation - procedures for off-site contiguous wetlands	15-82.B	Requirement remains, text updated and clarified to limit distance from site that evaluation must be completed to 100'. Current Ordinance had no specific distance limitation which led to confusion.
15-134.3	Requirements for Wetland Delineation - wetland classification	15-82.D.1-5	Process remains, updated to be more relevant and practical
15-134.4	Requirements for Wetland Delineation - Final wetland classification	15-82.D.5	Clarified
15-135.1	Requirements for Development Affecting Critical Wetlands	15-83.B	Requirements unchanged, text updated to reflect true review process
15-135.2	Requirements for Development Affecting Regulatory Wetlands <0.1 acre	15-83.C	Requirements unchanged, text updated to reflect true review process
15-135.3	Requirements for Development Affecting Regulatory Wetlands > 0.1 acre	15-83.D	Requirements unchanged, text updated to reflect true review process

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-135.4	Requirements for Evaluation of Direct and Indirect impacts Affecting the Function and Values of Wetlands	15-84.A-C.1-4	Requirement changed to an evaluation of wetland hydrology to determine indirect wetland impacts, which reflects current actual process to eliminate confusion caused by previous vague ordinance language.
15-135.5	Wetland Mitigation Ratios	15-85.D.1-4	Mitigation ratios are unchanged, language revised to follow new formatting.
15-135.6	Mitigation for lost storage	15-85.C.1-6	To some degree covered in the identified sections, however stormwater storage is no longer specifically referred to in the wetland section
15-135.7	Requirement for in County mitigation	15-85.A	Requirement is essentially unchanged with the exception that mitigation may be completed out of County if the mitigation will directly benefit County resident's, i.e would create flood storage that reduces risk for County residents.
15-135.8	Requirements for mitigation to only occur in non-wetland	15-85.1-2	Mitigation credit may be generated in alternative ways to promote enhancement and restoration of wetland and buffer areas.
15-135.9	Requirements for continued maintenance and monitoring	15-85.M	The requirements have been expanded to be more explicit of what the expectations are in regards to requirements
15-135.10	Allows for partial credit for enhancement of wetland	15-85.E	Revised to define what the credit generation ratios will be. Current Ordinance does not spell out the ratios which has lead to inconsistant application
15-135.11	Requirements for preparation of Mitigation Plan	15-85. M and 15-47	The requirements have been expanded to be more explicit of what the expectations are in regards to the submittal requirements.
15-135.12	Requirement that mitigation is completed in accordance with "plan"	no parallel	Mitigation has to meet a number of Ordinance requirements, is unnecessary and vague.
15-135.13	Requirements for submittal of periodic monitoring reports	15-85.O	Requirement unchanged, only clarified to eliminate vagueness.
15-135.14	Requirements for wetland violations	15-104	Expanded and moved to enforcement and penalties. Allows in certain instances resolution of the action outside of the normal permit review process for minor impacts.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-135.15	Requirements for Buffers	15-89	Turned in to a entire section of the Ordinance to be more clear and to allow a greater range of activities - to be more flexible. The "Buffer" section also takes over the "riparian" requirements from current Ordinance.
15-136.1 - 7	Wetland Banking	15-86	Only gramaraical changes made for entire section
15-137.1	Riparian Environments Functions	Definitions	Functions are now defined in the definition section
15-137.2	Riparian Environments Delineation	15-90.A.3.a-e	Delineation of "riparian" is now called "waters of DuPage" buffer. Limit of riparian area no longer the 100 year flood plain. It will have a minimum width of 15' upto the 10 year flood plain limit.
15-137.3	Riparian Environments Vegetation Removal	15-90.B-F	This requirement has been expanded to define what can be removed and what can be replaced in a buffer to provide more upfront guidance to applicants
15-137.4	Riparian Environments Requirements related to Watershed Plans	15-90	Update to reflect current proceedure and policy
15-137.5	Riparian Environments Mitigation Requirements	15-90.F	Covered now in the new Buffer section
15-137.6	Riparian Environments Requirements for Length of Channels	No parallel	
15-137.7	Riparian Environments Requirements	15-90	Covered now in the new Buffer section
15-137.8	Riparian Environments Requirements	15-90	Covered now in the new Buffer section
15-138 to 15-145	Reserved		
<b>Article 11: Stormwater Management Permits</b>			The term "Permit" was eliminated on legal advice, because obtaining approval under this ordinance was never sufficient to begin construction in any community. The term Permit has been replaced with "Certification", and where the Ordinance referenced "Certification of Special Management Areas" by the County for Partial Waiver communities, it now references County "Authorizations".
15-146.1	General Requirements	15-31.A	Also references "General Certifications" and "Letters of Permission", which are created in draft ordinance. Moves exceptions from 15-147.1 in the current ordinance to this section.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-146.2	General Requirements - payment of stormwater fees	15-41.D	No change in Language
15-146.3	General Requirements - submittals	15-33	Added requirement to maintain signed and sealed copies for three years, for consistency with "minor project" approach.
15-146.4	General Requirements - differential water pressure head	15-33	Combined with current 15-146.3 in new 15-33
15-146.5	General Requirements - sign/seal of STM & record drawings	15-32 (datum) and 15-33 for land surveyors use	
15-146.6	General Requirements	15-36	Rewritten to clarify other agency approval relationship to certification. In the past projects have been sometimes stopped from beginning construction unnecessarily by the current ordinance language.
15-146.7	General Requirements - no regulatory floodway; permit from OWR	15-37	Rewritten to update and clarify
15-146.8	General Requirements - calcs & analyses for regulatory floodway	15-38	No change in Language
15-146.9	General Requirements - Special Management Areas reviewed by PE and Environmental Scientist	15-33 and 15-34	References "Dupage County Certified Wetland Specialist"
15-146.10	General Requirements - review/certified by PE for work in floodplain/way	15-35	The certification has been made more general.
15-146.11	General Requirements - work w/in wetlands review by environmental scientist	15-34	now references "Dupage County certified wetland Specialist"
15-147.1.a	Applicability; Required Submittals	15-31.A.1	The exceptions list replaces a blanket "5000 sq ft of disturbance" with a threshold of 500 sq. ft of new impervious or 5000 sq. ft of disturbance, but excludes lots under 12,000 sq. ft from submitting for a permit.
15-147.1.b	Applicability; Required Submittals	15-31.A.1	Substantial improvement in the floodplain is covered by the requirement that floodplain on-site requires a permit
15-147.1.c	Applicability; Required Submittals	15-31.A.2	list is the same.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-147.2	Applicability; Required Submittals	15-40	This section is much more explicit about submittals and ordinance requirements than that in the current ordinance.
15-148.1	Stormwater Management Permit Application	15-46.A.1	What constitutes a stormwater submittal has been made more permissive in response to numerous complaints about rejected and repeat submittals. The "minimum submittal" was designed to capture the bare essentials of a submittal.
15-148.2	Stormwater Management Permit Application	15-46.A.2	No change in language
15-148.3	Stormwater Management Permit Application	Narratives required for specific submittals such as wetlands	reduced "minimum submittal" requirement
15-148.4	Stormwater Management Permit Application	15-46.A.3	No change in language
15-148.5	Stormwater Management Permit Application	15-33 and 15-34	Part of professionals statements
15-148.6	Stormwater Management Permit Application	15-46.A.4	a listing and description is required, but actual application material is only if requested by Administrator to reduce the submittal package when appropriate.
15-148.7	Stormwater Management Permit Application	No Parallel	This is covered in the respective sections and 15-40.
15-148.8	Stormwater Management Permit Application	No Parallel	This is covered in the respective sections and 15-40.
15-148.9	Stormwater Management Permit Application	No Parallel	This is covered in the respective sections and 15-40.
15-148.10	Stormwater Management Permit Application	No Parallel	This is covered in the respective sections and 15-40.
15-148.11	Stormwater Management Permit Application	No Parallel	This is covered in the respective sections and 15-40.

