

**RESOLUTION 2023-25
UTILITY SERVICE BOARD
OF THE CITY OF BLOOMINGTON, INDIANA**

**TO RECOMMEND AMENDMENT OF TITLE 10
OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
“WASTEWATER”
TO REMOVE STORMWATER LANGUAGE**

WHEREAS, the City of Bloomington, Indiana (the “City”) has established, acquired, and financed its sewage works pursuant to Indiana Code 36-9-23, as amended (the “Act”), for the purpose of providing for the collection, treatment and disposal of sewage from inhabitants in and around the City; and

WHEREAS, the City has established within the city wastewater utility the powers, duties and responsibility for the rates, construction, operation and maintenance of a stormwater utility in accordance with Indiana Code 36-9-23; and

WHEREAS, in 2021, the State of Indiana Department of Environmental Management (“IDEM”) issued two general permits known as the Municipal Separate Storm Sewer General Permit and the Construction Stormwater General Permit as part of IDEM’s transition away from permitting through 327 IAC 15-13, which is now repealed, into a new permitting system that places regulation of construction site stormwater management and overall enforcement, regulation and protection of Municipal Separate Storm Sewer Systems (“MS4”) on the local entities as opposed to at the state level; and

WHEREAS, the changes made at the state level by IDEM require each MS4 to update its current ordinance language, administrative rules and other regulatory mechanisms to comply with these two new General Permits; and

WHEREAS, City of Bloomington Utilities Staff recommends enactment of a new title to the Bloomington Municipal Code, Title 13 – Stormwater, in response to IDEM’s required updates to ordinance language in compliance with the General Permits; and

WHEREAS, the proposed new title, if adopted, necessitates an amendment to Title 10 which removes stormwater language from Title 10; and

WHEREAS, the Board now desires to recommend to the Common Council of the City of Bloomington (“Common Council”) the adoption of the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITY SERVICE BOARD OF THE CITY OF BLOOMINGTON, INDIANA, AS FOLLOWS:

1. The Utility Service Board requests the Common Council authorize amendments to Title 10 of the Bloomington Municipal Code, by the adoption of the same in substantially the same form as the attached **Exhibit “A”**.

2. The Secretary of the Utility Service Board is hereby directed to present a copy of this Resolution to the Clerk of the City for presentation to the Common Council as soon as may be done.

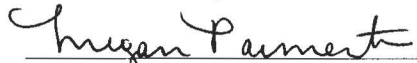
Resolution 2023-25

PASSED AND ADOPTED THIS 6th DAY OF NOVEMBER 2023.


CITY OF BLOOMINGTON, INDIANA

By and Through its Utility Service Board

 11-06-23
Amanda Burnham, President


Megan Parmenter, Vice President


Kirk White, Member


Molly Stewart, Member

Jeff Ehman, Member


Jim Sherman, Member

Seth Debro, Member

ATTEST:


Daniel Frank, Secretary