

# STORMWATER MANAGEMENT PROGRAM

TPDES General Permit Authorization No. TXR040057



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## ACRONYMS AND ABBREVIATIONS

BMP	Best Management Practice
CFR	Code of Federal Regulations
CGP	Construction General Permit
CWA	Clean Water Act
EPA	United States Environmental Protection Agency
HRMUD	Horizon Regional Municipal Utility District
IDDE	Illicit Discharge Detection and Elimination
MCM	Minimum Control Measure
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer System
MSGP	Multi-Sector General Permit
NOC	Notice of Change
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
SOP	Standard Operating Procedure
SQPO	Stormwater Quality Protection Ordinance
SWMP	Stormwater Management Program
SWP3	Stormwater Pollution Prevention Plan
TCEQ	Texas Commission on Environmental Quality
TPDES	Texas Pollutant Discharge Elimination System
UA	Urbanized Area
U.S.	United States



## DEFINITIONS

### *TXR040000, Part 1. Definitions*

**Best Management Practices (BMPs):** Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices meant to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spills or leaks, waste disposal, and drainage from raw material storage areas.

**Control Measure:** Any BMP or other method used to prevent or reduce the discharge of pollutants to water in the state.

**Illicit Discharge:** Any discharge to a MS4 that is not entirely composed of stormwater, except discharges pursuant to this general permit or a separate authorization and discharges resulting from emergency fire-fighting activities.

**Maximum Extent Practicable (MEP):** The technology-based discharge standard for MS4s to reduce pollutants in stormwater discharges was established by the Clean Water Act Section 402(p). 8 A discussion of MEP as it applies to small MS4s is found in 40 CFR Section 122.34. 9

**Measurable Goal:** A goal that tracks the progress of your program implementation. Measurable goals are objective markers or milestones to quantify the performance of your BMPs. This includes descriptions of actions you will take to implement each BMP, what you anticipate being achieved by each goal, and the frequency and dates for such actions taken. Example goals include specific recordkeeping practices that are quantifiable (i.e., investigating 80% of active construction sites).

**Minimum Control Measure (MCM):** Controls or management practices to help operators detail how they will comply with NPDES permit requirements. Examples of MCMs include but are not limited to public education and outreach, public participation and involvement, illicit discharge detection and elimination, construction site runoff control, post-construction runoff control, and pollution prevention and good housekeeping.

**Outfall:** A point source where a small MS4 discharges to “Waters of the U.S.” and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream and are used to convey “Waters of the U.S.”



**Point Source:** Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

**Pollutant(s) of Concern:** For this permit, includes biochemical oxygen demand, sediment (such as total suspended solids, turbidity, or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment for any water body that will receive a discharge from a MS4.

**Small Municipal Separate Storm Sewer System (MS4):** A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, and storm drains) that are designed or used for collecting or conveying stormwater and are owned or operated by a city, county, military base, large hospital, prison, or other public body.

**Traditional Small MS4:** Systems that can pass ordinances and have the authority to enforce the stormwater management program. An example of a traditional MS4 is a city.

**Non-traditional Small MS4:** These systems generally do not have the authority to pass ordinances or enforce the stormwater management program. Nontraditional small MS4s include entities such as counties, transportation authorities (like the Texas Department of Transportation), municipal utility districts, drainage districts, military bases, prisons, and universities.

**Structural Control:** A pollution prevention practice that requires the construction of a device, or the use of a device, to capture or prevent pollution in stormwater runoff. Structural controls may include wet ponds, infiltration basins, stormwater wetlands, silt fences, sediment traps, check dams, storm drain inlet protection, rock outlet protection, and temporary or permanent sediment basins.





## 1.0 INTRODUCTION

The Town of Horizon City (Horizon City) is located in El Paso County, east of the City of El Paso, Texas. Based on the 2017 Decennial Census by the United States (U.S.) Bureau of Census, a portion of the town is within the El Paso Urbanized Area (UA) (Figure 1). Under Phase II of federal and State of Texas stormwater regulations, municipalities within a UA are required to obtain permit authorization to discharge stormwater from their Municipal Separate Storm Sewer System (MS4). Horizon City's MS4 consists of its drainage systems, municipal roads, catch basins, curbs, gutters, ditches, channels, storm drains, ponding areas, and other structures designed to collect, convey, or store stormwater.

Horizon City had a population of less than 100,000 in the 1990 Decennial Census and is located within a UA, which defines the town as a small MS4. Small MS4s are eligible for authorization under the Texas Pollutant Discharge Elimination System (TPDES) General Permit No. TXR040000 authorizing discharges from small MS4s to surface water in the state (Small MS4 General Permit). The TPDES was modeled after the National Pollutant Discharge Elimination System (NPDES), which controls water pollution by regulating point sources that discharge pollutants into waters of the U.S. under the Clean Water Act (CWA).

In 2008, the Texas Center for Environmental Quality (TCEQ) issued its first Small MS4 General Permit. Horizon City submitted a Stormwater Management Program (SWMP) and a Notice of Intent (NOI) to the TCEQ to apply for coverage under this permit. The town was issued General Permit Authorization No. TXR040057, authorizing them to discharge stormwater under the Small MS4 General Permit.

On December 13, 2013, the TCEQ reissued TPDES General Permit No. TXR040000. Part II.A.3 of the Small MS4 General Permit states, *"Operators of small MS4s that were covered under the previous TPDES General Permit for small MS4s must reapply for permit coverage, or must obtain a waiver if applicable."* Horizon City is not eligible for a waiver under the reissued Small MS4 General Permit; therefore, the town will submit to TCEQ this updated SWMP and a NOI to reapply for permit coverage.

On January 24, 2019, the TCEQ reissued TPDES General Permit No. TXR040000. Horizon City has revised the existing SWMP and prepared the NOI to reapply for authorization under the Small MS4 General Permit. Horizon City has not combined or shared efforts with any other MS4 operator and is solely responsible for implementation of this SWMP. The Small MS4 General Permit divides small MS4s into four categories by level. Horizon City is in the **Level 2** category, which includes *"Operators of traditional small MS4s that serve a population of at least 10,000 but less than 40,000 within a UA."*

On **August 15, 2024**, the TCEQ reissued TPDES General Permit No. TXR040000. Horizon City has revised the existing SWMP and prepared the NOI to reapply for authorization under the Small MS4 General Permit. Horizon City has not combined or shared efforts with any other MS4 operator and is solely responsible for implementation of this SWMP. The Small MS4 General Permit divides small MS4s into four categories by level. Horizon City is in the **Level 2a** category, which includes *"Traditional small MS4s with a population of at least 10,000 but less than 40,000 within a UA."*

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## **2.0 TOWN OF HORIZON CITY**

### ***HISTORY AND BOUNDARIES***

The Town of Horizon City is located at the eastern side of the City of El Paso, Texas. In the 1970s the development of Horizon City began as a golf course retirement community. In 1988 the area was incorporated as the Town of Horizon City and is surrounded by unincorporated portions of El Paso County.

In the past decade, the town has experienced rapid growth and population has increased substantially from 5,233 in 2000 to 16,735 in 2010 to 19,562 in 2017 to 22,489 in 2020 according to the 2020 Decennial Census. Much of this growth has occurred within suburban or ex-urban residential communities. The corporate boundaries encompass approximately 8.71 acres of land to the northeast of Interstate-10 (Figure 1). There have been no changes to the town limits since the previous SWMP was prepared in 2014.

### ***GOVERNANCE AND OPERATIONS***

Horizon City is governed by a mayor and seven council members elected at large. The town currently employs 73 people. The Public Works Department and Building Services are responsible for plan review and inspection of new construction, code compliance, and operation of streets and drainage infrastructure. The Planning Department oversees plat development and maintenance of public facilities and parks. Staff positions in these departments are shown on the organizational chart in Figure 2. An engineering firm is under contract to assist Horizon City with development plan review.

The Horizon Regional Municipal Utility District (HRMUD) provides water, sanitary sewer, and trash collection services for the town. Other utilities, including electric and natural gas, are provided by commercial utility companies. Fire response, fire code compliance inspections, and ambulatory services (including emergency medical technicians) are provided by the El Paso County Emergency Services District #1. Public schools are provided by the Clint and Socorro Independent School Districts.

### ***TOPOGRAPHY AND RECEIVING WATERS***

Most of the Town is in relatively flat area of desert terrain except for the western edge. According to the Natural Resources Conservation Service Soil Survey Map of El Paso County, the soils are predominantly composed of the Hueco-Wink association, hummocky. The soils are composed of sand sheets that developed into hummocks in the last century due to vegetation changes from overgrazing, drought, and other conditions. Precipitation collects in the depressions between hummocks and either infiltrates into the sandy loam or evaporates. Depth to groundwater is greater than 80 inches. Water rapidly infiltrates and does not pond for any significant period of time. Stormwater does not discharge to surface water from these depressions.

Due to the lack of natural drainage features in the central and eastern portions of town, retention structures are constructed for new development. At the time this SWMP was prepared, there were no known stormwater discharges to waters of the U.S. from these areas.



An escarpment lies along the western edge of the town (Figure 3). Precipitation that falls within this portion of the town discharges to a series of southwesterly trending arroyos. During frequent storm events, stormwater runoff discharged into the arroyos infiltrates quickly without any measurable flow developing. During larger, less frequent storm events, runoff generates flow in the arroyos, which are intercepted by the embankments on the north side of the Mesa Spur Drain, an irrigation acequia located in the City of Socorro, south of Interstate 10. During these larger storm events, there is the potential for MS4 discharges from the Horizon City to be conveyed by the arroyos into the Mesa Spur Drain.

The Mesa Spur Drain connects to a series of irrigation drains that ultimately discharge to Rio Grande Segment 2307\_05. The Environmental Protection Agency (EPA)-approved 2012 Texas 303(d) List has identified bacteria, chloride, and total dissolved solids as pollutants of concern for this segment of the Rio Grande. At this time, there are no approved Total Maximum Daily Loads established for these pollutants; therefore, no waste load allocations of these pollutants have been established for MS4s. Although MS4 discharges from the Horizon City may ultimately reach Rio Grande Segment 2307\_05 after large storm events, the MS4 does not discharge directly to this impaired segment of the Rio Grande. Therefore, no plan is required for compliance with discharges to impaired water bodies.

### ***SWMP DEVELOPMENT***

The introductory paragraph to Part III of the Small MS4 General Permit states: “*The SWMP must be developed, implemented, and enforced to reduce the discharge of pollutants from the small MS4 to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of the CWA and the Texas Water Code.*” This SWMP includes the five Minimum Control Measures (MCMs) required by the Small MS4 General Permit for a Level 2 MS4 to comply with the MEP requirement, as well as the optional seventh MCM for Municipal Construction Activities. The following considerations were made when selecting best management practices (BMPs) and measurable goals for each MCM:

- Existing BMPs and activities that could be expanded upon from the previous SWMP
- Resources available for a Level 2 MS4 operator
- Stormwater discharge effects of the topography and arid climate
- High-priority issues that have been identified during implementation of the previous SWMP

Horizon City has elected to develop and implement this SWMP for the entire area within the corporate limits of the town (Figure 1) *not* just within the designated UA.

### ***LEGAL AUTHORITY***

During the last Small MS4 General Permit term, Horizon City adopted a Stormwater Quality Protection Ordinance (SQPO); Ordinance No. 0192 (Appendix A). The SQPO provides Horizon City the legal authority to control pollutant discharges into and from their small MS4 in order to meet the requirements of the Small MS4 General Permit. The SQPO, as it relates to prohibiting illicit discharges and requiring controls for construction activities, is discussed in BMPs 3-1. The measurable goals for these BMPs include reviewing the SPQO and revising it, if necessary, by the end of the third permit year.



### **3.0 MINIMUM CONTROL MEASURES**

The MCMs and associated BMPs, written procedures to be developed, schedule for implementation, and measurable goals are defined in this section and summarized in tables at the end of this document. The Horizon City Public Works Director is responsible for implementing this SWMP and creating a SWMP Standard Operating Procedures (SOP) binder. Procedures to be developed for each MCM are described under the BMP where the procedure is needed and will be maintained in the hardcopy or electronic SOP binder.

#### ***PUBLIC EDUCATION AND OUTREACH (MCM 1)***

##### **Required Elements**

The introductory paragraph from Part IV.D.1(a) of the Small MS4 General Permit states:

*“The small MS4 operator shall implement a public education and outreach program to distribute educational materials to the community and conduct equivalent outreach about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.”*

The education program is required to inform the public about the role they can play in improving stormwater quality. The general public (residents and visitors), businesses (including industrial and commercial facilities), and construction site personnel have been identified as target audiences. During the 5-year implementation period of the previous SWMP, the town identified the following high-priority, community-wide issues that will be addressed in this SWMP:

- Illegal dumping into the stormwater system
- Trash and debris that litter the stormwater system
- Pollutants that constrict and damage stormwater infrastructure

The BMPs for public education, outreach, and involvement have been updated to include a focus on these high-priority issues. The goal of this focus is to reduce the amount of trash, debris, dumped items, and other pollutants that clog and damage the MS4. Objectives are to identify sources of these high-priority pollutants, reach target audiences associated with these pollutants through education and involvement, and encourage public reporting of illegal dumping and discharges of trash, debris, and high priority pollutants.

