

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI

ORDINANCE NO. 24-106.05

**ORDINANCE AMENDING DRAINAGE AND FLOOD DAMAGE PREVENTION ORDINANCE TO
ADOPT OAKLAND COUNTY'S STORMWATER ENGINEERING DESIGN STANDARDS**

An Ordinance to amend City of Novi City Code, Chapter 12, Flood Damage Prevention Ordinance, Article III, Stormwater Detention to adopt and enact Stormwater Engineering Design Standards developed by the Oakland County Water Resource Commissioners Office for compliance with the City's Part 31, MS4 General Permit, Water Resources Protection in accordance with the requirements of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended and the City's Michigan Department of Environment, Great Lakes & Energy (MDEGLE), Wastewater Discharge Permit, Rule 323.2161a, Post-Construction Requirements.

THE CITY OF NOVI ORDAINS AS FOLLOWS:

Part I. That Chapter 12, Flood Damage Prevention Ordinance, Article III, "Stormwater Detention," Section 12-70, "Determination of need for on-site detention or retention facilities," is hereby amended as follows:

Sec. 12-70. – Determination of need for on-site detention or retention facilities

- (a) For all new developments within the city, the city engineer shall examine all site plans, preliminary plats and building permit applications and determine whether the receiving drainage course possesses sufficient flow capacities to protect downstream properties from damage resulting from developed stormwater flows.
- (b) All new developments and redevelopments shall provide an on-site stormwater detention or retention facility or facilities in accordance with the Engineering Design Manual and the Stormwater Engineering Design Standards as set forth in Section I of the Oakland County Stormwater Engineering Design Standards, as amended, as set forth in Appendix B to this Code. References to "Non-County Stormwater Systems" in Part H of the Oakland County Stormwater Engineering Design Standards shall mean and refer to "Privately-Owned Stormwater Systems within the City." All references throughout the Stormwater Engineering Design Standards to "OCWRC" or "County" shall mean and refer to "the City of Novi."
- (c) Where a receiving drainage course possesses sufficient flow capacities to protect downstream properties from damage resulting from developed stormwater flows, the new development shall:
 - (1) Pay a stormwater detention fee, as provided in section 12-71, if utilizing a regional stormwater detention facility, and provide facilities for stormwater quality enhancements or
 - (2) Elect to provide an on-site stormwater management facility or facilities in accordance with the Engineering Design Manual.
- (d) Upon its adoption by the council, the city stormwater management master plan shall be determinative of whether a new development is served by a drainage course with sufficient flow capacities to protect downstream properties from developed stormwater flows.
- (e) Any owner or developer aggrieved by a determination of the city engineer made pursuant to subsection (a) of this section shall have the right to a hearing before the council, provided a written request therefor is filed with the city clerk within ten (10) days following the personal delivery or the

date of mailing of the determination of the city engineer. Further review may be had in a court of competent jurisdiction.

Part II Severability

Should any section, subsection, paragraph, sentence, clause, or word of this ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the ordinance.

Part III Savings

This amendatory ordinance shall not affect violations of the zoning ordinance or any other ordinance existing prior to the effective date of this ordinance and such violation shall be governed and shall continue to be separately punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

Part IV. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Part V Effective Date: Publication.

This amendatory ordinance shall be effective 10 days after adoption by the City Council and after publication as provided by the Charter of the City of Novi.

Ayes:
Nays:
Abstentions:
Absent:

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Novi, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Novi at a meeting held on the ____ day of _____, 2024, the original of which is on file in my office.

Cortney Hanson, City Clerk
City of Novi

Adopted:
Published:
Effective: