

ORDINANCE NO. 5278

AN ORDINANCE to amend Section 5-6-224(d) (METHOD OF STORM AND SUBSOIL WATER DISPOSAL) of Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), Subdivision J (MISCELLANEOUS PROVISIONS) of Article B (SEWAGE DISPOSAL AND DRAINS) of the Code of the City of Alexandria, Virginia as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-6-224(d) of Chapter 6 of Title 5, Subdivision J of Article B of the Code of the City of Alexandria, Virginia, as amended, be, and the same hereby is, amended as follows, by deleting the language shown in strikethrough and adding the language shown as underlined:

Sec. 5-6-224 - Method of storm and subsoil water disposal.

(a) Buildings shall have drainage provision for conveying storm water from roofs, paved areas and areaway drains, subsoil water, condensate, cooling water, etc., on the premise to a public storm sewer: except that where a public storm sewer is not available, an approved method of disposal shall be provided to the satisfaction of the director of transportation and environmental services. The director of transportation and environmental services may permit alternative means of disposal if the director deems the proposed alternative method to provide an environmental benefit to the city and the director determines that no nuisance will be created on any adjacent property or within the public right-of-way. Alternative methods of disposal may include, but are not limited to, onsite surface discharge, onsite infiltration and onsite detention in the form of a rain barrel or cistern. The director may require additional supporting information such as geotechnical or other engineering analyses. Direct discharge of roof drains within the public right-of-way may be permitted at the director's discretion. Direct discharge of ground water to gutters in the public right-of-way may be permitted at the director's discretion when a public storm sewer is not available.

(b) Availability.

(1) For a one- and two-family dwelling, a public storm sewer shall be deemed available when such sewer is within 100 feet of the premises on which the dwelling is located, measured along a street, and a connection may be made lawfully thereto.

(2) For any other buildings, a public storm sewer shall be deemed available when such sewer is within 500 feet of the premises on which the building is located, measured along a street, and a connection may be made lawfully thereto.

(c) Area drains are prohibited from entering septic tanks or public or private sewer systems unless specifically approved in writing by the director of transportation and environmental services.

(d) Prior to the issuance of any building permit for any proposed improvement to real property involving (1) the construction of a new home (2) construction of an addition to an existing home

where either (A) the addition exceeds the area of the existing building footprint by 100 percent or more; or (B) the construction of the addition results in less than 50 percent of the existing first floor exterior walls, in their entirety, remaining; (3) changes to the existing grade elevation of one foot or greater; (4) changes to existing drainage patterns; or (5) land disturbance of 2,500 square feet or greater, a grading and drainage plan prepared by a professional engineer or land surveyor licensed by the Commonwealth of Virginia shall be submitted for review and approval by the director of transportation and environmental services or deputy director/city engineer. Such plan shall demonstrate that post-development drainage will have no greater impact on adjacent or down-stream property than pre-development conditions. The requirements for such plans, including without limitation form, content, methods of calculation, and procedures for review and approval, shall be established by regulations promulgated by the director of transportation and environmental services. A plan review fee in the amount of ~~\$500~~-\$1,000 shall accompany such plan, except that in instances where the proposed improvement is already subject to the erosion and sediment control requirements set forth in section 5-4-1 et seq. of this code, and a fee has already been paid pursuant to those requirements, no additional fee shall be required. No building permit for improvements subject to this subsection shall be issued until after the grading and drainage plan has been approved. When a grading and drainage plan is required pursuant to subsections (d)(2), (3) or (4) hereof, the requirement may be waived by the director of transportation and environmental services or his designee when such a waiver is requested by the property owner and such request is accompanied by sufficient information to demonstrate to the satisfaction of the director or deputy director/city engineer, in his or her reasonable engineering discretion, that no adverse drainage impacts to abutting or adjacent property will occur as a result of the proposed construction. The director shall promulgate rules and regulations for the application, consideration, grant or denial of such waiver requests, including without limitation rules and regulations specifying the minimum information required for applications, and reasonable criteria and standards for the consideration of such requests. The decision on such requests shall be in writing, and shall state the grounds thereof. The decision to grant or deny a waiver request is committee to the discretion of the director or deputy director/city engineer, and shall not be subject to judicial review.

(e) Grading plans will be considered valid for a term of 36 months from the date of approval. A request to extend the validity of a grading plan must be submitted in writing to the director of transportation and environmental services a minimum of 60 days prior to expiration with a \$100 fee. The director will determine if additional modifications or a new grading plan submission is required.

(f) Any change to an approved grading plan requires that an amended grading plan be filed and that the amended grading plan be reviewed and approved, pursuant to the provisions of this section 5-6-224(d). The director of transportation and environmental services may allow minor modifications without an amended grading plan. (Ord. No. 4659, 5/15/10, Sec. 8; Ord. No. 4800, 4/13/13, Sec. 1)

JUSTIN M. WILSON  
Mayor

Final Passage: April 29, 2020