##### **Best Management Practices**

Public Education, Outreach, and Involvement (MCM 1) focus on engaging and educating the community about the impact of stormwater runoff and pollution on local water bodies. This involves distributing educational materials, organizing public outreach campaigns, and fostering community participation in activities like cleanup events or public meetings. Programs will target specific audiences, including residents, businesses, and developers, and convey key messages about preventing pollution and protecting stormwater quality. Public involvement is also critical, requiring mechanisms for feedback, participation in policy decisions, and volunteer opportunities. These efforts collectively aim to enhance public awareness, reduce pollution, and support compliance with the Stormwater Management Program (SWMP).



### **INFORMATION ON THE MS4 OPERATOR'S WEBSITE (BMP 1-1)**

Horizon City maintains a website on which stormwater information is posted. Information posted on the website consists of articles and brochures similar to the material distributed at the Town Hall or published in the *Courier*. Once developed, educational material related to high-priority issues and will be posted on the website with existing educational material. The website also includes announcements for stormwater-related public activities, stormwater permit and ordinance requirements for businesses and construction sites, and links to stormwater related sites such as the TCEQ and EPA Websites. The website receives over 100 visitors to pages containing stormwater-related material every year.

Horizon City will add a link on the website for people to access the SQPO. After approval by the TCEQ, an electronic copy of this SWMP also will be posted on the website. The website will be used to solicit public comment on the SWMP and involvement in SWMP activities, such as annual cleanup days. The town will develop procedures to regularly check for comments received via the website, record and respond to the comments, and track their resolution.

Horizon City has established 877-ID-FLOWS (877-433-5697) as the number to report pollutants that affect stormwater. The town will continue to publish the established reporting number in educational materials and on the Horizon City Website. This number enables citizens to report issues they observe that could affect stormwater quality, such as illicit discharges and illegal dumping. The town will develop written procedures to record and respond to the reports they receive and to track their resolution. The town's employees will be trained to answer and properly respond to calls concerning stormwater issues.

### **PUBLISH ARTICLES IN LOCAL NEWSPAPER OR NEWSLETTER, MAY BE ELECTRONIC (BMP 1-2)**

The *West Texas County Courier* (*Courier*) newspaper is published each Thursday by Homesteader News, Inc., whose offices are in Horizon City. It is distributed free through racks and countertops in the communities of El Paso County. Approximately 800 copies of the *Courier* are distributed within Horizon City each week. In addition, the *Courier* is also distributed directly to the employees of the Clint and Socorro Independent School Districts that serve Horizon City. Horizon City will continue to prepare stormwater-related articles for publication in the *Courier*. At least one of the two articles published annually will focus on the high-priority issues listed in Section 3.1.1 of this SWMP.

### **MAINTAIN OR MARK STORM DRAINS AND INLETS WITH, "NO DUMPING – DRAINS TO CREEK" OR A SIMILAR MESSAGE (BMP 1-3)**

Horizon City will implement the marking of storm drains and inlets with messages like "No Dumping – Drains to Creek," by identifying locations where the markings will have the most impact, such as near high-traffic areas or water bodies. Engage community volunteers, schools, or environmental groups to assist with application and amplify public awareness. Pair the markings with an educational campaign to explain the importance of keeping pollutants out of stormwater systems. Regularly inspect and maintain the markings to ensure visibility, reapplying or replacing as needed, while tracking progress and adjusting strategies to enhance effectiveness. This initiative raises awareness, discourages illicit dumping, and protects local water resources.



## **PROMOTE, HOST OR DEVELOP EDUCATIONAL MEETINGS SEMINARS OR TRAININGS (BMP 1-4)**

Horizon City will implement BMP 1-4 for training addressing ways the attendees can minimize or avoid adverse impacts to stormwater practices to improve the quality of stormwater runoff. Annual training will ensure the attendees and staff personnel are able to identify an illicit discharge and pollutants. Moreover, will ensure knowledge in identifying the critical locations such as retention basins, stormwater ponds, or areas prone to illicit dumping where public awareness is essential. Training materials and attendance logs will be maintained and made readily available to the TCEQ.

### ***MEASURABLE GOALS***

#### **BMP 1-1:**

- Maintain a webpage with current and accurate information and working links. All links shall be checked, and the page shall be updated as necessary at a minimum of once annually. 1 ( December of each permitting year.).

Post a link to the SQPO on the Horizon City Website

- <https://www.horizoncity.org/storm-water-management/> (December 2019).
- After approval by the TCEQ, post a link to the SWMP and a link soliciting public comment on the SWMP (November 2019).
- By April of each year, post the annual report and any newly developed stormwater related materials.
- Develop/Update written procedures for handling comments received via the website (By November of each year).

Use of a website to provide stormwater educational materials can make it easier for businesses, commercial and industrial facilities, and construction site personnel to obtain information assisting in the compliance with ordinances and permits and assists in the prevention of stormwater pollution. It also enables the general public to easily find the telephone number to report illicit and construction site discharges.

#### **BMP 1-2:**

- Publish two stormwater articles in the *West Texas County Courier* by November of each year, including one related to high-priority community-wide issues.

Providing stormwater educational material in the *West Texas County Courier* to address pollutants of concern at a seasonally appropriate time enables Horizon City to reach residents and visitors who do not come into contact with municipal services/facilities where other educational materials are provided.



### BMP 1-3:

- Maintain or mark storm drains and inlets with, “No Dumping – Drains to Creek” or a similar message

Providing stormwater marks, placard, stencil, or paint on drains and inlets information will aid in decreasing sources of non-point source pollution, reduce illicit discharges, and encourage compliance with other TPDES permits that improve stormwater quality.

### BMP 1-4:

- Promote, Host Or Develop Educational Meetings Seminars Or Trainings

Training the attendees can minimize or avoid adverse impacts to stormwater pollution and improve the quality of stormwater runoff. Increasing awareness and encouraging change in behaviors can potentially decrease the sources of non-point source pollution.

## ***PUBLIC INVOLVEMENT AND PARTICIPATION (MCM 2)***

### **Required Elements**

The introductory paragraph from Part IV.D.2 of the Small MS4 General Permit states:

*“All permittees, except prisons/correctional facilities, shall involve the public, and, at minimum, comply with any state and local public notice requirements in the planning and implementation activities related to developing and implementing the SWMP. The small MS4 operator must create opportunities, or support activities that are coordinated by citizen groups, for residents and others to become involved with the SWMP. The activities/BMPs must demonstrate an impact on stormwater runoff by improving water quality.”*

The BMPs for public education, outreach, and involvement have been updated to include a focus on these high-priority issues. The goal of this focus is to reduce the amount of trash, debris, dumped items, and other pollutants that clog and damage the MS4. Objectives are to identify sources of these high-priority pollutants, reach target audiences associated with these pollutants through education and involvement, and encourage public reporting of illegal dumping and discharges of trash, debris, and high priority pollutants.

Written procedures will be developed as discussed in the BMPs and on the schedule in the Measurable Goals. The written procedures will be maintained on-site or in this SWMP and will be made available for inspection by the TCEQ.

### **Best Management Practices**

Additional measures involve involving community members in educational workshops, utilizing local publications or websites for awareness campaigns, and hosting events such as environmental fairs to encourage participation. These efforts foster a sense of shared responsibility and strengthen community collaboration in achieving the goals of the Stormwater Management Program (SWMP).





### **STORMWATER RELATED SPEAKER SERIES (BMP 2-1)**

Horizon City will provide or support a minimum of two sessions for Level 2 MS4s each year. This information gives employees, the public, and contractors an opportunity to participate in the implementation of control measures within the community. The benefit of this event is the education resulting in the reduction of pollutants such as trash and debris within the MS4. It is also a platform to educate the public about the connection between their actions and the resulting impacts on the MS4, the community, and their quality of life.

### **PUBLIC EDUCATION EVENTS AND WORKSHOPS (BMP 2-2)**

Horizon City will provide or support a minimum of one Public Education event and workshop annually on stormwater topics. Stormwater topics include building rain barrels, fertilizer application training, rain garden and bio retention creation or maintenance, and how to recognize and report illicit discharge activities.

### **EDUCATIONAL DISPLAY BOOTH AT PUBLIC EVENTS AND SCHOOLS (BMP 2-3)**

Horizon City has held numerous public events in the past where stormwater educational materials were distributed. Approximately 100 people visited the stormwater educational display at each event or festival. The town will continue to distribute materials at one annual event or festival each year. High-priority issues will be the focus of new educational materials to be distributed in conjunction with existing educational materials. The new materials may be developed by Horizon City, EPA, TCEQ, or other sources and may include information sheets, brochures, stencils, etc. Educational materials for the general public are available at the Town Hall and on the Horizon City Website and will continue to be distributed by the code enforcement officer/compliance inspector when responding to calls. Educational material currently distributed to the general public addresses:

- Pet waste management
- Applying lawn chemicals
- Water conservation practices
- Car washing
- Automobile maintenance
- Household hazardous wastes
- Reporting construction site and illicit discharges

In addition to the above materials, Horizon City will develop new educational material for the general public to address the high-priority issues. Examples of materials that may be used to educate the public about their role in limiting trash, litter, and illegal dumping in the MS4 include, but are not limited to, the following:

- Anti-litter banners on the town's webpage



- Don't Trash Texas materials from the Texas Department of Transportation
- Materials advertising ways to report illegal dumping
- No dumping signs in identified problem areas
- Brochures and pamphlets focused on solid waste management

Educational material for businesses will be distributed when commercial and industrial businesses apply for a license. Horizon City's Public Works Department will continue to distribute educational materials when inspecting businesses or responding to calls. Educational material currently distributed to businesses may address the following issues:

- Information from the TCEQ Small Business and Local Government Assistance office
- TPDES Multi-Sector General Permit (MSGP) No. TXR050000 for stormwater discharges from industrial activities
- Pollution prevention practices
- Illicit discharges

Educational material for construction site operators will continue to be distributed when developers submit plans for review and when contractors apply for building permits. Educational material for construction activities may address the following issues:

- TPDES Construction General Permit (CGP) No. TXR150000 for stormwater discharges from construction activities
- Stormwater Pollution Prevention Plans (SWP3)
- Construction waste management
- Illicit discharges

Educational material for public service employees has been developed as part of employee training for pollution prevention and good housekeeping.

### ***MEASURABLE GOALS***

#### **BMP 2-1:**

- Stormwater related speaker series.

Providing training to the town's employees will ensure an understanding of the importance of responding to the citizen reports and the procedures for addressing the different types of stormwater issues.

#### **BMP 2-2:**

- Public Education events and workshops

Providing stormwater education will aid in decreasing sources of non-point source pollution, reduce illicit discharges, and encourage compliance with other TPDES permits that improve stormwater quality.



### BMP 2-3:

- Educational display/booth at a school, public event, or similar event to provide information or displays that work to improve public understanding of issues related to water quality.
- Develop at least one educational material to address each high-priority issue by November 2025.

Distributing educational material at a public event may increase awareness of how routine actions impact stormwater quality and encourage change in behaviors, potentially decreasing the sources of non-point source pollution.

## ***ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE) (MCM3)***

### ***REQUIRED ELEMENTS***

The introductory paragraph from Part IV.D.3.(a).(1) of the Small MS4 General Permit states:

*“All permittees shall develop, implement, and enforce a program to investigate, detect, and eliminate illicit discharges into the small MS4. The program must include a plan to detect and address non-stormwater discharges, including illegal dumping to the small MS4.”*

An illicit discharge is any discharge to an MS4 that is not entirely composed of stormwater, except for discharges allowed under the Small MS4 General Permit (or a separate authorization) and discharges resulting from emergency firefighting activities. The following non-stormwater discharges are authorized under the Small MS4 General Permit and are *not* considered illicit discharges as defined in Part II.D of the Small MS4 General Permit and are not addressed by the SWMP activities:

- Water line flushing (excluding discharges of hyper-chlorinated water, unless the water is first de-chlorinated, and discharges are not expected to adversely affect aquatic life)
- Runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, groundwater, or surface water sources
- Discharges from potable water sources that do not violate Texas Surface Water Quality Standards
- Diverted stream flows
- Rising ground waters and springs
- Uncontaminated groundwater infiltration
- Uncontaminated pumped groundwater
- Foundation and footing drains



- Air conditioning condensation
- Water from crawl space pumps
- Individual residential vehicle washing
- Flows from wetlands and riparian habitats
- Dechlorinated swimming pool discharges that do not violate Texas Surface Water Quality Standards
- Street wash water excluding street sweeper wastewater
- Discharges or flows from firefighting activities (firefighting activities do not include washing of trucks, runoff water from training activities, test water from fire suppression systems, and similar activities)
- Other allowable non-stormwater discharges listed in 40 CFR §122.26(d)(2)(iv)(B)(1)
- Non-stormwater discharges that are specifically listed in the TPDES MSGP or the TPDES CGP
- Discharges that are authorized by a TPDES or NPDES permit or that are not required to be permitted
- Other similar occasional incidental non-stormwater discharges, unless the TCEQ develops permits or regulations addressing these discharges

The SWMP is required to include enforcing the adopted ordinance or other regulatory mechanism that prohibits illicit discharges and provides authority to trace and eliminate the source of illicit discharges. For the purpose of detecting and eliminating illicit discharges, the Small MS4 General Permit specifically requires the MS4 operator to:

- Maintain a current and accurate MS4 map.
- Conduct training for all the permittee's field staff.
- Respond and source investigation and elimination of illicit discharge dumping.
- Develop and maintain procedures for responding to illicit discharges, illegal dumping and spills
- Require corrective actions to eliminate illicit discharges and illegal dumping.
- Review and update inspection procedures.
- Conduct inspections in response to public complaints.

