

**CITY OF ALBERTVILLE
COUNTY OF WRIGHT
STATE OF MINNESOTA**

ORDINANCE NO. 2009-009

**AN ORDINANCE AMENDING SECTION 200.2 (DEFINITIONS);
SECTION 1000.9 (DRAINAGE PLANS); AND SECTION 5000.4
(GENERAL STANDARDS) OF THE ALBERTVILLE ZONING ORDINANCE
(APPENDIX A) OF THE 2005 ALBERTVILLE MUNICIPAL CITY CODE
RELATING TO STORM WATER REGULATIONS**

THE CITY COUNCIL OF THE CITY OF ALBERTVILLE, MINNESOTA ORDAINS:

SECTION 1. Section 200.2 (Definitions), relating to definitions of storm water management terms, is hereby amended by adding definitions for the following terms:

EMERGENCY OVERFLOW
(EOF):

A water flow path that is designed to safely remove excess water in case a pond or waterbody becomes higher than expected.

HIGH WATER LEVEL
(HWL):

The highest water level achieved in a water body predicted by the 100-year critical storm event.

NORMAL WATER LEVEL
(NWL):

For a reservoir with a fixed overflow, the NWL is lowest crest level of that overflow. For a reservoir whose outflow is controlled wholly or partly by movable gates, siphons or other means, it is the maximum level to which water may rise under normal operating conditions, exclusive of any provision for flood storage. For a closed depression wetland, it is the maximum level to which the water may rise under normal precipitation conditions exclusive of any provision for flood storage.

ORDINARY HIGH WATER
LEVEL (OHWL or OHW):

The Minnesota DNR jurisdictional boundary of public waters and wetlands that is depicted by an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reserves and flowage, the ordinary high water level is the operating elevation of the normal summer pool.

SIMPLIFIED HYDROLOGIC
YIELD METHOD (SHYM):

Methodology for assessing water elevations of landlocked basins.

SECTION 2. Section 1000.9.D., relating to structure elevation regulations pertaining to drainage plans, is hereby amended as follows:

1000.9: **DRAINAGE PLANS:**

~~D. — No structure, except docks and retaining walls, shall be placed at an elevation such that the lowest building opening is less than two feet (2') above the highest known surface water level or ordinary high water level, or emergency overflow elevation, whichever is greater, if determined, of any adjacent pond or watercourse. If sufficient data on known high water levels is not available, the elevation of the line of permanent aquatic vegetation shall be used as the estimated high water elevation. When fill is required to meet this elevation, the fill shall be allowed to stabilize, and construction shall not begin until the property has been inspected by the building official. (Ord. 1988-12, 12-19-1988; amd. Ord. 1997-17, 11-17-1997; Ord. 2004-19, 12-20-2004)~~

D. Structure Elevations. No structures, except docks and retaining walls, shall be constructed below the following minimum elevations:

1. For structure adjacent to ponds, wetlands, ditches, and other water bodies: All low opening elevations shall be at least two (2) feet above the 100-year flood level (HWL); All low floor elevations shall be at least one (1) foot above the normal water level (NWL); All low openings shall be at least two (2) feet above the emergency overflow (EOF).

2. For public waters and public water wetlands (DNR protected water bodies) follow the criteria in subsection 4905.22 of this ordinance for setting structure elevations.

3. In the case of a land-locked basin, the low floor and low opening elevation shall be at least one (1) and three (3) feet, respectively, above the surveyed basin overflow; or one (1) and three (3) feet, respectively, above the high water level of the basin as determined from an estimate using the SHYM, or two 100-year, 24-hour back-to-back storm events, whichever produces the higher peak water elevations, under full build-out conditions for the contributing watershed.

SECTION 3. Section 5000.4, relating to structure elevation regulations pertaining to lands within and/or abutting a wetland, is hereby amended as follows:


5000.4: **GENERAL STANDARDS:** The following standards apply to all lands within and/or abutting a wetland:

A. ~~The lowest floor elevation shall be three feet (3') above the 100-year flood elevation or three feet (3') above the ordinary high water mark of public waters regulated by chapter 4900, "Shoreland Overlay District," of this ordinance, whichever is greater. Structure~~

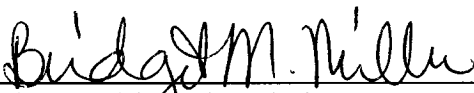
elevations shall meet the criteria in subsection 1000.9D and subsection 4905.22 of the city zoning ordinance.

THIS AMENDMENT SHALL BE IN FULL FORCE AND EFFECTIVE IMMEDIATELY FOLLOWING ITS PASSAGE AND PUBLICATION.

Approved by the Albertville City Council this 2nd day of March 2009.



Ron Klecker, Mayor



Bridget Miller, City Clerk