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-149.1	Stormwater Submittal	15-46. C,D,E	In response to numerous complaints, the requirements for submittals have been simplified, and they may be varied by an administrator in acknowledgment of the specifics of the proposed project. The listing of a stormwater submittal, in its "one-size fits-all" approach, constitutes a barrier for the exercise of "common sense". draft ordinance section 15-46.E lists the supporting calculations that an administrator may default to, or vary based on the project. The concept of "minor project", relying on a statement by the Applicants PE, is enabled.
15-149.2	Stormwater Submittal	15-46. C,D,E	see above discussion.
15-149.3	Stormwater Submittal	15-46. C,D,E	see above discussion.
15-149.4	Stormwater Submittal	15-46. C,D,E	see above discussion.
15-149.5	Stormwater Submittal	15-46. C,D,E	see above discussion.
15-149.6	Stormwater Submittal	15-46. C,D,E	see above discussion.
15-149.7	Stormwater Submittal	15-46. C,D,E	see above discussion.
15-150.1	Flood Plain Submittal		
15-150.2	Flood Plain Submittal		
15-150.3	Flood Plain Submittal		
15-151.1	Wetland Submittal	15-47 Entire Section	Covered in the "Wetland and/or Buffer Impact Submittal" Section
15-151.2	Wetland Submittal	15-47 Entire Section	Covered in the "Wetland and/or Buffer Impact Submittal" Section
15-152.1	Riparian Environment Submittal	15-47 Entire Section	Covered in the "Wetland and/or Buffer Impact Submittal" Section
15-152.2	Riparian Environment Submittal	15-47 Entire Section	Covered in the "Wetland and/or Buffer Impact Submittal" Section
15-152.3	Riparian Environment Submittal	15-47 Entire Section	Covered in the "Wetland and/or Buffer Impact Submittal" Section
15-153.1	Permit Fees	15-41.A	No change in language
15-153.2	Permit Fees	15-41.B	No change in language
15-153.3	Permit Fees	15-41.C	No change in language
15-154.1	Duration and Revision to Permits	15-43.A	No change in language
15-154.2	Duration and Revision to Permits	15-43.B	No change in language

