

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.

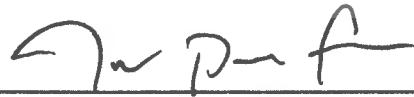
Part IV. Repealer.

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.

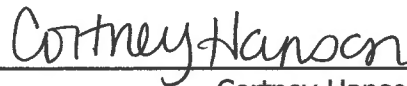
Part V Effective Date: Publication.

The provisions of this ordinance shall become effective fifteen (15) days after its adoption and shall be published within 15 days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this ordinance and such other facts as the Clerk shall deem pertinent and that a copy of the ordinance is available for public use and inspection at the office of the City Clerk.

Made, Passed and Adopted by the Novi City Council this 5th day of February, 2024.



Justin P. Fischer, Mayor



Cortney Hanson, City Clerk

Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the Novi City Council held on the 5th day of February, 2024.


Cortney Hanson, City Clerk

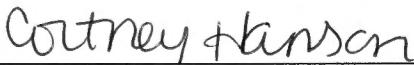
Adopted: 02/05/2024
Published: 02/15/2024
Effective: 02/20/2024

Certificate of Clerk

I hereby certify that the foregoing ordinance was published by posting a copy thereof at each of the following times and places within the City of Novi, on the 6th day of February, 2024.

1. Novi City Hall 45175 Ten Mile Road
2. Novi Library 45255 Ten Mile Road

I do further certify that on the 15th day of February, 2024 said Zoning Text Ordinance Amendment 18.303 was published in brief in the Novi News, a newspaper published and circulated in said City.


Cortney Hanson, City Clerk