

Notice of Adoption of Ordinance 5209, City of Goshen Stormwater Management Ordinance

Ordinance 5209, City of Goshen Stormwater Management Ordinance, was passed by the Goshen Common Council on December 16, 2024, and approved and adopted by Mayor Leichty on December 17, 2024.

Ordinance 5209 regulates: (i) Discharges of prohibited non-stormwater flow into the stormwater drainage system; (ii) Stormwater drainage improvements related to development of lands located within the corporate boundaries of the City of Goshen; (iii) Drainage control systems installed during new construction and grading of lots and other parcels of land; (iv) Stormwater, including stormwater runoff, snowmelt runoff, and surface runoff and drainage, associated with construction activity or demolition activity that results in land disturbance; (v) Stormwater discharges from construction support activities directly related to construction sites or demolition sites subject to this ordinance; (vi) Erosion and sediment control systems installed during new construction and grading of lots and other parcels of land; (vii) The design, construction, and maintenance of stormwater drainage facilities and systems; (viii) The design, construction, and maintenance of stormwater quality facilities and systems; (ix) The design, construction, and maintenance of new dams; (x) The development downstream of existing dams; and (xi) Development within floodplains, floodways, fluvial erosion hazard corridors, and bluff zones.

A violation of Ordinance 5209 shall be subject to the enforcement provisions set forth in Section 7, subsection (b) which includes, but is not limited to: (i) Notify the person who committed the act or failed to meet the requirements of this ordinance by telephone and request compliance or cessation of the prohibited act; (ii) Notify the person who committed the act or failed to meet the requirements of this ordinance in writing and order compliance or cessation of the prohibited act; (iii) Enter into an agreed order with the approval of the City of Goshen Stormwater Board which order may include payment of a fine by the violator; (iv) Issue a stop work order until all corrective measures have been completed; (v) File a notice of violation before the City of Goshen Stormwater Board describing the violation of this ordinance found by the Superintendent of the Department of Stormwater Management or their designee; and (vi) File a complaint in a court of competent jurisdiction within Elkhart County seeking a judicial determination that this ordinance has been violated and requesting the imposition of fines. Any person committing an offense under Ordinance 5209 is subject to a fine of up to \$2,500 for each offense, plus costs, damages, and expenses. Each day such violation occurs or continues without a compliance action that is satisfactory to the City of Goshen constitutes a new and separate offense and shall make the violator liable for the imposition of a fine for each day.

Ordinance 5209 is available for inspection in its entirety during regular business hours at the Goshen Clerk-Treasurer's Office located at 202 S. Fifth Street, Goshen, Indiana.