Written procedures will be developed scheduled in the Measurable Goals section. The written procedures will be maintained on-site or in this SWMP and made available for inspection by the TCEQ.



### ***BEST MANAGEMENT PRACTICES***

The town has developed and implemented ordinance number 0192, SQPO to improve its ability to eliminate illicit discharges. A copy of the ordinance is in Appendix A. The SQPO became effective in Horizon City on September 20, 2011. The purpose of this ordinance is to:

- define illicit discharges;
- maintain and improve stormwater quality and surface water quality;
- promote public awareness;
- facilitate compliance with state and federal standards and permits by operators of industrial and construction activities;
- identify non-stormwater discharges that are not considered illicit;
- prohibit illicit connections and discharges; and
- establish legal authority and enforcement procedures for removing the source of an illicit discharge.

Enforcement actions for illicit discharges occur in response to observations made during other code enforcement activities, citizen reports, or the detection of an illicit discharge during outfall inspections. Enforcement actions may be, but are not limited to, the following, as described in Sections 12 and 13 of the SQPO:

- Notice of violation
- Emergency cease and desist order
- Stop work order
- Nuisance abatement order
- Criminal penalties of up to \$2,000 per violation, per day

The town will also review and revise, if needed, the SQPO to ensure the town has adequate legal authority to meet the requirements of Part II.D of the Small MS4 General Permit.

### **MS4 MAPPING (BMP 3-1)**

A majority of Horizon City lies in a hummocky area of the Chihuahuan Desert, where precipitation collects in depressions. The water in the depressions either evaporates or infiltrates without entering the MS4. MS4 outfalls are only possible along the western portion of town, where the escarpment provides sufficient relief for flow to develop in the MS4 and discharge into the arroyos.

Based on the resources available for a town of this size and the small number of potential outfalls, a geographic information system (GIS)-based system for mapping the MS4



infrastructure and outfalls will be reviewed and updated as necessary annually. Each arroyo that crosses the corporate limits of the town has been identified visually, including the associated outfalls, private and public retention ponds. The outfalls have been noted on an aerial map of the town with each outfall identified by the legal description of the parcel best associated with it (Figure 4). The outfall map will be maintained and updated with any new outfalls based on the content of town approved development plans and annual inspections. The private and public retention ponds will be available on the city website and updated on an annual basis.

### **STAFF TRAINING (BMP 3-2)**

Annual, training sessions will be conducted for town employees that may observe or encounter illicit discharge, illegal dumping or illicit connection to the small SM4 while performing their normal duties. Training will be performed in-person or using self-paced training material such as videos or reading material. The training will discuss types of illicit discharges, examples of authorized discharges, and procedures for reporting suspected illicit discharges. Moreover, the training will include written procedures for responding to illicit discharges and spills procedures for tracing the source of an illicit discharge, and procedures for eliminating illicit discharges. This annual training will also provide an opportunity to review illicit discharges detected during the prior year.

### **PUBLIC REPORTING OF ILLICIT DISCHARGES (BMP 3-3)**

Due to the limited number of code enforcement officers, encouraging citizens to report illicit discharges can significantly increase the number of illicit discharges found and eliminated. A phone number has been publicized (e.g., via the Horizon City Website and *West Texas County Courier*) to facilitate the reporting of prohibited discharges that are observed by the public. Educational materials publicizing the phone number include information about the types of discharges that are prohibited. Public reporting mechanism for illicit discharge or spill will be publicized two times annually and the information will be provided on the city website.

### **PROCEDURES FOR ILLICIT DISCHARGES (BMP 3-4)**

Written procedures will be reviewed and updated annually to address changes and make improvements and to respond to an illicit discharge or connection and determine the source. Administrative enforcement remedies will occur as established in Section 12 of the SQPO in an effort to eliminate the illicit discharge or connection; penalties are described in Section 13 of the ordinance. For On Site Sewage Disposal Systems, El Paso County (a Level 2, Small MS4 Operator) has the primary responsibility and authority to permit and inspect on-site sewage disposal systems within the Horizon City. HRMUD operates and maintains the sanitary sewer systems within Horizon City. Horizon City will develop a written agreement between the town and the county to define reporting, response, and documentation procedures when an on-site sewage system is determined to be the source of an illicit discharge. These procedures will be consistent with those that El Paso County is required to develop for its SWMP. These reporting, response, and documentation procedures will be the foundation for a collaborative response program to correct and prevent, if possible, any leaking on-site sewage disposal system within the boundaries of Horizon City.



### **SOURCE INVESTIGATION AND ELIMINATION OF ILLICIT DISCHARGES (BMP 3-5)**

To ensure compliance and uphold environmental standards, all known illicit discharges and illegal dumping incidents are investigated annually to identify sources, with prompt notification to the appropriate agency for Level 2a MS4s lacking jurisdiction. High-priority discharges, such as sanitary sewer overflows, are addressed within 24 hours, or the relevant agency is notified if outside jurisdiction. For incidents beyond the small MS4's authority, the adjacent MS4 operator or the applicable TCEQ regional office is informed to ensure proper action. Additionally, any illicit flows posing an immediate threat to human health or the environment are reported to TCEQ without delay, ensuring timely responses, effective discharge management, and regulatory compliance.

### **CORRECTIVE ACTIONS TO ELIMINATE ILLICIT DISCHARGES (BMP 3-6)**

Horizon City will implement the corrective action to eliminate illicit discharges and illegal dumping. The corrective action plan for addressing illicit discharges and illegal dumping involves two key steps. First, the responsible party will be notified of the identified issue within 24 hours of determining the source. Second, the responsible party will be required to take all necessary corrective measures promptly and effectively to eliminate the illicit discharge or illegal dumping. These measures ensure accountability, promote compliance, and facilitate swift resolutions to minimize environmental impacts.

### **INSPECTIONS OF PROCEDURES (BMP 3-7)**

Inspection procedures will be reviewed and updated annually to address changes and make improvements to established procedures where applicable. Outfalls will be inspected visually twice per year for signs of illicit discharges. Horizon City is in an arid region and surface water bodies are not present, any discharge detected is likely to be an illicit discharge. If a discharge is observed, a sample will be collected for detection of sheen, odor, foam, color, and pH.

### **INSPECTIONS IN RESPONSE TO COMPLAINTS (BMP 3-8)**

Inspection will be conducted for 100% of complaints received, following established procedures to ensure timely investigation and resolution. Additionally, follow-up inspections will be carried out in all cases where further verification or action is necessary, as specified in the established procedures, to ensure effective management and compliance.

### ***MEASURABLE GOALS***

#### **BMP 3-1**

- Each year, add new outfalls private and public retention ponds to the MS4 Map that result from development.

The MS4 map will facilitate the detection of illicit discharges in the MS4.



### BMP 3-2

- Develop or identify and procure staff training materials (Annually).
- Conduct annual in-house training for employees involved in illicit discharge detection and elimination (Annually).

Annual training will ensure town personnel are able to identify an illicit discharge while performing routing job responsibilities. The additional training for staff responsible for enforcing the ordinance will ensure proper implementation of procedures to successfully stop illicit discharges and equitable enforcement of the ordinance. It will also provide the opportunity to learn from each other as the prior year's illicit discharges are reviewed. Training materials and attendance logs will be maintained and made readily available to the TCEQ.

### BMP 3-3

Measurable goals for a public reporting system include increasing public awareness about identifying and reporting illicit discharges. A reporting mechanism will be promoted at least twice annually through outreach efforts, and detailed information on how to report incidents will be readily accessible on the city's website via the Horizon City Website and *West Texas County Courier*. These efforts aim to encourage community participation and ensure timely reporting and resolution of illicit discharges or spills.

### BMP 3-4

- Review and revise, as necessary, the SQPO to meet the requirements of the Small MS4 General Permit (Annually).
- Review and revise, if necessary, the written procedures for using the ordinance to eliminate (remove) illicit discharges, including enforcement and enforcement escalation procedures (Annually).

A stormwater quality ordinance gives Horizon City authority to enforce penalties for illicit discharges. An ordinance will facilitate the enforcement of penalties for violations of the towns SWMP and a reduced number of illicit discharges.

### BMP 3-5

To meet compliance and uphold environmental standards, the following response measures are implemented annually:

1. **Illicit Discharges and Illegal Dumping Incidents:** Investigate all of known incidents annually to identify sources. For Level 2a MS4s without jurisdiction to act, notify the appropriate agency promptly.
2. **High-Priority Discharges:** Respond to all of high-priority discharges, such as sanitary sewer overflows, within 24 hours. If jurisdiction does not apply, notify the relevant agency capable of addressing the issue.
3. **Notification for Non-Jurisdictional Incidents:** For all illicit discharges or illegal dumping incidents beyond the small MS4's jurisdiction, notify the adjacent MS4 operator or the applicable TCEQ regional office to ensure proper action.





4. **Immediate Threats:** Report all of illicit flows posing an immediate threat to human health or the environment to TCEQ without delay, maintaining compliance throughout the permit term.
5. These measures ensure effective management of discharges and adherence to regulatory requirements.

### BMP 3-6

The corrective action plan for addressing illicit discharges and illegal dumping includes the following steps:

1. **Notification of Responsible Party:** For 100% of incidents where the source has been identified, notify the responsible party of the issue within 24 hours of determination.
2. **Corrective Actions Requirement:** Mandate that the responsible party undertakes all necessary corrective measures to eliminate the illicit discharge or illegal dumping in a timely and effective manner.

These actions enforced on a yearly basis ensure accountability and compliance while promoting swift resolution to prevent further environmental impacts.

### BMP 3-7

- Annually, visually inspect each outfall for illicit discharges twice.
- Update the written procedures to respond to an illicit discharge or connection and determine the source (Annually).

Inspections will provide an opportunity to detect and eliminate illicit discharges. Procedures to respond to an illicit discharge will be developed in conjunction with the administrative enforcement remedies established in the SQPO

### BMP 3-8

The annual inspection protocol includes the following measures to ensure comprehensive response and compliance:

1. **Complaint Response Inspections:** Conduct inspections for 100% of complaints received each year, adhering to established procedures. For Level 2a MS4s without direct jurisdiction, notify the appropriate agency with the authority to act.
2. **Follow-Up Inspections:** Perform follow-up inspections in 100% of cases where additional verification or action is required, as outlined in the established procedures.

These measures ensure timely and thorough investigation of complaints and proper resolution of identified issues.



## ***CONSTRUCTION SITE STORMWATER RUNOFF CONTROL (MCM4)***

### ***REQUIRED ELEMENTS***

The introductory paragraph from Part IV.D.4. (a) of the Small MS4 General Permit states:

*“All permittees shall develop, implement and enforce a program requiring operators of small and large construction activities, to select, install, implement, and maintain stormwater control measures that prevent illicit discharges to the MEP.”*

The SWMP is required to include review and update of an ordinance or other regulatory mechanism that requires controls for construction site discharges, prohibits illicit discharges from construction sites, and provides a means of ensuring compliance with these requirements. The Small MS4 General Permit specifically requires the MS4 operator to:

- Develop and maintain program that prohibits construction activity discharges listed in the TPDES CGP.
- Update procedures for site plan review to consider water quality impacts.
- Update procedures for construction site inspection and enforcement of control measures.
- Develop procedures for receipt and consideration of input from the public; and
- Update/develop procedures for MS4 staff training.

Written procedures will be developed and updated on the schedule in the Measurable Goals section. The written procedures will be maintained on-site or in this SWMP and made available for inspection by the TCEQ.

### ***BEST MANAGEMENT PRACTICES***

Best management practices (BMPs) for construction site stormwater runoff control aim to minimize erosion, sedimentation, and pollutants during construction activities. The Town will implement and update ordinances requiring prohibiting discharges, erosion and sediment control measures, such as silt fences and sediment basins, on construction sites. The Town will also, conduct thorough plan reviews to ensure compliance with stormwater regulations before construction begins. Moreover, the Town will perform regular inspections of active sites to verify the effectiveness of control measures and identify any issues. Lastly, Horizon city will establish and update a system for public reporting of construction-related discharges to encourage accountability and timely corrective actions.

### **ORDINANCE REQUIRING CONSTRUCTION SITE CONTROLS (BMP 4-1)**

Horizon City has developed and implemented the SQPO to reduce pollutants entering the MS4 from construction activities. The ordinance includes the following:

- Requirements for construction activity operators to comply with the TPDES CGP, including development and implementation of a Stormwater Pollution Prevention Plan (SWP3) as an alternative to specific soil stabilization requirements, pollutant control requirements, and construction site discharge prohibitions, when the CGP is applicable to the construction site



- Prohibitions on illicit discharges such as washout wastewater, fuels, oils, soaps, solvents, and contaminated dewatering discharges
- Requirements for the site plan and SWP3 to be submitted to Horizon City for review prior to construction
- Requirements for control of construction site wastes
- Authority to inspect construction sites for compliance with the ordinance
- Enforcement procedures
- Authority to prohibit discharges into the MS4

Horizon City will continue to review and update the ordinance or other regulatory mechanism at least one time during the permit term.

#### ***PROHIBIT DISCHARGES (BMP 4-2)***

During the next term of the Small MS4 General Permit, Horizon City will review and revise the written procedures to implement and prohibit discharges. The town will also review and revise, as needed, the SQPO to ensure the town has adequate legal authority to meet the requirements of Part IV.A.4. (b) of the Small MS4 General Permit.

