



# Porter County Storm Water Ordinance Revisions 2024

Created July 3, 2024 for the  
Department of Development &  
Storm Water Management

# Notice

To Whom It May Concern:

The Department of Development & Storm Water Management (Department) is updating portions of the Porter County Unified Development Ordinance (UDO), Storm Water Program Ordinances, and Supplemental Design and Construction Standards, as required under the National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit program as administered by the Indiana Department of Environmental Management (IDEM).

To comply with the new IDEM Construction Stormwater General Permit (CSGP) and MS4 General Permit (MS4GP), these revisions will not fundamentally change the storm water program function, yet many include new operations for construction sites, material management, and modernize requirements.

Please see the following pages for the proposed changes that will be brought before the Porter County Plan Commission on Wednesday, July 24 at 5:30 p.m. for recommendation and will be heard by the Board of Commissioners on Tuesday, August 6, and Tuesday, August 27, 2024, at 10:00 a.m.

## Proposed revisions to Porter County Ordinances:

### Ordinance 13-05 Illicit Discharge and Stormwater Connection

The purpose of the Ord.13-05 is to provide for the health, safety, and general welfare of the citizens of the unincorporated area of Porter County, Indiana through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by Federal and State law.

This ordinance establishes methods through the Porter County Illicit Discharge Detection and Elimination (IDDE) Plan, for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the NPDES permit process. The objectives of this ordinance are to regulate the contribution of pollutants to the MS4 by stormwater discharges by any user, prohibit Illicit Connections and Discharges to the MS4, establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this ordinance, and establish enforcement procedures.

The proposed revisions include an updated phone number for reporting illicit discharges and proper notification of spills in unincorporated Porter County.

### Ordinance 13-15 Supplemental Design and Construction Standards/ Specifications

Ord. 13-15 Supplemental Design and Construction Standards (SDCS) provides a comprehensive collection of regulations involving quality-engineering practices, which assure public infrastructure and facilities to be deeded over to Porter County will be constructed in a manner that meets the County's requirements.

The proposed revisions include additions to Section 8.04 for sediment controls in detention basins, Section 8.05 for topsoil stripping and stockpiling, Section 8.09 to establish downspout and sump pump requirements, and Section 8.16 to update IDEM language. These revisions are good practice updates that were required by the IDEM permit updates and/or best management practices for site function.

**ORDINANCE NO. 24-\_\_\_\_\_**  
**PORTER COUNTY BOARD OF COMMISSIONERS**

**AMENDMENT TO ILLICIT DISCHARGE AND STORMWATER CONNECTION  
ORDINANCE**

**WHEREAS**, the Porter County Board of Commissioners adopted Ordinance No. 13-05 “An Ordinance Related to Illicit Discharge and Stormwater Connection on Tuesday, May 21, 2013; and

**WHEREAS**, the Porter County Board of Commissioners has deemed it necessary to amend Section (L) 18.028.120 of the Illicit Discharge and Stormwater Connection Ordinance;

**NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED THAT:**

**Ordinance 13-05 Illicit Discharge and Stormwater Connection; Section (L) 18.028.120 of the Porter County Unified Development Ordinance, shall be amended as follows:**

Amend Section (L) 18.028.120 by the repeal of the contact number and addition of a new contact number to read as follows:

MS4 Coordinator  
Porter County Administration Building  
155 Indiana Avenue; Suite 311  
Valparaiso, IN 46383  
219-465-3530  
Facsimile: 219-465-3543

This ordinance passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2024.

PORTER COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Jim Biggs, President

\_\_\_\_\_  
Barb Regnitz, Vice President

\_\_\_\_\_  
Laura Blaney, Secretary

Attest: \_\_\_\_\_  
Karen Martin, Auditor

**ORDINANCE NO. 24-\_\_\_\_\_**  
**PORTER COUNTY BOARD OF COMMISSIONERS**

**UNIFIED DEVELOPMENT ORDINANCE**

**WHEREAS**, the Porter County Board of Commissioners adopted the Porter County Unified Development Ordinance; Ordinance No. 13-15 on Tuesday, November 19, 2013; and

**WHEREAS**, the Porter County Board of Commissioners has deemed it necessary to amend Chapter 8 Sediment and Erosion Control; Section 8.04; of the Porter County Unified Development Ordinance; and

**WHEREAS**, the Porter County Board of Commissioners has deemed it necessary to amend Chapter 8 Clearing, Excavations and Site Grading; Section 8.05; of the Porter County Unified Development Ordinance; and

**WHEREAS**, the Porter County Board of Commissioners has deemed it necessary to amend Chapter 8 Utilities; Section 8.09; of the Porter County Unified Development Ordinance; and

**WHEREAS**, the Porter County Board of Commissioners has deemed it necessary to amend Chapter 8 Inspection Requirements; Section 8.16; of the Porter County Unified Development Ordinance; and

**NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED THAT:**

**Chapter 8 Construction Standards; Section 8.04 of the Porter County Unified Development Ordinance, shall be amended as follows:**

Amend Section 8.04 (F) “Construction Requirements and Performance Criteria” by the addition of (F) (2) and (a) to read as follows:

2. Sediment Control Practices for Sediment Basins
  - a. Sediment basins, where feasible, must withdraw water from the surface of the water column. Where withdrawing from the surface of the water column is unfeasible, alternate sediment reduction measures such as the use of flocculants and polymers, implementation of porous baffles, and/or phasing of a project land disturbance that incorporates a rapid stabilization program are acceptable.

