

**PLAINFIELD TOWN COUNCIL**

**ORDINANCE NO. 17-97**

**DRAINAGE ORDINANCE**

WHEREAS, it is recognized that the streams, drainage channels, and storm sewers serving the Town of Plainfield may not have sufficient capacity to receive and convey excess storm water runoff resulting when land use changes from open or agricultural use to a more urbanized use; and

WHEREAS, it is further recognized that deposits of sediment from developments during and after construction can reduce capacities of storm sewers and drainage systems and result in damages to receiving lakes and streams.

NOW THEREFORE, BE IT ORDAINED BY THE Town Council of the Town of Plainfield, Indiana, that;

**SECTION 1. TITLE**

This ordinance and all ordinances supplemental or amendatory hereto, shall be known as the "Drainage Ordinance".

**SECTION 2. PURPOSE**

The purpose and intent of this ordinance is to prescribe the conditions under which land use changes from open or agricultural to a more urbanized use may take place with regard to allowable storm water release rate and to prescribe the provision for erosion control measures.

**SECTION 3. POLICY STATEMENT**

It shall be the policy of the Town of Plainfield that the storage and controlled release of storm water runoff shall be required for any new development, redevelopment and new construction located within the Town of Plainfield not exempt under this ordinance. No building permit shall be issued for the construction or the extension of any proposed or existing building in the Town of Plainfield until the required drainage plans have been approved in writing by the Town Engineer, except for the exceptions listed in Section 6.

**SECTION 4. ALLOWABLE STORM WATER RELEASE RATE**

The release rate of storm water from development, redevelopment, and new construction may not exceed the storm water runoff from the land area in its present state of development. The developer shall submit to the Town Engineer, detailed computations of runoff before and after development, redevelopment or new construction which demonstrate that runoff will not be increased to the extent that the peak runoff after development, redevelopment or new construction for the 100 year return period storm of critical duration does not exceed the runoff before development, redevelopment or new construction for the 10 year return period storm. The critical duration storm is that storm duration which requires the greatest detention storage.

**SECTION 5. SUBMITTALS**

The preparation of and the submittal of calculations, specifications, and drawings detailing the provisions for the design and construction of drainage, storage, and controlled release facilities shall be in accordance with such standards and specifications that the Town Engineer may promulgate.

**SECTION 6. EXCLUSIONS**

The activities listed in this section shall be excluded from the requirements of this ordinance. The exceptions (a) through (c), however, shall not be applicable to a

project if located in a designated Drainage Impact Area as established per Section 8.

- (a) Construction or extension of a single family dwelling house or an accessory use building thereto.
- (b) Construction or extension of a duplex dwelling house or an accessory use building thereto.
- (c) Extension or replacement of any existing building that does not increase the existing rate of runoff.
- (d) New development, redevelopment and new construction located within the Town Center Zoning Boundary.
- (e) Any residential, commercial or industrial subdivision (major or minor) or construction project thereon, which has had its final drainage plan approved by the Town Engineer prior to the effective date of this ordinance.

#### SECTION 7. DETENTION LOCATION LIMITATIONS

All storm water storage facilities shall meet the following standards:

- (a) The boundary of the maximum water surface elevation of any detention facility resulting from a post-development 100-year return period storm shall be separated by not less than 25 feet horizontally from any building or structure.
- (b) The maximum water surface elevation of any detention storage facility resulting from a post-development 100-year return period storm shall be at least 2 feet lower than the lowest finished floor of any building located on any property which uses the detention facility as a drainage outlet.
- (c) Detention facilities that rely on man-made berms of any kind to hold back ponding water shall be provided with an automatic non-mechanical emergency by-pass drainage system capable of passing the flow resulting from a post-development 100-year return period storm without causing failure of the man-made berms or ponding greater than 2 feet above the maximum water surface elevation resulting from a post-development 100-year return period storm.
- (d) Only dedicated drainage easements may be used for detention facilities. Any portion of a residential lot, combined utility/drainage easements, utility easements, and traffic rights-of-way do not qualify for use as detention facilities.

#### SECTION 8. IMPACT DRAINAGE AREAS

The Council is authorized, but is not required, to classify certain geographical areas as Impact Drainage Areas and to enact and promulgate regulations which are generally applied. In determining Impact Drainage Areas, the Council shall consider such factors as topography, soil type, capacity of existing drains, and distance from adequate drainage facilities. In addition to specific Impact Drainage Areas classified by the Council, the following areas are hereby designated as Impact Drainage Areas, unless good reason for not including them is presented to the Council:

- (a) A floodway or floodway fringe as designated by the Indiana Department of Natural Resources.
- (b) Land within 75 feet of each bank of any regulated drain.
- (c) Land within 75 feet of the centerline of any regulated drain tile.