#### **CONSTRUCTION PLAN REVIEW PROCEDURES (BMP 4-3)**

Horizon City reviews construction plans for commercial and residential subdivision developments. Also, Horizon City contracts an engineering firm to act as Town Engineer and assist in plan review as well. Their review includes verifying that a SWP3 is in the plan set. The engineering firm uses a SWP3 review checklist when reviewing the SWP3. The town staff reviews the SWP3 for all other construction activities that require a town permit and disturb 1 acre or more of soil or are part of a common plan of development that disturbs 1 acre or more of soil. Horizon City has prepared educational materials and a SWP3 review checklist to help the construction site operator prepare the SWP3. During the next permit period, written procedures will be updated to document, track, and ensure that all construction activities required to comply with the TPDES CGP submit a SWP3 to the town for review and acceptance before the town issues any permits or permissions to start work. SWP3 review checklists currently in use will be reviewed and revised, if necessary, to be compliant with the TPDES CGP.

#### **CONSTRUCTION SITE INSPECTIONS AND ENFORCEMENT (BMP 4-4)**

Horizon City will review and update the program where they inspect construction sites for compliance with a SWP3 within 1 week of the start of construction, and additional inspections will be conducted based on reports and complaints. Construction site inspection and enforcement procedures will be updated to ensure compliance with SQPO requirements related to construction sites. In addition, a system will be developed for tracking NOIs filed by construction site operators. These NOIs will be used to schedule construction site inspections.



A copy of the NOI is required by the SQPO to be submitted to Horizon City before the town will issue a permit or other authorization to disturb soil.

#### **PUBLIC REPORTING OF CONSTRUCTION DISCHARGES (BMP 4-5)**

Pollutants in stormwater from construction sites and construction wastes often are released into public streets and onto adjacent properties. These discharges are easily visible to the public and may affect their quality of life. Providing a means for the public to report these observations can assist Horizon City in reducing discharges from construction sites. The Stormwater Reporting Telephone Number and webpage will continue to be publicized to facilitate reporting of problems the public observes at construction sites. Educational materials publicizing the phone number and website include information concerning construction site discharges. Procedures will be developed and maintained for receiving, tracking, and responding to public reports.

#### **MS4 STAFF TRAINING (BMP 4-6)**

Horizon City employees whose job responsibilities include implementing the construction stormwater program will be trained to perform duties that include, but are not limited to:

- SWP3 permitting and plan review.
- SWP3 inspections.
- TPDES CGP compliance/enforcement.
- Enforcement of the construction activity requirements of the SQPO.

Horizon City employees will attend trainings provided by a commercial vendor that pertains to the duties described. Additional staff whose primary job responsibilities are construction and building inspections will attend a 1-hour, in-house, awareness training and receive a checklist to aid in identifying illicit discharges in the field.

#### ***MEASURABLE GOALS***

##### **BMP 4-1**

- Review and revise, if necessary, the SQPO to ensure it meets the requirements of Part IV.D.4. (a) of the Small MS4 General Permit (During the permit term).
- Review and update, as necessary the written enforcement and enforcement escalation procedures for the construction site requirements in the SQPO (During the permit term).

The SQPO provides Horizon City the authority to require erosion and sediment controls, require compliance, inspect construction sites, and ensure compliance through enforcement.

##### **BMP 4-2**

- Review and update (as necessary) the SQPO prohibiting discharges to be compliant with the current TPDES CGP. (Annually)
- Review and update written procedures prohibiting discharges (Annually).



Checklists will continue to facilitate a thorough review of SWP3s, which hopefully will decrease pollutant discharges in stormwater runoff from construction sites. Collaborative review procedures will promote consistency and accuracy during the review process.

#### BMP 4-3

- Review and update as necessary the site plan inspection procedures (Annually).
- Implement site plan review procedures for all construction site plans received each year (Annually).

A system to track CGP NOIs will facilitate planning of construction site inspections. A construction site inspection program increases implementation of erosion and sediment controls, BMPs, and soil stabilization techniques, thus reducing the discharge of pollutants from construction sites.

#### BMP 4-4

- Review and update written inspection procedures outlining the inspection and enforcement requirements. (Annually).
- Inspections will be conducted annually at active construction sites, following established procedures. Additionally, follow-up inspections will be carried out each year for all of the cases where necessary, ensuring compliance and addressing any issues in accordance with the established protocols.
- Construction inventory will be updated

#### BMP 4-5

- Review, implement and update written procedures for receiving, tracking, and responding to public reports (Annually).

Publicizing the telephone number and city webpage to report construction site discharges will enable Horizon City to decrease the pollutants that enter the MS4 from entering construction sites by encouraging citizen involvement in recognizing and reporting the discharges.

#### BMP 4-6

- Provide 8 to 16 hours of commercially available training in SWP3 review and inspection to staff who perform these duties (Annually). Provide the same training to new staff who perform these duties by November of each following year, as necessary.
- By December of each year, conduct 1-hour of in-house, construction stormwater awareness training for employees (other than SWP3 inspectors) who visit construction sites.
- Review and update (if necessary) the checklist and procedures for employees (other than SWP3 inspectors) to screen construction sites for prohibited discharges (Annually).

Attending comprehensive training will ensure construction stormwater staff has the level of competency and expertise to perform job duties related to the construction stormwater program. The 1-hour stormwater awareness training will facilitate identification of construction site discharges and reporting of the discharges to town staff with inspection and enforcement training to eliminate the discharges.



## ***POST-CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT***

### ***REQUIRED ELEMENTS***

Part IV.D.5. (a)(1) of the Small MS4 General Permit states:

*“All permittees shall develop, implement and enforce a program, to the extent allowable under state, federal, and local law, to control stormwater discharges from new development and redeveloped sites that discharge into the small MS4 that disturb one acre or more, including projects that disturb less than one acre that are part of a larger common plan of development or sale.”*

The first paragraph from Part IV.D.5. (a)(2) of the Small MS4 General Permit states:

*“All permittees shall use, to the extent allowable under state, federal, and local law and local development standards, an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects.”*

The SWMP is required to include an ordinance or other regulatory mechanism to regulate discharges from new development and redevelopment projects. The Small MS4 General Permit specifically requires the MS4 operator to:

- establish, implement, and enforce a requirement for the design, installation, implementation and maintenance of structural and non-structural BMPs for new development and redevelopment sites.
- document and maintain records of enforcement actions related to post-construction BMPs.
- provide a long-term operation and maintenance of post-construction stormwater control measures; and
- document operation and maintenance of post-construction stormwater control measures.

Written procedures will be updated and on the schedule in the Measurable Goals Table 5. The written procedures will be maintained on-site or in this SWMP and made available for inspection by the TCEQ.

### ***BEST MANAGEMENT PRACTICES***

Best management practices (BMPs) for post-construction stormwater management in new development and redevelopment focus on minimizing water quality impacts and managing runoff sustainably. The BMPs requires the Town to establish ordinances requiring retention or detention systems to control stormwater flow and prevent flooding. Moreover, conduct inspections during construction to ensure proper installation of stormwater infrastructure. Furthermore, maintain an inventory of retention structures and implement routine inspections to ensure functionality. Lastly, updating construction site written inspection and enforcement reports for post construction development and redevelopment



### **ORDINANCE REQUIRING RETENTION (BMP 5-1)**

Section 811 of Zoning Ordinance No. 0102 (Appendix C) and Section 5.17.4 of Subdivision Ordinance No. 0035 (Appendix D) currently require developments to account for stormwater discharges via retention structures. The retention must be designed with capacity to hold both the volume of stormwater generated by a one percent probability storm event and a 10-year accumulation of silt. Commercial developments and redevelopments are required to provide on-site stormwater retention. Residential subdivisions are required to provide stormwater retention within the subdivision for stormwater runoff from the lots in the subdivision. The Town Engineer and in house staff reviews commercial and residential subdivision development plans for the town to verify that grading and drainage plans include the required retention.

### **CONSTRUCTION RECORDS & INSPECTION OF RETENTION STRUCTURES (BMP 5-2)**

During construction, Horizon City's construction inspector does not accept the development or redevelopment as final unless the retention structure is constructed according to the plans. In addition to refusing to accept infrastructure that is not built according to plans, Horizon City can require a security bond or withhold plat approval for public structures and can withhold the certificate of occupancy on private structures. Horizon City will review and update the written procedures for documenting the inspections and enforcement actions used when structures are not built according to the plans reviewed and accepted by the town. Enforcement actions taken resulting from an ordinance violation will be maintained on-site and made available to the TCEQ.

### **MAINTENANCE & INVENTORY OF RETENTION/DETENTION STRUCTURES (BMP 5-3)**

Horizon City will review and update the mapped retention structures which are similar to mapping of the outfalls within the town's limits. Mapping will be updated by locating the retention structures on an aerial image of the town, with structures being identified by the legal description of the property on which they are located. The map will be used as an inventory of the post-construction structural controls to facilitate structure inspection and maintenance. The Zoning and Subdivision Ordinances require owners to maintain private retention structures. The ordinances also provide Horizon City the right to maintain the structure and issue a lien against the property if the owner fails to maintain the structure in a satisfactory manner. In addition, Horizon City will develop a requirement for a maintenance plan to be filed in the real property records of El Paso County for future private retention structures. The maintenance plan will be required to include maintenance schedules and records/reports and to be made available to the town staff for review and inspection. Horizon City ordinances that pertain to maintenance of structural stormwater control measures will be amended to reflect this requirement.

### **INSPECTION REPORTS (BMP 5-4)**

Construction site written inspection and enforcement reports for post construction development and redevelopment will be updated as necessary to ensure compliance with SQPO requirements related to construction sites. Most of the retention structures constructed for new development are designated as public. A program has been developed to regularly inspect the public retention structures for maintenance and to perform maintenance on the structures, as needed. Since the retention structures are required to have the capacity for a 10-year accumulation of sediment,



inspection and maintenance will be implemented on a 10-year cycle. Written inspection and maintenance procedures and records/reports for public retention structures will be updated to facilitate long-term operations of the post-construction control measures. In addition, Horizon City will document inspection findings in the report for 100% of the inspections performed on a yearly basis. The reports will be available to TCEQ staff for review within 24 hours of request.

### ***MEASURABLE GOALS***

#### **BMP 5-1**

The Subdivision and Zoning Ordinances regulate post-construction discharges from development through an enforceable requirement for BMPs. These ordinances are fully implemented; therefore, no measurable goal is needed.

#### **BMP 5-2**

- Review and update (as necessary) the procedures for documenting inspections and enforcing requirements when structures are not built according to plans reviewed and accepted by the town (Annually).
- Review and maintain all written inspection records.

Ordinance amendments will give Horizon City the authority to implement enforcement actions for structures that are out of specification. This ensures that all structures accepted by the town are built to maintain stormwater quality and structural integrity for long-term operation.

#### **BMP 5-3**

- Review and update the maintenance schedule for all drainage structures. (Annually).
- Review and update the written inspection and maintenance procedures for public retention structures (Annually).
- Review and update the map of public and private retention structures within the corporate limits to include new structures resulting from development (Annually).

The retention structure map will facilitate inspections, maintenance, and documentation as described in BMPs 5-2 and 5-5 of this SWMP. The maintenance program will ensure stormwater quality is preserved and provide for the long-term operation of post-construction BMPs.

#### **BMP 5-4**

- Continue implementing inspection and maintenance on 100% of the public structures.

The inspection reports will regulate post-construction BMP maintenance for long-term operation and reporting.





***POLLUTION PREVENTION / GOOD HOUSEKEEPING FOR MUNICIPAL  
OPERATIONS (MCM6)***

***REQUIRED ELEMENTS***

Part IV.D.6. (a)(1) states:

*“All permittees shall develop and implement an operation and maintenance program, including an employee training component that has the ultimate goal of preventing or reducing pollutant runoff from municipal activities and municipally owned areas including but not limited to: park and open space maintenance; street, road, or highway maintenance; fleet and building maintenance; stormwater system maintenance; new construction and land disturbances; municipal parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations.”*

The Small MS4 General Permit specifically requires the MS4 operator to:

- develop and maintain an inventory of its facilities and stormwater controls;
- train employees involved in pollution prevention and good housekeeping practices;
- develop procedures for removal and disposal of waste from the MS4;
- require contractors hired by the MS4 to comply with the SWMP and provide contractor oversight to ensure their compliance;
- evaluate operation and maintenance activities for their potential to discharge pollutants; and
- maintain structural control maintenance by the MS4.

The inventory of municipal operations and facilities owned or operated by Horizon City that are subject to the operation, maintenance, and training programs under this MCM follow:

- Park and open space maintenance
- Rights-of-way maintenance
- Storm drainage system maintenance
- Street maintenance
- Building maintenance
- Municipal parking lots and building grounds, Material and equipment storage areas
- Town Hall
- Oz Glaze Senior Center
- Police Station (leased)



- Courthouse (leased)
- Splash Park
- Six parks, including playgrounds and ball fields

The town does not perform bridge maintenance or cold weather operations, such as salting or sanding of roads. Horizon City has no municipally owned or operated industrial activities that are subject to TPDES industrial stormwater regulations.

Written procedures will be updated/developed and on the schedule in the Measurable Goals (Table 6). The written procedures will be maintained on-site or in this SWMP and made available for inspection by the TCEQ.

