

**ORDINANCE NO. 2005-04-CM
AMENDING TIPPECANOE COUNTY CODE
REPEALING SECTION 155.01
ADDING NEW SECTION 155.01
COMPREHENSIVE STORMWATER MANAGEMENT ORDINANCE**

WHEREAS, the members of the Board of Commissioners of the County of Tippecanoe, in the State of Indiana (Commissioners) are also members of the Tippecanoe County Drainage Board (Drainage Board); and,

WHEREAS, pursuant to Indiana Code 36-9-27, the Tippecanoe County Drainage Board, has the authority to establish, construct, reconstruct and maintain regulated drains and drainage structures within Tippecanoe County; and,

WHEREAS, the members of the Board of Commissioners of the County of Tippecanoe, State of Indiana, did on the 7th day of November, 1988 adopt Ordinance No. 88-40-CM which established Tippecanoe County, Indiana, A General Ordinance Establishing Storm Drainage and Sediment Control, commonly known as the "Tippecanoe County Drainage Code", in order to govern the control of run-off of storm water and to protect, conserve and promote the orderly development of the land in Tippecanoe County and its water resources and,

WHEREAS, such ordinance was adopted and approved by the Tippecanoe County Drainage Board on the 7th day of November, 1988; and,

WHEREAS, such ordinance was amended pursuant to Ordinance No. 89-37-CM adopted November 1, 1989; and pursuant to Ordinance 90-12-CM adopted May 4, 1990; and pursuant to Ordinance No. 92-18-CM adopted September 18, 1992; and pursuant to Ordinance No. 93-18-CM adopted April 19, 1993; and pursuant to Ordinance No. 94-04-CM adopted February 22, 1994; and pursuant to Ordinance No. 94-54-CM adopted November 2, 1994; and pursuant to Ordinance No. 94-53-CM adopted on December 19, 1994; and pursuant to Ordinance No. 2001-18-CM adopted July 18, 2001; and pursuant to Ordinance No. 2002-24-Cm adopted July 8, 2002; and incorporated into the Tippecanoe County Code by reference as Section 155.1 thereof pursuant to Ordinance No. 2004-26-CM adopted August 16, 2004; and

WHEREAS, the Board of Commissioners of Tippecanoe County and the Tippecanoe County Drainage Board desire to Amend the Tippecanoe County Drainage Code to establish a regulatory mechanism to address stormwater quality management in addition to stormwater discharge quantity, erosion and sediment control;

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Tippecanoe, State of Indiana, and the Tippecanoe County Drainage Board, that the Tippecanoe County Code be amended to repeal Section 155.01 Storm Drainage and Sediment Control Ordinance and add a new Section 155.01, Comprehensive Stormwater Management Ordinance, in the form attached hereto and by reference made a part hereof and marked Exhibit "A".


This Ordinance shall be in full force and effect upon passage and publication according to law.

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on first reading this 7th day of February, 2005, by the following vote:

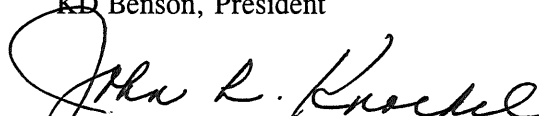
VOTE

**BOARD OF COMMISSIONERS
TIPPECANOE COUNTY**

Yes


KD Benson, President

Yes


John L. Knochel, Vice President

Yes


Ruth E. Shedd, Member

ATTEST:

Robert A. Plantenga
Robert A. Plantenga, Auditor of
Tippecanoe County

Presented to the Board of Commissioners of Tippecanoe County, Indiana and Amended and adopted and approved as so amended in the form attached hereto and by reference made a part hereof and marked "Exhibit A" on second reading this 2nd day of March, 2005, by the following vote:

VOTE

BOARD OF COMMISSIONERS
TIPPECANOE COUNTY

Absent

Absent
KD Benson, President

Yes

John L. Knochel
John L. Knochel, Vice President

Yes

Ruth E. Shedd
Ruth E. Shedd, Member

ATTEST:

Robert A. Plantenga
Robert A. Plantenga, Auditor of
Tippecanoe County

Adopted and approved by the Tippecanoe County Drainage Board on first reading this 2nd day of February, 2005.

VOTE

TIPPECANOE COUNTY DRAINAGE BOARD

Yes

Ruth E. Shedd
Ruth E. Shedd, President

Yes

John L. Knochel
John L. Knochel, Vice President

Yes

KD Benson
KD Benson, Member

ATTEST:

Brenda J. Garrison
Brenda J. Garrison, Secretary

Amended, and adopted and approved as so amended, in the form attached hereto and by reference made a part hereof and marked "Exhibit A", by the Tippecanoe County Drainage Board on second reading this 2nd day of March, 2005.

VOTE

TIPPECANOE COUNTY DRAINAGE BOARD

Yes

Ruth E. Shedd
Ruth E. Shedd, President

Yes

John L. Knochel
John L. Knochel, Vice President

Yes

KD Benson
KD Benson, Member

ATTEST:

Brenda J. Garrison
Brenda J. Garrison, Secretary