

VILLAGE OF WINFIELD
DuPage County, Illinois

ORDINANCE NO. *2012-06-16*

**ORDINANCE ADOPTING CERTAIN PROVISIONS OF THE DU PAGE COUNTYWIDE
STORMWATER AND FLOODPLAIN ORDINANCE AND CODIFYING SAME IN
TITLE 12, CHAPTER 1, OF THE VILLAGE OF WINFIELD CODE**

WHEREAS, pursuant to State statute, the Du Page County Board, on April 24, 2012, adopted Ordinance No. OSM-001-12, the Countywide Stormwater and Floodplain Ordinance (County Ordinance), Appendix A thereto which includes acronyms, initialisms and definitions, and General Certifications associated therewith; and

WHEREAS, the County Ordinance permits partial and complete waiver municipalities in the enforcement of the County Ordinance provisions within the Village's territorial jurisdiction; and

WHEREAS, the Village of Winfield is a partial waiver community; and

WHEREAS, the President and Board of Trustees find and hereby declare that it is in the best interests of the Village to amend Section 12-1-1 of Title 12, Chapter 1 of the Village Code of the Village of Winfield.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WINFIELD, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS STATUTORY POWERS, AS FOLLOWS:

SECTION ONE: The foregoing recitals are hereby incorporated in this Section One as if said recitals were fully set forth herein.

SECTION TWO: That Section 12-1-1 of Title 12, Chapter 1 of the Village of Winfield Code shall be amended and read as follows:

Section 12-1-1. Countywide Stormwater and Floodplain Ordinance Adopted.

- A. The Village of Winfield hereby adopts Articles 2 through 16, applicable portions of Article 17 and Article 18, inclusive, of the Countywide Stormwater and Floodplain Ordinance OSM-001-12, effective April 25, 2012 as now existing or hereafter amended (County Ordinance). These provisions are not adopted by reference but, rather, are adopted as a specific and integral part of the Village's Stormwater and Floodplain Management as codified in this Chapter, of which not less than three (3) copies have been and are now filed in the office of the Village Clerk, and the whole of said provisions as if set out in full herein.

- B. The Village of Winfield further adopts the General Certifications to the County Ordinance OSM-002-12, as now existing or hereafter amended, as an integral part of Title 12, Chapter 1.
- C. The provision adopted by this Section shall be in full force and effect and shall supersede any other ordinances of the Village with which they are inconsistent or which are less stringent than the terms of this Title 12, Chapter 1.

SECTION THREE: The remaining provisions of said Title, Chapter 1 which are not expressly amended herein are hereby ratified and affirmed and shall remain in full force and effect.

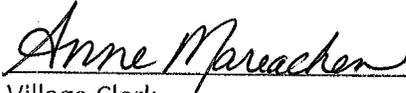
SECTION FOUR: Any and all policies, resolutions or ordinances of the Village of Winfield in conflict with the provisions of this ordinance adopted herein shall be, and they are hereby, repealed.

SECTION FIVE: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.



Village President

ATTEST:



Village Clerk

ROLL CALL: "AYES" ALLEN, BAJOR, HUGHES, OLSON, REYES, SPANDE
"NAYS" NONE
ABSENT NONE

PASSED: June 21, 2012

APPROVED: June 21, 2012

PUBLISHED: July 12, 2012

GAM\163267\6/15/12

ORDINANCE

OSM-001-12

AMENDMENTS TO CHAPTER 15 OF THE DU PAGE COUNTY CODE - DU PAGE
COUNTY COUNTYWIDE STORMWATER AND FLOOD PLAIN ORDINANCE

WHEREAS, the County of DuPage ("COUNTY") pursuant to authority granted it under 55 ILCS 5/5-1062 and 5/5-15001 et seq. and other applicable authority, adopted the *DuPage County Countywide Stormwater and Flood Plain Ordinance* (hereinafter referred to as the "Stormwater Ordinance"); and