### ***BEST MANAGEMENT PRACTICES***

Best management practices (BMPs) for pollution prevention and good housekeeping in municipal operations focus on reducing pollutants from city activities. The Town will implement pollution prevention measures, such as proper storage of chemicals, waste management, and spill prevention at municipal facilities. The Town will provide regular training and education for municipal employees on best practices for minimizing environmental impacts. Moreover, ensure contractors comply with the municipal stormwater management program (SWMP) to uphold environmental standards during operations. Furthermore, the Town will establish and follow proper vehicle and equipment maintenance procedures to prevent leaks and spills. Lastly, Horizon City will develop and enforce waste disposal protocols to handle municipal waste effectively and prevent contamination of stormwater systems.

### **PERMITEE OWNED FACILITIES AND CONTROL INVENTORY (BMP 6-1)**

Horizon City currently owns two buildings, the Town Hall and the Oz Glaze Senior Center. The town leases a third building for its police department and municipal court. The town's maintenance facility is limited to a small, walled storage yard and metal premanufactured shed next to the Town Hall. The town owns and operates nine parks.

Horizon City will review the inventory of its operational activities and facilities and identify those that have a potential to negatively impact stormwater quality. For each activity or facility with a potential impact to stormwater, the potential pollutants will be identified, and written pollution prevention measures will be developed and implemented to control the pollutants. The measures will include good housekeeping procedures and BMPs.

Written procedures will be developed, updated and maintained for annual inspections of municipal operations and facilities to identify new substances or operations that could be potential pollutant sources and to verify that existing measures are effective in preventing and reducing pollutants in stormwater runoff. The pollution prevention measures will be revised as needed based on results of the inspections.

Horizon City employs maintenance workers whose duties include, but are not limited to, removal of sediment, floatable (trash), and debris from public rights-of-way and drainageways. The



removal is done prior to mowing, when problems are observed, and when complaints are received. A work order system has been developed to schedule cleaning of the public retention structures and to track the amount of illicit material eliminated from the MS4. The work order system will be expanded to allow the tracking of illicit material eliminated and expansion of infrastructure cleaning to include inverts, culverts, flumes, etc. Much of the material found in the MS4 is deposited by wind or is litter from the general population; however, material may be found dumped in bulk or repeatedly discharged from a single source. During infrastructure cleaning, the maintenance workers will look for evidence of material being discharged from an identifiable source, such as a flume with packaging material in it behind a shopping center. If a potential source of the discharged material can be identified, the workers will notify a building inspector or code officer, as appropriate, for investigation and enforcement actions under the SQPO to eliminate the illicit discharge. Material removed from the MS4 will be disposed of in accordance with BMP 6-4.

### **EMPLOYEE TRAINING AND EDUCATION (BMP 6-2)**

Municipal employees who have the potential to impact stormwater quality during the performance of their duties will annually receive at least 1 hour of training on the pollution prevention measures specific to their duties. The training will cover the employee activities necessary to implement BMPs for other MCMs, which include but are not limited to, the following:

- Distribution of educational materials.
- Response to citizen reports of stormwater concerns.
- Elimination of illicit discharges by ordinance enforcement.
- System inspections.
- Construction site inspections.
- Construction inspection of retention structures.
- Maintenance of public retention structures.
- Pollution prevention measures.

The MS4 Program Manager will be responsible for providing the training or obtaining outside sources to assist with the training.

### **CONTRACTORS SWMP COMPLIANCE AND OVERSIGHT (BMP 6-3)**

Contractors hired by Horizon City to perform maintenance activities will be contractually required to comply with all stormwater control measures, pollution prevention measures, and facility-specific stormwater management operating procedures. Contractors shall be contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures described in Parts IV.D.6.(b)(2)-(6). The town's employees will oversee contractor activities to ensure appropriate standard operating procedures and control measures are being utilized. Written contract clauses and procedures will be developed to ensure contractors abide by all the SWMP requirements that are applicable to their work.



### **WASTE DISPOSAL PROCEDURES (BMP 6-4)**

The review of operational activities and facilities, BMP 6-1, will include identification of wastes generated by MS4 maintenance and other municipal operations. Written disposal procedures will be developed for each waste stream and will include information on waste handling, storage, and proper disposal. The procedures will be part of the employee training under BMP 6-2.

Horizon City will expand its waste tracking system to quantify the types of waste disposed of each year. The potential waste streams from municipal operations include sediment, floatable (trash), organic debris, and other material removed from the MS4 infrastructure. Written procedures will be developed to track the types and quantities of waste removed from the MS4. Waste materials removed from the small MS4 shall be disposed of in accordance with 30 TAC Chapters 330 or 335. These records will be compared to the high-priority education issues to determine if adjustments to the issues are needed.

### **MUNICIPAL OPERATIONS & MAINTENANCE (BMP 6-5)**

Horizon City operates a fleet of police cars and light-duty maintenance trucks. No maintenance or washing of the vehicles is allowed on municipal property. Instead, vehicles are taken to authorized, commercial maintenance and wash facilities with appropriate treatment, recycling, and disposal procedures for waste.

Parking areas for fleet vehicles are inspected during grounds maintenance for signs of fluid leaks. If a vehicle is found to be leaking, a drip pan is placed under it to contain the leak. The vehicle is then taken for maintenance as soon as practicable.

### ***MEASURABLE GOALS***

#### **BMP 6-1**

- Review and update the written procedures for performing and documenting annual self-inspections (Annually).
- Perform self-inspections annually to determine if the pollution prevention measures are effective and sufficient. (Annually).
- Develop good housekeeping procedures and BMPs by the end of the permitting year.

Implementing pollution prevention measures for municipal operations and facilities is intended to prevent or reduce pollutants entering stormwater. Self-inspections assist in monitoring the effectiveness of the procedures and practices so that modifications can be implemented as needed. An orderly system for inspecting and cleaning the MS4 provides opportunities to detect and eliminate illicit material from the MS4. The tracking system provides a method to evaluate success of programs and procedures that have been or will be developed and implemented.



### BMP 6-2

- By December of each year, conduct 1-hour of in-house pollution training on prevention measures relevant to employees' duties.
- Develop a written program to identify and track employee training and training topics needed for each employee, based on their operational activities and SWMP duties.

Training municipal employees in the impact their actions can have on stormwater quality has the potential to decrease the discharge of pollutants from municipal operations. Both municipal operation BMPs and the BMPs for the other MCMs are more likely to be effective when the employees are trained and have an understanding of the activities needed to successfully implement the BMPs.

### BMP 6-3

- Develop contract clauses and written procedures for ensuring that Horizon City's contractors comply with requirements established by the SWMP by December 2025.

Contractor oversight by the MS4 ensures that measures described in this SWMP are utilized to the MEP for all projects under control of the municipality.

### BMP 6-4

- Develop written procedures for handling, storing, and disposing waste removed from the MS4 by December 2025.
- Develop written procedures to track the types and quantities of waste removed from the MS4 by December 2025.

Developing and implementing waste disposal procedures will prevent waste from being discharged into the MS4.

### BMP 6-5

Conduct self-inspections to determine if housekeeping practices and BMPs are effective and sufficient by the end of the permitting year. Continue to evaluate operations and maintenance (O&M) activities for their potential to discharge pollutants. The vehicle maintenance program and assessment will reduce the incidence of fleet vehicles becoming a source of stormwater pollutants. Maintenance activities on municipal fleet vehicles are performed at authorized commercial facilities only; therefore, no measurable goal is needed.



## ***INDUSTRIAL STORMWATER SOURCES***

The requirements described for the sixth MCM in Part IV.D.7 of the Small MS4 General Permit, under Industrial Stormwater Sources are only applicable to Level 4, small MS4s. Horizon City is classified as a Level 2a small MS4; therefore, the sixth MCM is not applicable to this SWMP.

## ***AUTHORIZATION FOR MUNICIPAL CONSTRUCTION ACTIVITIES***

### ***REQUIRED ELEMENTS***

The introductory paragraph from Part IV.D.8 of the Small MS4 General Permit states:

*“Permittees that choose to develop this measure will be authorized to discharge stormwater and certain non-stormwater from construction activities where the MS4 operator meets the definition of construction site operator of this General Permit.”*

*“The authorization to discharge under this MCM is limited to the regulated area, such as the portion of the small MS4 located within a UA or the area designated by TCEQ as requiring coverage. However, an MS4 operator may also utilize this MCM over additional portions of their MS4 that are also in compliance with all the MCMs listed in this General Permit.”*

Horizon City is the construction site operator for small or large construction projects where they either have operational control over construction plans and specifications or have day-to-day operational control of activities at a construction site. Implementation of this MCM requires the town to develop and implement a SWP3 in accordance with Part V of the Small MS4 General Permit for each construction project that disturbs 1 or more acre of land or is part of a common plan of development that disturbs 1 acre or more of land.

### ***DESCRIPTION OF CONSTRUCTION ACTIVITIES***

Construction activities covered under this SWMP for Horizon City may consist of, but are not limited to, the following:

- Road construction
- Park facilities
- Recreation facilities
- Landscaping
- Sidewalk construction
- Paving
- Expansion of the existing Town Hall
- Construction of new municipal facilities
- Construction of a new police department building

These construction activities will be conducted in a manner appropriate for construction projects in an arid climate with desert soil types and vegetation.



### ***AREA COVERED BY THE MUNICIPAL CONSTRUCTION ACTIVITIES MCM***

Horizon City has elected to implement the seventh MCM for municipal construction activities within the entire corporate limits of the town *not* just the urbanized area. All SWMP activities will be implemented within the corporate limits (Figure 1).

### ***OVERSIGHT OF CONTRACTOR ACTIVITIES***

Horizon City is implementing this MCM in lieu of seeking coverage for its construction activities under the TPDES CGP. Municipal construction activities will be covered under the Small MS4 General Permit where the town is the operator. When a contractor is hired to have day-to-day operational control of the construction activity, the contractor will *not* be covered under the Small MS4 General Permit and will need to obtain separate coverage under the CGP.

The following procedures will be implemented to ensure that contractors have separate authorization for stormwater discharges:

- Horizon City will place language in construction contracts requiring drafting and implementation of a SWP3. The contract documents will also require the contractor to complete and submit an NOI to the TCEQ under the CGP. These documents must be submitted to the TCEQ and Horizon City before the town will issue a Notice-to-Proceed with construction.
- The town will maintain a copy of the contractors' NOIs and Construction Site Notices and the SWP3s for its construction activities. The contractor will be wholly responsible for the SWP3 implementation.
- The Director of Public Works, with the City Planner as the alternate, will be responsible for ensuring contractor compliance.
- Horizon City inspectors will conduct construction site inspections to verify compliance with the SWP3.

### ***SWP3 DEVELOPMENT***

For each construction activity that will disturb 1 acre or more or is part of a common plan of development, Horizon City will include preparation of a SWP3 in the scope of work when hiring an engineer to prepare contract plans and specifications. The SWP3 will be developed in accordance with Part VI of the Small MS4 General Permit. The SWP3 will address the site-specific issues associated with each construction activity. The town may utilize SWP3 guidance and examples from sources such as the EPA and TCEQ for preparation of their SWP3s.

### ***RECORDS***

Records of municipal construction activities authorized under this optimal MCM, in accordance with Part V of this general permit, will be maintained.

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## ***4.0 GENERAL REQUIREMENTS***

### ***REVISING THE SWMP***

If the SWMP requires modification prior to NOI and SWMP approval by the TCEQ, the town will submit the changes to the TCEQ in a letter providing supplemental information to the NOI. Changes to the SWMP after TCEQ approval of the NOI and SWMP require written approval from the TCEQ.

The following types of changes may be made by the town without written approval from the TCEQ as long as a Notice of Change (NOC) is submitted to the TCEQ:

- Adding components, controls, or requirements to the SWMP or replacing a BMP with an equivalent BMP
- Replacing a less effective or infeasible BMP specifically identified in the SWMP with a more effective BMP

The NOC must be accompanied by an explanation as to why the BMP was eliminated, an explanation of the effectiveness of the replacement BMP, and why the replacement BMP is expected to achieve the goals of the replaced BMP.

### ***RECORDKEEPING***

Horizon City will retain all records, a copy of the Small MS4 General Permit, and records of all data related to NOI and public participation requirements for at least 3 years or for the remainder Small MS4 General Permit term, whichever is longer. If an administrative or judicial enforcement action is instituted against the town in relation to the Small MS4 General Permit, then these records must be kept until final disposition of the action.

Horizon City will submit records to the TCEQ only when specifically asked to do so; however, the SWMP will be retained at a location accessible to the TCEQ. Horizon City will also make the NOI and the SWMP available to the public if requested to do so in writing. Copies of the SWMP will be made available within 10 working days upon receipt of a written request.

Records of activities to implement BMPs will be kept readily available for the preparation of annual reports as required by the Small MS4 General Permit. Ongoing activities will be tracked by numbers appropriate for the activity, such as cubic yards of waste/debris from the MS4 that are transported to an approved landfill. Documentation of activities will be essential to verifying BMPs have been implemented and should start immediately for all ongoing activities.

### ***REPORTING***

#### ***GENERAL REPORTING***

In accordance with Part V.B.1(a) of the Small MS4 General Permit, Horizon City shall report any noncompliance (either orally or via electronic transmission) that may endanger human health, human safety, or the environment to the TCEQ within 24 hours of discovery. The town shall also provide a written report to the TCEQ Region 6 Office and the TCEQ Enforcement Division (MC-224) within 5 working days of discovery of noncompliance. This written report shall contain:

- a description of the noncompliance and its cause;
- the potential danger to human health or safety, or the environment;



- the period of noncompliance, including exact dates and times;
- if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
- steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.