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-154.3	Duration and Revision to Permits	15-43.C	No change in language
15-155 to 15-165	Reserved	Not used	
<b>Article 12: Prohibited Acts</b>			
15-166.1	Prohibited Acts	15-101	No change in language
15-166.2	Prohibited Acts	15-101	No change in language
15-167	Prosecution of Violations	15-102	No change in language
15-168 thru 15-175	Reserved	Not used	
<b>Article 13: Performance Security</b>			Added new securities: 15-53.D-Natural area Restoration, and Wetland and Buffer Mitigation Area security because of the longer establishment period of these areas to separate them from the shorter duration of securities for other types of projects.
15-176.1	General Security Requirements	15-42 and 15-53.A.1	15-42 ties security into certification with no change in language for 15-53
15-176.2	General Security Requirements	15-53.A.2	No change in language
15-177.1	Development Security	15-53.B.1.a-d	No change in language
15-177.2	Development Security	15-53.B.2	No change in language
15-177.3	Development Security	15-53.B.3	No change in language
15-177.4	Development Security	15-53.B.4	No change in language
15-178.1	Erosion and Sediment Control Security	15-53.C.1	No change in language
15-178.2	Erosion and Sediment Control Security	15-53.C.2	No change in language
15-178.3	Erosion and Sediment Control Security	15-53.C.3	No change in language
15-179.1-6	Letter of Credit	15-53.E.1-6	No change in language
15-180.1	Long Term Maintenance	15-53.F.1	15-53.F.1 represents no change in language, however 15-53.F was added to allow for inspection and maintenance Access to the stormwater facilities constructed by the permit. This was added at the request of communities who must perform follow up inspections and have been denied access.
15-180.2	Long Term Maintenance	15-53.F.2	No change in language
15-180.3	Long Term Maintenance	15-53.F.3	No change in language
15-181 thru 195	Reserved	Not used	
<b>Article 14: Enforcement and Penalties</b>			
15-196.1	Inspection and Maintenance Authority	15-19.A	No change in language

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-196.2	Inspection and Maintenance Authority	15-19.B	No change in language in 15-19.B; 15-19.C added at the request of the County
15-197.1	Required Inspections	15-20.A	clarified that these inspections are during construction.
15-197.2	Required Inspections	15-20.B	No change in language
15-198	Notice of Violations	15-103	This section was substantially rewritten based on information received from the State Attorney, creating a process for notice and remedy. In addition, a new section 15-104 was added to create a more understandable process for wetland and buffer enforcement actions.
15-199.1-3	Revocation of Permits	15-105.A-C	No change in language
15-200.1-2	Stop-Work Order	15-106	This section has been substantially rewritten based on recommendations received through the County staff from the States attorney. These changes clarify the process and requirements for issuance.
15-201.1-3	Fines	15-107.A-C	No change in language
15-202.1-2	Additional Remedies for Special Flood Hazard Areas	15-108A-B.	No change in language
15-203	Legal and Equitable Relief	15-109	No change in language
15-204	Injunctive Relief	15-110	No change in language
15-205 Thru 15-225	Reserved	Not used	
<b>Article 15: Appeals</b>			
15-226.1-8	Right to Appeal	15-113.A-H	No change in language
15-227 Thru 15-235	Reserved	Not used	
<b>Article 16: Variances</b>			
15-236.1-13	Authority; Applications; Standards	15-116.A-M	No change in language
15-237	Public Hearing Required	15-117	No change in language
15-238.1-3	Review and Recommendation	15-118.A-C	No change in language
15-239	Decision	15-118.D	No change in language
15-240.1-4	Conditions	15-118.E.1-4	No change in language
15-241 thru 15-255	Reserved	not used	
<b>Article 17: Miscellaneous Provisions</b>			
15-256.1-14	Public Hearings	15-138.A-N	No change in language
15-257.1-2	Severability	15-139.A-B	No change in language

Current Ordinance		Proposed Ordinance Section	Change: What/Why?
Section No.	Description		
15-258	Most Restrictive Provisions Apply	15-140	No change in language
15-259	Amendments	15-141	No change in language
15-260	Effective Date	15-142	No change in language
15-261 thru 15-265	Reserved	not used	