



**CHAPTER ONE  
GENERAL INFORMATION**

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**1. AUTHORITY AND TITLE**

This Ordinance is adopted in accordance with statutory authority granted to the Common Council of the City of Gary, and, further, is required to be enacted by Phase II of the National Pollution Discharge Elimination System storm water program (FR Doc. 99–29181) as authorized by the 1972 amendments to the Clean Water Act, the Indiana Department of Environmental Management’s Rule 13 (327 IAC 15-13), and the Indiana Department of Environmental Management’s Rule 5 (327 IAC 15-5). Based on this authority and these requirements, this Ordinance regulates:

- A. Discharges of prohibited non-storm water flows into the storm water drainage system.
- B. Storm water drainage improvements related to development of lands located within the City of Gary, Indiana.
- C. Drainage control systems installed during new construction and grading of lots and other parcels of land.
- D. Erosion and sediment control systems installed during new construction and grading of lots and other parcels of land.
- E. The design, construction, and maintenance of storm water drainage facilities and systems.
- F. The design, construction, and maintenance of storm water quality facilities and systems.

This Ordinance shall be known and may be cited as the City of Gary Storm Water Management Ordinance.

**2. APPLICABILITY AND EXEMPTIONS**

This Ordinance shall regulate all development and redevelopment occurring within the City of Gary, Indiana and any significant discharge into the City’s storm water conveyance facilities. No building permit shall be issued and no land disturbance started for any construction for any development or re-development, until the plans required by this Ordinance for such construction have been approved in writing by the Gary Storm Water Management District (GSWMD). With the exception of the requirements of Chapter Two and Chapter Seven – Section 4 of this Ordinance, single-family dwelling houses in accepted subdivisions, new buildings (or cumulative building additions) with less than 500 square feet of area, and land-disturbing activities affecting less than 10,000 square feet of area shall be exempt from the requirements of this Ordinance, unless these activities significantly adversely affect the City’s storm water conveyance facilities or water quality of the receiving bodies of water.

The City of Gary municipal projects shall be exempt from fees associated with obtaining a storm water permit, however, a storm water permit application must be filed that meets all applicable technical requirements of this Ordinance and the latest edition of the City of Gary “Sanitary/Storm Sewer and City Infrastructure Standards and Specifications Manual” (hereafter referred to as “the City of Gary Design Standards Manual”).

Any construction project which has had its final drainage plan accepted by the GSWMD within a 2-year period prior to the effective date of this Ordinance shall be exempt from all requirements of this Ordinance that are in excess of the requirements of ordinances in effect at the time of acceptance. Such an exemption is not applicable to the requirements detailed in Chapter 2 of this Ordinance.

The GSWMD has the authority, to the extent permitted by law, to modify, grant exemptions, and/or waive any and all the requirements of this Ordinance. A pre-submittal meeting with the GSWMD may be requested by a permit applicant to discuss the applicability of various provisions of the Ordinance and the City of Gary Design Standards Manual regarding unique or unusual circumstances relating to a project. However, any initial determination of such applicability shall not be binding on future determinations of the GSWMD that may be based on the review of additional and/or more detailed information and plans. The GSWMD has the