If the town discovers that it failed to submit complete and accurate information or submitted incorrect information in any report, the town shall promptly submit the updated information to the executive director.

### *ANNUAL REPORTING*

Horizon City is required to submit an annual report to the TCEQ within 90 days of the end of each reporting year. Horizon City has elected to report based on the calendar year; therefore, the first annual report is due March 31, 2025, whether or not the NOI and SWMP have been approved by the TCEQ. The first annual report will cover SWMP activities from August 1, 2024, to December 31, 2025. Subsequent annual reports will cover SWMP activities from January 1 to December 31 of each calendar year and are due 90 days after December 31.

Part V.B.2 of the Small MS4 General Permit contains a detailed list of items that must be included in the annual report. This list includes, but is not limited to, the following items:

- A statement of the town's compliance with the Small MS4 General Permit
- An evaluation of the effectiveness of the BMPs that have been implemented
- The status of any additional BMPs implemented by the town
- An assessment of the success of the measurable goals for each of the MCMs
- Review of the progress made toward reducing the discharge of pollutants to the MEP
- A summary of the collected and analyzed information, if any, used to track the success of the program
- Documentation of activities and materials that demonstrate the amount of resources used for public education of residents, visitors, public service employees, businesses, commercial and industrial facilities, and construction site personnel
- The number of municipal construction projects authorized under MCM 7 of the Small MS4 General Permit and the total number of acres disturbed
- The number of non-municipal construction notices that the town received for construction activities within its limits
- A description of any agreements that the town has for another government body to satisfy some of its permit obligations
- A summary of the stormwater activities that the town is going to implement during the next reporting cycle
- Proposed changes to the SWMP, BMPs or measurable goals

The annual report shall be submitted to the TCEQ Stormwater & Pretreatment Team (MC-148) in Austin as well as the TCEQ Region 6 Office in El Paso. Horizon City will also make a copy of the annual report readily available for review by TCEQ personnel upon request.

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## 5.0 SUMMARY

Horizon City prepared this SWMP in accordance with the requirements and conditions set forth in Part IV of the Small MS4 General Permit issued August 15, 2024. The town will submit this SWMP with the NOI to the TCEQ to authorize MS4 discharges under the Small MS4 General Permit. Horizon City has elected to implement this SWMP within the entire corporate limits of the town *not* just the UAs (Figure 1).

This SWMP includes the six MCMs required by definition of MEP as it applies to reducing the discharge of pollutants from **Level 2**, Small MS4s. Horizon City has also elected to implement the optional seventh MCM for Municipal Construction Activities. The town will continue to operate under the conditions of the previous permit and existing SWMP until this revised SWMP and NOI are approved.

This SWMP includes a schedule of activities that are necessary to meet the measurable goals for each MCM. Implementing the BMPs and meeting the measurable goals for each MCM listed on the schedules are essential to satisfy the requirements set forth in Part IV of the Small MS4 General Permit. The second paragraph from Part IV of the Small MS4 General Permit states: *“A permittee that implements BMPs consistent with the provisions of their permit and SWMP constitutes compliance with the standard of reducing pollutants to the MEP and will be deemed in compliance with Part IV of this permit.”* Table 1 through Table 6 summarize the BMPs, measurable goals, and implementation schedules for MCMs 1 through 6, respectively. No schedule is presented for MCM 7, as it is not applicable to the Town of Horizon City. The optional seventh MCM for Municipal Construction Activities will be implemented whenever the town undertakes a construction activity that disturbs 1 acre or more of soil or that is part of a common plan of development that disturbs 1 acre or more of soil.

## **TABLES**

Table 1: MCM 1: Public Education and Outreach

Table 2: MCM 2: Public Involvement/Participation

Table 3: MCM 3: Illicit Discharge Detection and Elimination (IDDE)

Table 4: MCM 4: Construction Site Stormwater Runoff Control

Table 5: MCM 5: Post-construction Stormwater Management in New Development and Redevelopment

Table 6: MCM 6: Pollution Prevention and Good Housekeeping for Municipal Operations

## **FIGURES**

Figure 1: Corporate and UA Limits

Figure 2: Horizon City Staff Organizational Chart

Figure 3: Topography and Drainage Map

Figure 4: MS4 Map

## **APPENDICES**

Ordinance No. 0192; Stormwater Quality Protection Ordinance

Educational Materials

B-1 Educational Materials for General Public

B-2 Article from *West Texas County Courier*

B-3 Educational Materials for Construction Site Operators

Section 811: Drainage Ponds; Zoning Ordinance No. 0102

Section 5.17.4: Drainage Ponding Areas and Basins; Subdivision Ordinance No. 0035



**Table 1: Public Education and Outreach (MCM 1)  
Implementation Schedule and Measureable Goals**

BMP No.	Title	Year 1 2023-2024	Year 2 2024-2025	Year 3 2025-2026	Year 4 2026-2027	Year 5 2027-2028
1-1	Horizon City Website	Continue to operate and maintain a municipal website with stormwater information. <b>Measurable Goal:</b> Develop/Update written procedures for handling comments received via the website by December.	Continue to operate and maintain a municipal website with stormwater information. <b>Measurable Goal:</b> Post an electronic copy of this SWMP and a link soliciting public comment on the website by December.	Continue to operate and maintain a municipal website with stormwater information. <b>Measurable Goal:</b> Post annual report and any newly developed stormwater related materials by December.	Continue to operate and maintain a municipal website with stormwater information. <b>Measurable Goal:</b> Post electronic copies of high-priority issue related educational material on the website by December.	Continue to operate and maintain a municipal website with stormwater information. <b>Measurable Goal:</b> Post annual report and any newly developed stormwater related materials by December..
1-2	Articles in the West Texas County Courier	<b>Measurable Goal:</b> Publish two stormwater related articles in the Courier by November of each permitting year.	<b>Measurable Goal:</b> Publish two stormwater related articles in the Courier by December of each permitting year.	<b>Measurable Goal:</b> Publish two stormwater related articles in the Courier, including one related to high-priority community-wide issues by December of each permitting year.	<b>Measurable Goal:</b> Publish two stormwater related articles in the Courier, including one related to high-priority community-wide issues by December of each permitting year.	<b>Measurable Goal:</b> Publish two stormwater related articles in the Courier, including one related to high-priority community-wide issues by November of each permitting year.
1-3	Maintain or mark Stormwater inlets	<b>Measurable Goal:</b> Placard, stencil or paint a minimum of 10% of all known stormwater inlets.	<b>Measurable Goal:</b> Placard, stencil or paint a minimum of 10% of all known stormwater inlets.	<b>Measurable Goal:</b> Placard, stencil or paint a minimum of 10% of all known stormwater inlets.	<b>Measurable Goal:</b> Placard, stencil or paint a minimum of 10% of all known stormwater inlets.	<b>Measurable Goal:</b> Placard, stencil or paint a minimum of 10% of all known stormwater inlets.
1-4	Promote or host educational meetings or trainings	<b>Measurable Goal:</b> Promote or host a 1 hour stormwater awareness training by the end of the permitting year.	<b>Measurable Goal:</b> Promote or host a 1 hour stormwater awareness training by the end of the permitting year.	<b>Measurable Goal:</b> Promote or host a 1 hour stormwater awareness training by the end of the permitting year.	<b>Measurable Goal:</b> Promote or host a 1 hour stormwater awareness training by the end of the permitting year.	<b>Measurable Goal:</b> Promote or host a 1 hour stormwater awareness training by the end of the permitting year.

**Table 2: Public Involvement and Participation (MCM 2)  
Implementation Schedule and Measureable Goals**

BMP No.	Title	Year 1 2023-2024	Year 2 2024-2025	Year 3 2025-2026	Year 4 2026-2027	Year 5 2027-2028
2-1	Stormwater related speaker series.	<b>Measurable Goal:</b> Provide or support a minimum of two session training MS4s by the end of each permitting year.	<b>Measurable Goal:</b> Provide or support a minimum of two session training MS4s by the end of each permitting year.	<b>Measurable Goal:</b> Provide or support a minimum of two session training MS4s by the end of each permitting year.	<b>Measurable Goal:</b> Provide or support a minimum of two session training MS4s by the end of each permitting year.	<b>Measurable Goal:</b> Provide or support a minimum of two session training MS4s by the end of each permitting year.
2-2	Public Education events and workshops	<b>Measurable Goal:</b> Provide a minimum of one Public Education event/workshop on stormwater topics per year. Topics may include illicit discharge, building rain barrels, bio retention creation among others.	<b>Measurable Goal:</b> Provide a minimum of one Public Education event/workshop on stormwater topics per year. Topics may include illicit discharge, building rain barrels, bio retention creation among others.	<b>Measurable Goal:</b> Provide a minimum of one Public Education event/workshop on stormwater topics per year. Topics may include illicit discharge, building rain barrels, bio retention creation among others.	<b>Measurable Goal:</b> Provide a minimum of one Public Education event/workshop on stormwater topics per year. Topics may include illicit discharge, building rain barrels, bio retention creation among others.	<b>Measurable Goal:</b> Provide a minimum of one Public Education event/workshop on stormwater topics per year. Topics may include illicit discharge, building rain barrels, bio retention creation among others.
2-3	Educational Materials and Distribution	<b>Measurable Goal:</b> Continue to distribute 100% of existing educational material to the community, festival or event, businesses, homebuilders, construction companies to include information about the Stormwater Reporting Telephone Number in educational materials during and/or by the end of the permitting year.	<b>Measurable Goal:</b> Continue to Distribute 100% of stormwater educational material to the community during at least one festival or event by the end of each permitting year.  <b>Measurable Goal:</b> Develop at least one educational material to address each high-priority issue by November 2025.	<b>Measurable Goal:</b> Continue to distribute 100% of existing educational material to the community, festival or event, businesses, homebuilders, construction companies to include information about the Stormwater Reporting Telephone Number in educational materials during and/or by the end of the permitting year.	<b>Measurable Goal:</b> Continue to distribute 100% of existing educational material to the community, festival or event, businesses, homebuilders, construction companies to include information about the Stormwater Reporting Telephone Number in educational materials during and/or by the end of the permitting year.	<b>Measurable Goal:</b> Continue to distribute 100% of existing educational material to the community, festival or event, businesses, homebuilders, construction companies to include information about the Stormwater Reporting Telephone Number in educational materials during and/or by the end of the permitting year.



**Table 3: Illicit Discharge Detection and Elimination (MCM 3)  
Implementation Schedule and Measureable Goals**

BMP No.	Title	Year 1 2023-2024	Year 2 2024-2025	Year 3 2025-2026	Year 4 2026-2027	Year 5 2027-2028
3-1	MS4 Mapping	<i>Measurable Goal: Add new outfalls to the MS4 Map that result from new or re-development by the end of each permitting year.</i>	<i>Measurable Goal: Add new outfalls to the MS4 Map that result from new or re-development by the end of each permitting year.</i>	<i>Measurable Goal: Add new outfalls to the MS4 Map that result from new or re-development by the end of each permitting year.</i>	<i>Measurable Goal: Add new outfalls to the MS4 Map that result from new or re-development by the end of each permitting year.</i>	<i>Measurable Goal: Add new outfalls to the MS4 Map that result from new or re-development by the end of each permitting year.</i>
3-2	Staff Training	<i>Measurable Goal: Develop or identify and procure staff training materials (Annually).</i>  <i>Measurable Goal: Conduct annual in-house training for employees involved in illicit discharge detection by December of each permitting year.</i>	<i>Measurable Goal: Develop or identify and procure staff training materials (Annually).</i>  <i>Measurable Goal: Conduct annual in-house training for employees involved in illicit discharge detection by December of each permitting year.</i>	<i>Measurable Goal: Develop or identify and procure staff training materials (Annually).</i>  <i>Measurable Goal: Conduct annual in-house training for employees involved in illicit discharge detection by December of each permitting year..</i>	<i>Measurable Goal: Develop or identify and procure staff training materials (Annually).</i>  <i>Measurable Goal: Conduct annual in-house training for employees involved in illicit discharge detection by December of each permitting year..</i>	<i>Measurable Goal: Develop or identify and procure staff training materials (Annually).</i>  <i>Measurable Goal: Conduct annual in-house training for employees involved in illicit discharge detection by December of each permitting year.</i>
3-3	Public Reporting of Illicit Discharges	<i>Measurable Goal: Continue to distribute 100% of the educational material to the community that includes the Pollutant Reporting Telephone Number during and/or by the end of the permitting year.</i>	<i>Measurable Goal: Continue to distribute 100% of the educational material to the community that includes the Pollutant Reporting Telephone Number during and/or by the end of the permitting year.</i>	<i>Measurable Goal: Continue to distribute 100% of the educational material to the community that includes the Pollutant Reporting Telephone Number during and/or by the end of the permitting year.</i>	<i>Measurable Goal: Continue to distribute 100% of the educational material to the community that includes the Pollutant Reporting Telephone Number during and/or by the end of the permitting year.</i>	<i>Measurable Goal: Continue to distribute 100% of the educational material to the community that includes the Pollutant Reporting Telephone Number during and/or by the end of the permitting year.</i>
3-4	Procedure of Illicit Discharges	<i>Measurable Goal: Review and revise, as necessary, the SQPO to meet the requirements of the Small MS4 General Permit (Annually).</i>  <i>Measurable Goal: Review and revise, if necessary, the written procedures for using the ordinance to eliminate (remove) illicit discharges, including enforcement and enforcement escalation procedures (Annually).</i>	<i>Measurable Goal: Review and revise, as necessary, the SQPO to meet the requirements of the Small MS4 General Permit (Annually).</i>  <i>Measurable Goal: Review and revise, if necessary, the written procedures for using the ordinance to eliminate (remove) illicit discharges, including enforcement and enforcement escalation procedures (Annually).</i>	<i>Measurable Goal: Review and revise, as necessary, the SQPO to meet the requirements of the Small MS4 General Permit (Annually).</i>  <i>Measurable Goal: Review and revise, if necessary, the written procedures for using the ordinance to eliminate (remove) illicit discharges, including enforcement and enforcement escalation procedures (Annually).</i>	<i>Measurable Goal: Review and revise, as necessary, the SQPO to meet the requirements of the Small MS4 General Permit (Annually).</i>  <i>Measurable Goal: Review and revise, if necessary, the written procedures for using the ordinance to eliminate (remove) illicit discharges, including enforcement and enforcement escalation procedures (Annually).</i>	<i>Measurable Goal: Review and revise, as necessary, the SQPO to meet the requirements of the Small MS4 General Permit (Annually).</i>  <i>Measurable Goal: Review and revise, if necessary, the written procedures for using the ordinance to eliminate (remove) illicit discharges, including enforcement and enforcement escalation procedures (Annually).</i>



