

RULE NO.: R161-21.20

ADOPTION DATE: September 29, 2021

NOTICE OF RULE ADOPTION

By: Jorge L. Morales, P.E., CFM, Director
Watershed Protection Department

The Director of the Watershed Protection Department has adopted the following rule. Notice of the proposed rule was posted on July 22, 2021. Public comment on the proposed rule was solicited in the July 22, 2021 notice. This notice is issued under Chapter 1-2 of the City Code. The adoption of a rule may be appealed to the City Manager in accordance with Section 1-2-10 of the City Code as explained below.

A copy of the complete text of the adopted rule is attached to this notice.

EFFECTIVE DATE OF ADOPTED RULE

A rule adopted by this notice is effective on September 29, 2021.

TEXT OF ADOPTED RULE

R161-21.20: Modifies the Drainage Criteria Manual as follows:

- Drainage Criteria Manual – Section 5.2.0.K, Design Guidelines
 - Removes redundant language and refers reader to requirement for use of plastic pipe in water quality SCMs found in Environmental Criteria Manual Section 1.6.5.

COMMENTS AND CHANGES FROM PROPOSED RULE

No comments were received, and no changes were made.

AUTHORITY FOR ADOPTION OF RULE

The authority and procedure for the adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is established in Chapter 1-2 of the City Code. The authority to regulate water quality is established in Chapter 25-8 of the City Code.

APPEAL OF ADOPTED RULE TO CITY MANAGER

A person may appeal the adoption of a rule to the City Manager. **AN APPEAL MUST BE FILED WITH THE CITY CLERK NOT LATER THAN THE 30TH DAY AFTER THE DATE THIS NOTICE OF RULE ADOPTION IS POSTED. THE POSTING DATE IS NOTED ON THE FIRST PAGE OF THIS NOTICE.** If the 30th day is a Saturday, Sunday, or official city holiday, an appeal may be filed on the next day which is not a Saturday, Sunday, or official city holiday.

An adopted rule may be appealed by filing a written statement with the City Clerk. A person who appeals a rule must (1) provide the person’s name, mailing address, and telephone number; (2) identify the rule being appealed; and (3) include a statement of specific reasons why the rule should be modified or withdrawn.

Notice that an appeal was filed and will be posted by the city clerk. A copy of the appeal will be provided to the City Council. An adopted rule will not be enforced pending the City Manager’s decision. The City Manager may affirm, modify, or withdraw an adopted rule. If the City Manager does not act on an appeal on or before the 60th day after the date the notice of rule adoption is posted, the rule is withdrawn. Notice of the City Manager’s decision on an appeal will be posted by the city clerk and provided to the City Council.

On or before the 16th day after the city clerk posts notice of the City Manager’s decision, the City Manager may reconsider the decision on an appeal. Not later than the 31st day after giving written notice of an intent to reconsider, the City manager shall make a decision.

CERTIFICATION BY CITY ATTORNEY

By signing this Notice of Rule Adoption (R161-21.20), the City Attorney certifies that the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director’s administrative authority.

REVIEWED AND APPROVED

Jorge A. Morales
Jorge A. Morales, P.E., CFM, Director
Watershed Protection Department

Date: 09/17/2021

Deborah Thomas for
Anne L. Morgan
City Attorney

Date: 9/20/2021

This Notice of Rule Adoption was posted on the City website by the City Clerk. The date and time stamp are on the front of the notice.

Drainage Criteria Manual Section 5.2.0 – Design Guidelines

K. Plastic pipe (schedule 40 PVC or greater strength, 6" minimum diameter) shall be used inside water quality ponds (where the size of pipe required dictates its use) and for retention/re-irrigation systems and may be used within 50 feet of a water quality pond stormwater control measure filtration beds (if the pipe is not subject to any type of vehicular loading). End treatment is required for outfall pipe in accordance with City standard specifications. Threaded cleanouts are required within 50 feet of every portion of lateral and collector drain lines and at every bend. Plastic pipe in stormwater control measures must meet the design requirements and specifications stated in ECM 1.6.5.A. Junctions between PVC plastic pipe and RCP shall occur at a manhole or cleanout, as determined by the City.