WHEREAS, the Stormwater Ordinance is further identified as Appendix F to the DuPage County Stormwater Management Plan ("PLAN"), and was originally adopted by the County by Ordinance SMO-0001-91 on September 24, 1991; and

WHEREAS, the principle purpose of the Stormwater Ordinance has been to promote effective, equitable, acceptable, and legal stormwater management measures; and

WHEREAS, since the adoption of the Stormwater Ordinance in 1991, there have been changes in the development trends in DuPage County, improvements in stormwater management methodologies and technologies and changes to Federal and State laws affecting stormwater management; including, namely, the requirements of the National Pollutant Discharge and Elimination System (NPDES) Phase II permit; and

WHEREAS, the Stormwater Ordinance has not been comprehensively amended since its adoption in 1991; and

WHEREAS, DuPage County Stormwater Management Division has worked closely with the municipal engineers of numerous DuPage County communities and other DuPage County stormwater stakeholders (engineering firms, conservation organizations, Federal and state agencies) in order to develop a comprehensive text amendment to the Stormwater Ordinance; and

WHEREAS, the DuPage County Stormwater Management Division, DuPage County municipal engineers and DuPage County stormwater stakeholders have developed a set of comprehensive text amendments to the Stormwater Ordinance; and

WHEREAS, the proposed Stormwater Ordinance revisions have undergone all required agency, public and community reviews, and public hearing, in accordance with the requirements of state

law, Section 15-259 of the Stormwater Ordinance and the DuPage County Countywide Stormwater and Flood Plain Plan; and

WHEREAS, the proposed Stormwater Ordinance is amended to provide the structure to meet local, state, and federal stormwater regulations while still remaining competitive in maintaining/attracting business while preserving the high standard of flood control and environmental protection for all COUNTY residents; and

WHEREAS, enacting the proposed Stormwater Ordinance amendments is in the best interest of the COUNTY and its residents; and

WHEREAS, the Stormwater Management Committee recommended approval of the attached revisions to various sections of the Stormwater Ordinance for the reasons stated above; and

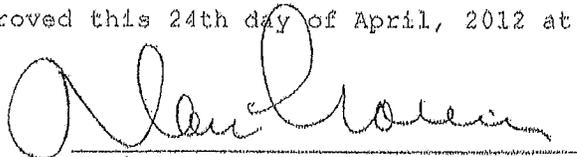
WHEREAS, the Stormwater Management Committee further recommended that the proposed Stormwater Ordinance amendments take effect the day following their adoption by the County Board.

NOW, THEREFORE, BE IT ORDAINED by the DuPage County Board, that the Stormwater Ordinance is hereby amended as attached; and

BE IT FURTHER ORDAINED by the DuPage County Board pursuant to authority granted to the County of DuPage by the Illinois General Assembly the revised DuPage County Countywide Stormwater and Flood Plain Ordinance, Chapter 15 of the DuPage County Code shall become effective April 25, 2012; and

BE IT FURTHER ORDAINED that the County Clerk shall transmit these Stormwater Ordinance amendments to the codifier of the DuPage County Code and otherwise make said amendments available for public inspection.

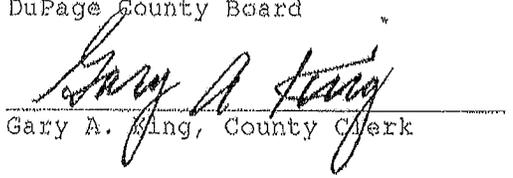
Enacted and approved this 24th day of April, 2012 at Wheaton, Illinois.