3-5	Source Investigation & Elimination of Illicit Discharges	<b>Measurable Goal:</b> Continue responding and enforcing discharge prohibitions and tracking 100% of enforcement actions. during and/or by the end of the permitting year	<b>Measurable Goal:</b> Continue responding and enforcing discharge prohibitions and tracking 100% of enforcement actions. during and/or by the end of the permitting year	<b>Measurable Goal:</b> Continue responding and enforcing discharge prohibitions and tracking 100% of enforcement actions. during and/or by the end of the permitting year	<b>Measurable Goal:</b> Continue responding and enforcing discharge prohibitions and tracking 100% of enforcement actions. during and/or by the end of the permitting year	<b>Measurable Goal:</b> Continue responding and enforcing discharge prohibitions and tracking 100% of enforcement actions. during and/or by the end of the permitting year
3-6	Ordinance Prohibiting Illicit Discharges	<b>Measurable Goal:</b> Continue enforcing discharge prohibitions and tracking 100% of enforcement actions during and/or by the end of the permitting year.  <b>Measurable Goal:</b> As a Corrective Actions Requirement, Mandate that the responsible party undertakes all necessary corrective measures to eliminate the illicit discharge or illegal dumping in a timely and effective manner.	<b>Measurable Goal:</b> Continue enforcing discharge prohibitions and tracking 100% of enforcement actions during and/or by the end of the permitting year.  <b>Measurable Goal:</b> As a Corrective Actions Requirement, Mandate that the responsible party undertakes all necessary corrective measures to eliminate the illicit discharge or illegal dumping in a timely and effective manner.	<b>Measurable Goal:</b> Continue enforcing discharge prohibitions and tracking 100% of enforcement actions during and/or by the end of the permitting year.  <b>Measurable Goal:</b> As a Corrective Actions Requirement, Mandate that the responsible party undertakes all necessary corrective measures to eliminate the illicit discharge or illegal dumping in a timely and effective manner.	<b>Measurable Goal:</b> Continue enforcing discharge prohibitions and tracking 100% of enforcement actions during and/or by the end of the permitting year.  <b>Measurable Goal:</b> As a Corrective Actions Requirement, Mandate that the responsible party undertakes all necessary corrective measures to eliminate the illicit discharge or illegal dumping in a timely and effective manner.	<b>Measurable Goal:</b> Continue enforcing discharge prohibitions and tracking 100% of enforcement actions during and/or by the end of the permitting year.  <b>Measurable Goal:</b> As a Corrective Actions Requirement, Mandate that the responsible party undertakes all necessary corrective measures to eliminate the illicit discharge or illegal dumping in a timely and effective manner.
3-7	Inspections Procedures	<b>Measurable Goal:</b> Review and revise, written inspection procedures as necessary, by end of each permitting year.  <b>Measurable Goal:</b> Annually, visually inspect each outfall for illicit discharges twice.	<b>Measurable Goal:</b> Review and revise, written inspection procedures as necessary, by end of each permitting year.  <b>Measurable Goal:</b> Annually, visually inspect each outfall for illicit discharges twice.	<b>Measurable Goal:</b> Review and revise, written inspection procedures as necessary, by end of each permitting year.  <b>Measurable Goal:</b> Annually, visually inspect each outfall for illicit discharges twice.	<b>Measurable Goal:</b> Review and revise, written inspection procedures as necessary, by end of each permitting year.  <b>Measurable Goal:</b> Annually, visually inspect each outfall for illicit discharges twice.	<b>Measurable Goal:</b> Review and revise, written inspection procedures as necessary, by end of each permitting year.  <b>Measurable Goal:</b> Annually, visually inspect each outfall for illicit discharges twice.
3-8	Inspections in response to complaints	<b>Measurable Goal:</b> Inspection will be conducted for 100% of complaints received, following established procedures to ensure timely investigation and resolution.  <b>Measurable Goal:</b> Perform follow-up inspections in 100% of cases where additional verification or action is required, as outlined in the established procedures.	<b>Measurable Goal:</b> Inspection will be conducted for 100% of complaints received, following established procedures to ensure timely investigation and resolution.  <b>Measurable Goal:</b> Perform follow-up inspections in 100% of cases where additional verification or action is required, as outlined in the established procedures.	<b>Measurable Goal:</b> Inspection will be conducted for 100% of complaints received, following established procedures to ensure timely investigation and resolution.  <b>Measurable Goal:</b> Perform follow-up inspections in 100% of cases where additional verification or action is required, as outlined in the established procedures.	<b>Measurable Goal:</b> Inspection will be conducted for 100% of complaints received, following established procedures to ensure timely investigation and resolution.  <b>Measurable Goal:</b> Perform follow-up inspections in 100% of cases where additional verification or action is required, as outlined in the established procedures.	<b>Measurable Goal:</b> Inspection will be conducted for 100% of complaints received, following established procedures to ensure timely investigation and resolution.  <b>Measurable Goal:</b> Perform follow-up inspections in 100% of cases where additional verification or action is required, as outlined in the established procedures.





**Table 4: Construction Site Stormwater Runoff Control (MCM 4)**  
**Implementation Schedule and Measurable Goals**

BMP No.	Title	Year 1 2023-2024	Year 2 2024-2025	Year 3 2025-2026	Year 4 2026-2027	Year 5 2027-2028
4-1	Ordinance Requiring Construction Site Controls	<b>Measurable Goal:</b> Continue to utilize the SQPO and amend, as necessary, to further reduce the discharge of pollutants to the MEP. <b>Measurable Goal:</b> Review and revise, as needed, the SQPO to meet requirements of the Small MS4 General Permit by the end of the permitting year.	<b>Measurable Goal:</b> Continue to utilize the SQPO and amend, as necessary, to further reduce the discharge of pollutants to the MEP. <b>Measurable Goal:</b> Review and revise, as needed, the SQPO to meet requirements of the Small MS4 General Permit by the end of the permitting year.	<b>Measurable Goal:</b> Continue to utilize the SQPO and amend, as necessary, to further reduce the discharge of pollutants to the MEP. <b>Measurable Goal:</b> Review and revise, as needed, the SQPO to meet requirements of the Small MS4 General Permit by the end of the permitting year.	<b>Measurable Goal:</b> Continue to utilize the SQPO and amend, as necessary, to further reduce the discharge of pollutants to the MEP. <b>Measurable Goal:</b> Review and revise, as needed, the SQPO to meet requirements of the Small MS4 General Permit by the end of the permitting year.	<b>Measurable Goal:</b> Continue to utilize the SQPO and amend, as necessary, to further reduce the discharge of pollutants to the MEP. <b>Measurable Goal:</b> Review and revise, as needed, the SQPO to meet requirements of the Small MS4 General Permit by the end of the permitting year.
4-2	Prohibit Discharges	<b>Measurable Goal:</b> Review and update (as necessary) the SQPO and update the written procedures prohibiting discharges to be compliant with the current TPDES CGP.	<b>Measurable Goal:</b> Review and update (as necessary) the SQPO and update the written procedures prohibiting discharges to be compliant with the current TPDES CGP.	<b>Measurable Goal:</b> Review and update (as necessary) the SQPO and update the written procedures prohibiting discharges to be compliant with the current TPDES CGP.	<b>Measurable Goal:</b> Review and update (as necessary) the SQPO and update the written procedures prohibiting discharges to be compliant with the current TPDES CGP.	<b>Measurable Goal:</b> Review and update (as necessary) the SQPO and update the written procedures prohibiting discharges to be compliant with the current TPDES CGP.
4-3	Plan Review	Continue to utilize the SWP3 review checklist for 100% of the homebuilders, commercial and residential development plans. <b>Measurable Goal:</b> Update SWP3 review checklist to be compliant with the current TPDES CGP by the end of the permitting year.	Continue to utilize the SWP3 review checklist for 100% of the homebuilders, commercial and residential development plans. <b>Measurable Goal:</b> Update SWP3 review checklist to be compliant with the current TPDES CGP by the end of the permitting year.	Continue to utilize the SWP3 review checklist for 100% of the homebuilders, commercial and residential development plans. <b>Measurable Goal:</b> Update SWP3 review checklist to be compliant with the current TPDES CGP by the end of the permitting year.	Continue to utilize the SWP3 review checklist for 100% of the homebuilders, commercial and residential development plans. <b>Measurable Goal:</b> Update SWP3 review checklist to be compliant with the current TPDES CGP by the end of the permitting year.	Continue to utilize the SWP3 review checklist for 100% of the homebuilders, commercial and residential development plans. <b>Measurable Goal:</b> Update SWP3 review checklist to be compliant with the current TPDES CGP by the end of the permitting year.
4-4	Construction Site Inspections & Enforcement	Continue to implement the construction site SWP3 inspection program. <b>Measurable Goal:</b> Review and update (if necessary) the NOI tracking system by the end of the permitting year. <b>Measurable Goal:</b> Review and update (if necessary) written procedures for construction site inspection and enforcement to ensure compliance with SQPO by the end of the permitting year.	Continue to implement the construction site SWP3 inspection program. <b>Measurable Goal:</b> Review and update (if necessary) the NOI tracking system by the end of the permitting year. <b>Measurable Goal:</b> Review and update (if necessary) written procedures for construction site inspection and enforcement to ensure compliance with SQPO by the end of the permitting year.	Continue to implement the construction site SWP3 inspection program. <b>Measurable Goal:</b> Review and update (if necessary) the NOI tracking system by the end of the permitting year. <b>Measurable Goal:</b> Review and update (if necessary) written procedures for construction site inspection and enforcement to ensure compliance with SQPO by the end of the permitting year.	Continue to implement the construction site SWP3 inspection program. <b>Measurable Goal:</b> Review and update (if necessary) the NOI tracking system by the end of the permitting year. <b>Measurable Goal:</b> Review and update (if necessary) written procedures for construction site inspection and enforcement to ensure compliance with SQPO by the end of the permitting year.	Continue to implement the construction site SWP3 inspection program. <b>Measurable Goal:</b> Review and update (if necessary) the NOI tracking system by the end of the permitting year. <b>Measurable Goal:</b> Review and update (if necessary) written procedures for construction site inspection and enforcement to ensure compliance with SQPO by the end of the permitting year.
4-5	Public Reporting of Construction Discharges	Continue responding to public reports 100%. <b>Measurable Goal:</b> Review and update (if necessary) written procedures for receiving, responding, and tracking public by the end of the permitting year.	Continue responding to public reports 100%. <b>Measurable Goal:</b> Review and update (if necessary) written procedures for receiving, responding, and tracking public by the end of the permitting year.	Continue responding to public reports 100%. <b>Measurable Goal:</b> Review and update (if necessary) written procedures for receiving, responding, and tracking public by the end of the permitting year.	Continue responding to public reports 100%. <b>Measurable Goal:</b> Review and update (if necessary) written procedures for receiving, responding, and tracking public by the end of the permitting year.	Continue responding to public reports 100%. <b>Measurable Goal:</b> Review and update (if necessary) written procedures for receiving, responding, and tracking public by the end of the permitting year.
4-6	MS4 Staff Training	<b>Measurable Goal:</b> Review and update (if necessary) the written procedures for staff to screen for potential illicit discharges while on construction sites by the end of the permitting year. <b>Measurable Goal:</b> Provide 8 to 16-hours of SWP3 review and inspection training to new staff who perform these duties by the end of the permitting year. <b>Measurable Goal:</b> Conduct 1-hour construction stormwater awareness training by the end of the permitting year.	<b>Measurable Goal:</b> Review and update (if necessary) the written procedures for staff to screen for potential illicit discharges while on construction sites by the end of the permitting year. <b>Measurable Goal:</b> Provide 8 to 16-hours of SWP3 review and inspection training to new staff who perform these duties by the end of the permitting year. <b>Measurable Goal:</b> Conduct 1-hour construction stormwater awareness training by the end of the permitting year.	<b>Measurable Goal:</b> Review and update (if necessary) the written procedures for staff to screen for potential illicit discharges while on construction sites by the end of the permitting year. <b>Measurable Goal:</b> Provide 8 to 16-hours of SWP3 review and inspection training to new staff who perform these duties by the end of the permitting year. <b>Measurable Goal:</b> Conduct 1-hour construction stormwater awareness training by the end of the permitting year.	<b>Measurable Goal:</b> Review and update (if necessary) the written procedures for staff to screen for potential illicit discharges while on construction sites by the end of the permitting year. <b>Measurable Goal:</b> Provide 8 to 16-hours of SWP3 review and inspection training to new staff who perform these duties by the end of the permitting year. <b>Measurable Goal:</b> Conduct 1-hour construction stormwater awareness training by the end of the permitting year.	<b>Measurable Goal:</b> Review and update (if necessary) the written procedures for staff to screen for potential illicit discharges while on construction sites by the end of the permitting year. <b>Measurable Goal:</b> Provide 8 to 16-hours of SWP3 review and inspection training to new staff who perform these duties by the end of the permitting year. <b>Measurable Goal:</b> Conduct 1-hour construction stormwater awareness training by the end of the permitting year.



