

AN ORDINANCE AMENDING SECTION 112.7 OF THE JONESBORO MUNICIPAL CODE WITH REGARDS TO SUCCESSIVE PERMIT REQUESTS THAT CUMULATIVELY EXCEED THE EXCEPTION CLAUSE WITHIN A SPECIFIED TIME PERIOD

WHEREAS, the City Council adopted Stormwater Management Regulations on December 18, 2008 (ORD-08:099);

WHEREAS, the Stormwater Management Regulations have been codified under Section 112 of the Jonesboro Municipal Code;

WHEREAS, it has been found that there is an oversight in Section 112.7 of the Jonesboro Municipal Code with regard to successive permit requests that cumulatively exceed the exception clause for commercial and industrial sites;

WHEREAS, the Stormwater Management Board recommends that Section 112.7 be amended so that a Stormwater Management Plan (SWMP) is required for existing commercial and industrial sites where additional structural or site improvements exceed 2,000 square foot in aggregate over the preceding three (3) years;

NOW, THEREFORE BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:

Section 1. That Section 112.7 of the Jonesboro Municipal Code be amended to read as follows:

Any person, firm, corporation, business, or legal entity proposing to develop land within the city planning jurisdiction shall prepare and submit a SWMP to the city engineer for review and be issued a compliance letter prior to commencement of construction of the improvements, except for the following:

- (1) One new or existing single-family structure;
- (2) One new or existing duplex family structure;
- (3) One existing commercial or industrial structure where additional structural or site improvements are less than 2,000 square feet cumulatively and no other structural or site improvements have been made in the preceding three (3) years that when combined with the current improvements would exceed 2,000 square feet in aggregate.

Section 2: That the provisions of this Ordinance are declared to be severable. In the event any portion or portions may be declared unconstitutional does not render the remaining provisions invalid. Further, all Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of said conflict.

Section 3: That the Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to adopt the above referenced amendment to the Jonesboro Municipal Code.