Daniel J. Cronin, Chairman
DuPage County Board

Ayes: 14
Nays: 1
Absent: 3

ATTEST:



Gary A. King, County Clerk

ORDINANCE

OSM-002-12

GENERAL CERTIFICATIONS FOR CHAPTER 15 OF THE DU PAGE COUNTY CODE
DU PAGE COUNTY COUNTYWIDE STORMWATER AND FLOOD PLAIN ORDINANCE

WHEREAS, the County of DuPage ("COUNTY") pursuant to authority granted it under 55 ILCS 5/5-1062 and 5/5-15001 et seq. and other applicable authority, adopted the *DuPage County Countywide Stormwater and Flood Plain Ordinance* (hereinafter referred to as the "Stormwater Ordinance"); and

WHEREAS, the Stormwater Ordinance is further identified as Appendix F to the DuPage County Stormwater Management Plan ("PLAN"), and was originally adopted by the County by Ordinance SMO-0001-91 on September 24, 1991; and

WHEREAS, the principle purpose of the Stormwater Ordinance has been to promote effective, equitable, acceptable, and legal stormwater management measures; and

WHEREAS, since the adoption of the Stormwater Ordinance in 1991, there have been changes in the development trends in DuPage County, improvements in stormwater management methodologies and technologies and changes to Federal and State laws affecting stormwater management; including, namely, the requirements of the National Pollutant Discharge and Elimination System (NPDES) Phase II permit; and

WHEREAS, DuPage County Stormwater Management Division has worked closely with the municipal engineers of numerous DuPage County communities and other DuPage County stormwater stakeholders (engineering firms, conservation organizations, Federal and state agencies) in order to develop a comprehensive text amendment to the Stormwater Ordinance which is set to be adopted by the County by Ordinance OSM-0001-12 on April 24, 2012; and

WHEREAS, Section 15-32 of the to be amended Stormwater Ordinance provides that General Certifications, when found to be applicable to the particular circumstances of certain developments, shall serve in lieu of the Stormwater Management Certification currently required for all development activity; and

WHEREAS, General Certifications provide clarification and, or, interpretation of technical requirements and are intended to address common and typically low impact development; and

WHEREAS, General Certifications are intended to promote development and improve regulatory efficiency by reducing the developer's submittal requirements in qualifying situations, lowering design costs and simplifying the existing certification review process; and

WHEREAS, DuPage County Stormwater Management, DuPage County municipal engineers and DuPage County stormwater stakeholders have developed a set of General Certifications to be implemented in conjunction with the County's adoption of the proposed Stormwater Ordinance text amendments; and

WHEREAS, the proposed General Certifications have undergone all required agency, public and community reviews, in accordance with the requirements of state law, and the Stormwater Ordinance (both as currently enacted and as amended); and

WHEREAS, enacting the proposed General Certifications are in the best interest of the COUNTY and its residents; and

WHEREAS, the Stormwater Management Committee recommended approval of the attached General Certifications for the reasons stated above, immediately following, and contingent upon, the County Board's adoption of OSM-0001-12; and

WHEREAS, the Stormwater Management Committee further recommended that the proposed General Certifications take effect the day following their adoption by the County Board, and also immediately following the effective date of OSM-0001-12.

NOW, THEREFORE, BE IT ORDAINED by the DuPage County Board,
that the General Certifications are adopted as attached; and

BE IT FURTHER ORDAINED by the DuPage County Board pursuant
to authority granted to the County of DuPage by the Illinois
General Assembly the attached General Certifications for the
DuPage County Countywide Stormwater and Flood Plain Ordinance,
Chapter 15 of the DuPage County Code shall become effective
April 25, 2012, or following the effective date of OSM-0001-12,
whichever is later; and

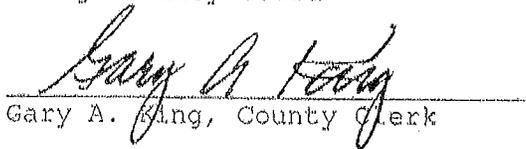
BE IT FURTHER ORDAINED that the County Clerk and Stormwater
Division shall make said General Certifications available for
public inspection.

Enacted and approved this 24th day of April, 2012 at
Wheaton, Illinois.



Daniel J. Cronin, Chairman
DuPage County Board

ATTEST:



Gary A. King, County Clerk

Ayes: 14
Nays: 1
Absent: 3