



**City Council Agenda  
July 17, 2025**

**Ordinance**

**Action Item**

**Agenda Description:**

Discuss, consider, and possible action on approving an ordinance amending Chapter 13, Article 13.04 of the Code of Ordinances to add a new Division 4, “Post-Construction Stormwater Management,” and renumber existing sections accordingly. (Staff Resource: A. Maldonado).

**Background Information:**

The Texas Commission on Environmental Quality (TCEQ) requires the City of Joshua, as a regulated small Municipal Separate Storm Sewer System (MS4), to implement a Stormwater Management Program (SWMP) under the TPDES Phase II General Permit (TXR040000). One of the key components of this program is the implementation of enforceable mechanisms to control post-construction stormwater discharges.

This proposed ordinance fulfills that requirement by establishing minimum standards for post-construction stormwater control, long-term maintenance of permanent Best Management Practices (BMPs), and a framework for inspection, enforcement, and compliance.

**Analysis:**

The ordinance adds a new Division 4 to Article 13.04 of the Code of Ordinances, titled **Post-Construction Stormwater Management**, and renumbers the existing enforcement division. Key elements include:

- **Performance Standards:** Requires permanent BMPs to maintain post-development runoff conditions as close as possible to pre-development levels.
- **Operations & Maintenance Plan (O&M Plan):** Mandates long-term maintenance responsibilities be clearly defined and linked to the property deed.
- **Enforcement Provisions:** Establishes inspection protocols, timelines for correction of deficiencies, and penalties of up to \$500/day for noncompliance.
- **Maintenance Responsibility:** Holds current and future owners accountable for ongoing performance and upkeep of stormwater facilities, including detention ponds.

**Key Objectives**

- Enables the City to enforce compliance with state stormwater requirements.
  - Protects infrastructure and reduces risk of flooding and downstream erosion.
  - Supports water quality goals by regulating pollutants from impervious surfaces.
  - Establishes clear responsibilities for property owners, developers, and HOAs.
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**City Contact and Recommendations:**

Aaron Maldonado

Assistant City Manager

Staff recommends approval of the ordinance as presented to ensure compliance with TCEQ requirements and to support the City’s stormwater infrastructure and water quality objectives.

**Attachments:**

1. Joshua Ordinance Post Construction Detention Ponds
2. Joshua Stormwater Operation and Maintenance Agreement
3. Detention Pond Maintenance Checklist