

**RULE NO.: R161-24.04**

**ADOPTION DATE: 05/08/24**

## **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 03/28/24. Public comment on the proposed rule was solicited in the 03/28/24 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 05/08/24.

## **TEXT OF ADOPTED RULE**

The adopted rule contains no changes from the proposed rule as shown below.

R161-24.04: Modifies the Drainage Criteria Manual as follows:

9.5.5 D "Timeline": Extend the Stormwater Management Discount period so that the discount is valid for four years.

## **SUMMARY OF COMMENTS**

The Watershed Protection Department did not receive comments regarding the rule adopted in this notice.

## **AUTHORITY FOR ADOPTION OF RULE**

The authority and procedure for adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is provided 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identify the rule being appealed; and (3) include a statement of specific reasons why the rule should be modified or withdrawn.

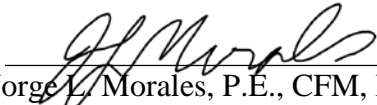
Notice that an appeal was filed and will be posted by the city clerk. A copy of the appeal will be provided to the City Council. An adopted rule will not be enforced pending the City Manager's decision. The City Manager may affirm, modify, or withdraw an adopted rule. If the City Manager does not act 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 (R161-24.04), 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**

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

Date: 04/26/2024

*Anne L. Morgan*  
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Anne L. Morgan  
City Attorney

Date: 5/5/24

## 9.5.0 CALCULATION OF THE DRAINAGE CHARGE

### 9.5.5.e

#### e. Timeline.

1. Discount is valid for ~~two~~ **four** years starting on date of approval. To renew discount, customer must complete renewal process.
2. If SCM (e.g., rain barrel) is moved to a different benefitted property, customer must reapply for discount.