#### SECTION 9. AS-BUILT DRAWINGS

After completion of the project and before final approval and acceptance can be made, a professionally prepared and certified "As-Built" set of plans and calculations shall be

submitted to the Town Engineer for review. If notice of non-compliance is not given within 30 calendar days from the date of submission of "As-Builts", the plans shall be construed as approved and final approval and acceptance can be made. The preparation of and the submittal of "As-Builts" shall be in accordance with such standards and specifications that the Town Engineer may promulgate.

#### SECTION 10. MAINTENANCE OF APPROVED DRAINAGE PATTERNS

It shall be the responsibility of the land owner to maintain the grade, as it applies to drainage, as provided for by approved construction plans or by natural drainage patterns.

#### SECTION 11. EROSION CONTROL PRACTICES

The deposition of sediment in drainage systems shall be avoided. It shall be the responsibility of the owner to submit construction plans pertaining to erosion control measures to the Hendricks County Soil Conservation Service for review and to submit a Notice of Intent letter to the Indiana Department of Environmental Management in accordance with the requirements of 327 IAC 15-5. A copy of the erosion control submittal to the Hendricks County Soil Conservation Service and a copy of the Notice of Intent letter shall be given to the Town Engineer at the time of construction plan submittal. The preparation of erosion control plans shall be in accordance with standards and specifications that the Town Engineer and/or the Hendricks County Soil Conservation Service may promulgate. Individual lots which are otherwise subject to the Building Code of the Town of Plainfield are further subject to the implementation of satisfactory erosion control practices as required by the Building Code of the Town of Plainfield.

#### SECTION 12. FACILITY MAINTENANCE RESPONSIBILITY

Facility Maintenance of detention facilities during construction and thereafter, shall be the responsibility of the land developer / property owner. Assignment of responsibility for maintaining facilities serving more than one lot or holding shall be documented by appropriate covenants to property deeds.

#### SECTION 13. DISCLAIMER

The degree of protection required by this ordinance is considered reasonable for regulatory purposes and is based upon historical records, engineering and scientific methods of study. Larger storms may occur or storm water runoff depths may be increased by man-made or natural causes. This ordinance does not imply that land uses permitted will be free from storm water damage. This ordinance shall not create liability on the part of the Town of Plainfield or any officer or employee thereof for any damage which may result from reliance on this ordinance or on any administrative decision lawfully made thereunder.

#### SECTION 14. CORRECTIVE ACTION

Nothing herein contained shall prevent the Town of Plainfield from taking such other lawful action as may be necessary to prevent or remedy any violation. All costs connected therewith shall accrue to the person or persons responsible.

#### SECTION 15. SEVERABILITY

If any chapter, article, paragraph, sub-paragraph, clause, phrase, word, provision, or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such holding or decisions shall not affect or impair the validity of this ordinance as a whole or any part thereof, other than the chapter, article, paragraph, sub-paragraph, clause, phrase, word, provision, or portion held to be unconstitutional or invalid.

SECTION 16. INCORPORATION BY REFERENCE

Throughout the various sections of this Ordinance, reference is made to other regulations or ordinances of the Town of Plainfield. Two copies of each such regulation or ordinance of the Town of Plainfield are on file in the office of the clerk of the Town of Plainfield and are available for public inspection.

SECTION 17. REPEALER

All ordinances or parts thereof in conflict with the provisions of this ordinance are repealed.

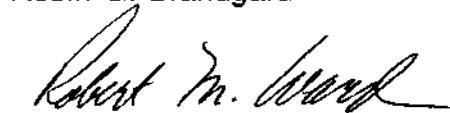
SECTION 18. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its approval, adoption and publication according to law.

Passed and adopted by the Town Council of the Town of Plainfield, Indiana, on this 22<sup>nd</sup> day of December, 1997.

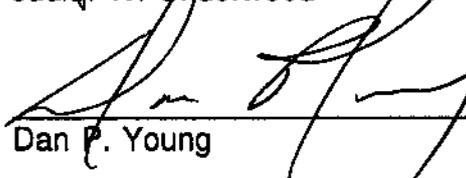
TOWN COUNCIL, TOWN OF PLAINFIELD,  
HENDRICKS COUNTY, INDIANA:

  
\_\_\_\_\_  
Robin G. Brandgard

  
\_\_\_\_\_  
Robert M. Ward

  
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John W. Himmelheber

  
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Judith W. Underwood

  
\_\_\_\_\_  
Dan P. Young

Constituting a majority of all of the members of the  
Town Council

ATTESTED BY:

  
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Juliana Mitchell, Clerk-Treasurer of  
the Town of Plainfield, Indiana

PUBLISH: THE WEEKEND FLYER January 1, 1998  
January 8, 1998