**Amend Section 8.05 (F) “Construction Requirements and Performance Criteria” by the addition of (F) (2) (f) and (F) (2) (g) to read as follows:**

2. Topsoil Stripping and Stockpiling
  - f. Soil compaction is to be minimized, especially in areas where permanent vegetation will be re-established and/or areas that are designated to infiltrate stormwater for the post-construction phase.
  - g. Topsoil will be preserved, unless infeasible.

**Amend Section 8.09 (H) “Post-Construction & Other Requirements” by the addition of (H) (1) (c) and H (1) (c) i through iii to read as follows:**

- c. The location and configuration of downspouts and/or sump pump discharges shall be such that the runoff does not damage or inconvenience adjacent properties. All such discharges shall be a minimum of ten (10) feet from adjacent property lines. In general, downspouts and sump pump discharge shall be directed towards the front or rear of the site and not at the adjacent site property lines.
  - i. Sump pumps installed to receive and discharge groundwater or other stormwater shall be placed 10' minimum behind property line and discharged into a designated storm drainage channel/swale. Sump pumps installed to receive and discharge floor drain flow or other sanitary sewage shall be connected to a septic system. A sump pump shall be used for one function only, either the discharge of stormwater or the discharge of sanitary sewage.
  - ii. Footing drains and perimeter drains shall be placed 10' minimum behind property line and toward a designated storm sewer or discharged into designated storm drainage channels/swales.
  - iii. All roof downspouts, roof drains, or roof drainage piping shall discharge onto the ground, shall not be directly connected to the storm drainage system, and shall be placed 10' minimum behind adjacent property lines. Variation from this requirement may be requested and granted by the Porter County Storm Water Department in special circumstances.

**Amend Section 8.16 “Inspection Requirements” by the addition of (A) (1) (b) and (B) (7) to read as follows:**

A. Preconstruction Meeting

- b. Proof of all permit approvals, copies shall be submitted to the County for water, sanitary sewer, CSGP, IDEM, Army Corp, etc.;

B. Required Inspections

- 7. Restoration and landscaping inspection to be scheduled with plan commission. Seeding of disturbed areas shall be inspected based upon the Erosion and Sediment Control Permit, CSGP permit and approved construction sequencing.

This ordinance passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2024.

PORTER COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Jim Biggs, President

\_\_\_\_\_  
Barb Regnitz, Vice President

\_\_\_\_\_  
Laura Blaney, Secretary

Attest: \_\_\_\_\_  
Karen Martin, Auditor

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

\_\_\_\_\_  
Scott R. McClure, County Attorney

## Ordinance 22-14 Flood Damage Prevention Ordinance

The purpose of Ord. 22-14 Flood Damage Prevention is to minimize expenditure of public money for costly flood control projects and minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the public. This ordinance helps to minimize the impact of development on adjacent properties within and near flood prone areas and to ensure that the flood storage and conveyance functions of the floodplain are maintained by reducing the impact of development on the natural, beneficial values of the floodplain. This ordinance is designed to meet community participation requirements of the National Flood Insurance Program.

The proposed revisions include the addition of missing language regarding the construction of nonresidential structures in the flood zone.

**ORDINANCE NO. 24-\_\_\_\_\_**  
**PORTER COUNTY BOARD OF COMMISSIONERS**

**AMENDMENT TO THE FLOOD DAMAGE PREVENTION ORDINANCE**

**WHEREAS**, the Porter County Board of Commissioners adopted; Ordinance No. 22-14  
“An Ordinance creating a Flood Damage Prevention Ordinance on Tuesday, August 2, 2022;

**WHEREAS**, the Porter County Board of Commissioners has deemed it necessary to  
amend Section 14.16.050 (3) (C) (vi) of the Flood Damage Prevention Ordinance;

**NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED THAT:**

**Ordinance 22-14; Section 14.16.050 of the Porter County Unified Development  
Ordinance, shall be amended as follows:**

Amend Section 14.16.050 (3) (C) (vi) by the repeal of (vi) and addition of (vi) to read as  
follows:

vi. A nonresidential structure may be constructed on a permanent land fill in accordance  
with the following:

This ordinance passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2024.

PORTER COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Jim Biggs, President

\_\_\_\_\_  
Barb Regnitz, Vice President

\_\_\_\_\_  
Laura Blaney, Secretary

Attest: \_\_\_\_\_  
Karen Martin, Auditor