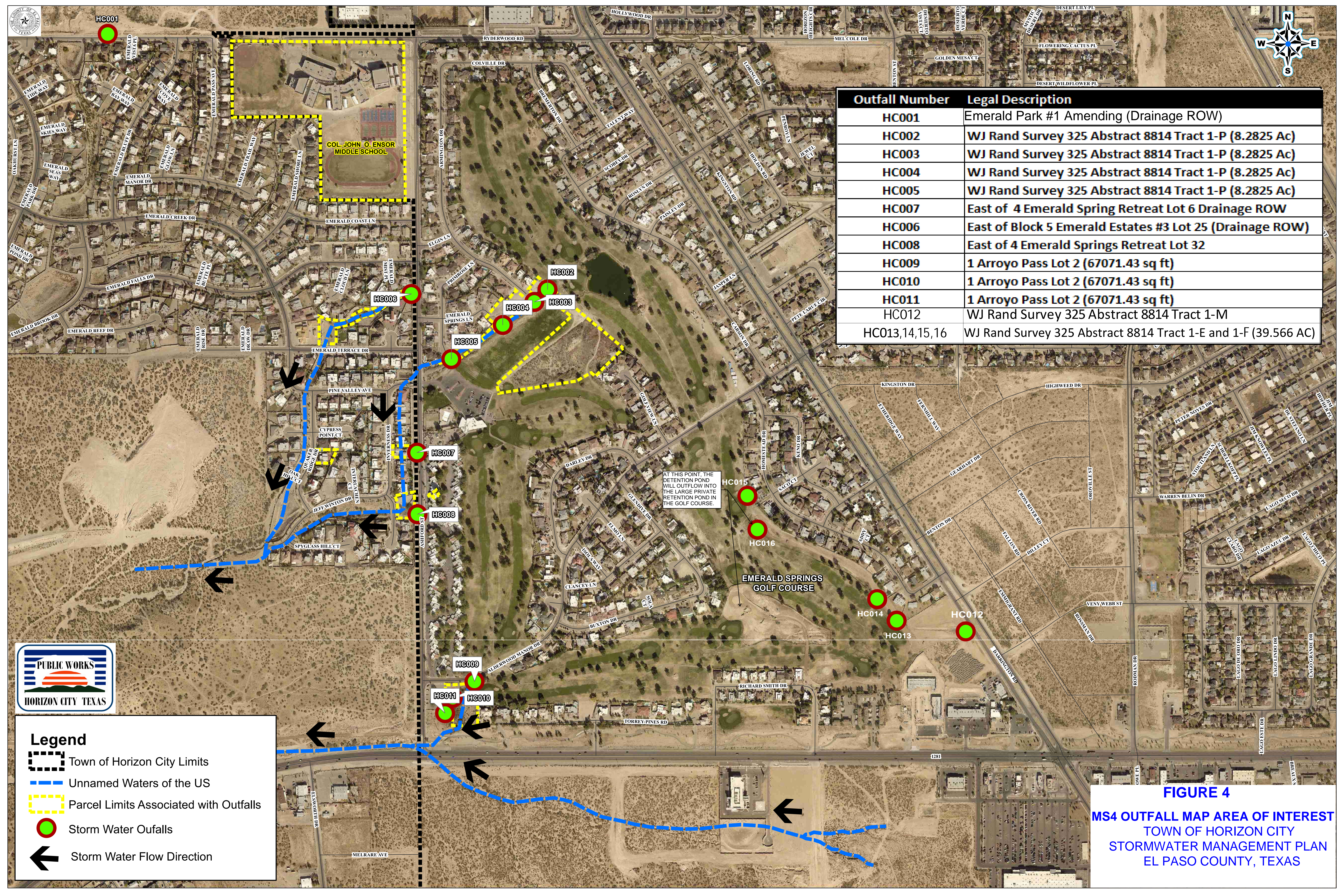
**Table 5: Post-Construction Stormwater Management in New Development and Redevelopment (MCM 5)  
Implementation Schedule and Measureable Goals**

<b>BMP No.</b>	<b>Title</b>	<b>Year 1 2023-2024</b>	<b>Year 2 2024-2025</b>	<b>Year 3 2025-2026</b>	<b>Year 4 2026-2027</b>	<b>Year 5 2027-2028</b>
5-1	Ordinance Requiring Retention	<i>Measurable Goal: Continue to utilize ordinances to require detention/retention structures and designed to meet the Town of Horizon City's standards during and/or by the end of the permitting year.</i>	<i>Measurable Goal: Continue to utilize ordinances to require detention/retention structures and designed to meet the Town of Horizon City's standards during and/or by the end of the permitting year.</i>	<i>Measurable Goal: Continue to utilize ordinances to require detention/retention structures and designed to meet the Town of Horizon City's standards during and/or by the end of the permitting year.</i>	<i>Measurable Goal: Continue to utilize ordinances to require detention/retention structures and designed to meet the Town of Horizon City's standards during and/or by the end of the permitting year.</i>	<i>Measurable Goal: Continue to utilize ordinances to require detention/retention structures and designed to meet the Town of Horizon City's standards during and/or by the end of the permitting year.</i>
5-2	Construction Records & Inspection for Detention/Retention Structures	<i>Measurable Goal: Review and update (if necessary) the procedures for documenting inspections and enforcing requirements when structures are not built according to plans reviewed and accepted by the town (Annually, by the end of the permitting year).</i>	<i>Measurable Goal: Review and update (if necessary) the procedures for documenting inspections and enforcing requirements when structures are not built according to plans reviewed and accepted by the town (Annually, by the end of the permitting year).</i>	<i>Measurable Goal: Review and update (if necessary) the procedures for documenting inspections and enforcing requirements when structures are not built according to plans reviewed and accepted by the town (Annually, by the end of the permitting year).</i>	<i>Measurable Goal: Review and update (if necessary) the procedures for documenting inspections and enforcing requirements when structures are not built according to plans reviewed and accepted by the town (Annually, by the end of the permitting year).</i>	<i>Measurable Goal: Review and update (if necessary) the procedures for documenting inspections and enforcing requirements when structures are not built according to plans reviewed and accepted by the town (Annually, by the end of the permitting year).</i>
5-3	Maintenance & Inventory of Detention/Retention Structures	<i>Measurable Goal: Review and update the maintenance schedule and written procedures for all drainage structures.  Measurable Goal: Update detention/retention map with any new structures resulting from new or re-development for recordkeeping purposes by the end of the permitting year.</i>	<i>Measurable Goal: Review and update the maintenance schedule and written procedures for all drainage structures.  Measurable Goal: Update detention/retention map with any new structures resulting from new or re-development for recordkeeping purposes by the end of the permitting year.</i>	<i>Measurable Goal: Review and update the maintenance schedule and written procedures for all drainage structures.  Measurable Goal: Update detention/retention map with any new structures resulting from new or re-development for recordkeeping purposes by the end of the permitting year.</i>	<i>Measurable Goal: Review and update the maintenance schedule and written procedures for all drainage structures.  Measurable Goal: Update detention/retention map with any new structures resulting from new or re-development for recordkeeping purposes by the end of the permitting year.</i>	<i>Measurable Goal: Review and update the maintenance schedule and written procedures for all drainage structures.  Measurable Goal: Update detention/retention map with any new structures resulting from new or re-development for recordkeeping purposes by the end of the permitting year.</i>
5-4	Inspection Reports	<i>Measurable Goal: Continue the construction inspection program to verify 100% of the detention/retention structure are built according to plans and maintain all written inspection records during and/or by the end of the permitting year.</i>	<i>Measurable Goal: Continue the construction inspection program to verify 100% of the detention/retention structure are built according to plans and maintain all written inspection records during and/or by the end of the permitting year.</i>	<i>Measurable Goal: Continue the construction inspection program to verify 100% of the detention/retention structure are built according to plans and maintain all written inspection records during and/or by the end of the permitting year.</i>	<i>Measurable Goal: Continue the construction inspection program to verify 100% of the detention/retention structure are built according to plans and maintain all written inspection records during and/or by the end of the permitting year.</i>	<i>Measurable Goal: Continue the construction inspection program to verify 100% of the detention/retention structure are built according to plans and maintain all written inspection records during and/or by the end of the permitting year.</i>



**Table 6: Pollution Prevention / Good Housekeeping for Municipal Operations (MCM 6)  
Implementation Schedule and Measureable Goals**

BMP No.	Title	Year 1 2023-2024	Year 2 2024-2025	Year 3 2025-2026	Year 4 2026-2027	Year 5 2027-2028
6-1	Permittee owned facilities and control inventory.	<i>Measurable Goal:</i> Develop good housekeeping procedures and BMPs by the end of the permitting year. <i>Measurable Goal:</i> Conduct self-inspections to identify new substances or operations that could be potential pollutant sources by the end of the permitting year.	<i>Measurable Goal:</i> Develop good housekeeping procedures and BMPs by the end of the permitting year. <i>Measurable Goal:</i> Conduct self-inspections to identify new substances or operations that could be potential pollutant sources by the end of the permitting year.	<i>Measurable Goal:</i> Develop good housekeeping procedures and BMPs by the end of the permitting year. <i>Measurable Goal:</i> Conduct self-inspections to identify new substances or operations that could be potential pollutant sources by the end of the permitting year.	<i>Measurable Goal:</i> Develop good housekeeping procedures and BMPs by the end of the permitting year. <i>Measurable Goal:</i> Conduct self-inspections to identify new substances or operations that could be potential pollutant sources by the end of the permitting year.	<i>Measurable Goal:</i> Develop good housekeeping procedures and BMPs by the end of the permitting year. <i>Measurable Goal:</i> Conduct self-inspections to identify new substances or operations that could be potential pollutant sources by the end of the permitting year.
6-2	Employee Training and Education	<i>Measurable Goal:</i> Conduct 1-hour in-house pollution prevention measures awareness training for staff that have potential to impact stormwater quality by the end of the permitting year. <i>Measurable Goal</i> Review and revise, if necessary, the written program/procedure to identify and track employee and areas of training needed for each employee by the end of the permitting year.	<i>Measurable Goal:</i> Conduct 1-hour in-house pollution prevention measures awareness training for staff that have potential to impact stormwater quality by the end of the permitting year. <i>Measurable Goal</i> Review and revise, if necessary, the written program/procedure to identify and track employee and areas of training needed for each employee by the end of the permitting year.	<i>Measurable Goal:</i> Conduct 1-hour in-house pollution prevention measures awareness training for staff that have potential to impact stormwater quality by the end of the permitting year. <i>Measurable Goal</i> Review and revise, if necessary, the written program/procedure to identify and track employee and areas of training needed for each employee by the end of the permitting year.	<i>Measurable Goal:</i> Conduct 1-hour in-house pollution prevention measures awareness training for staff that have potential to impact stormwater quality by the end of the permitting year. <i>Measurable Goal</i> Review and revise, if necessary, the written program/procedure to identify and track employee and areas of training needed for each employee by the end of the permitting year.	<i>Measurable Goal:</i> Conduct 1-hour in-house pollution prevention measures awareness training for staff that have potential to impact stormwater quality by the end of the permitting year. <i>Measurable Goal</i> Review and revise, if necessary, the written program/procedure to identify and track employee and areas of training needed for each employee by the end of the permitting year.
6-3	Contractors Requirements & oversight	<i>Measurable Goal:</i> Develop contract clauses and procedures to ensure contractor compliance with this SWMP by the end of the permitting year.	<i>Measurable Goal:</i> Monitor contractors for compliance with the SWMP during and by the end of the permitting year.	<i>Measurable Goal:</i> Monitor contractors for compliance with the SWMP during and by the end of the permitting year.	<i>Measurable Goal:</i> Monitor contractors for compliance with the SWMP during and by the end of the permitting year.	<i>Measurable Goal:</i> Monitor contractors for compliance with the SWMP during and by the end of the permitting year.
6-4	Waste Disposal Procedures	<i>Measurable Goal:</i> Develop written procedures to track the types and quantities of waste removed from the MS4 by the end of the permitting year.	<i>Measurable Goal:</i> Update the written procedures to track the types and quantities of waste removed from the MS4 by the end of the permitting year.	<i>Measurable Goal:</i> Update the written procedures to track the types and quantities of waste removed from the MS4 by the end of the permitting year.	<i>Measurable Goal:</i> Update the written procedures to track the types and quantities of waste removed from the MS4 by the end of the permitting year.	<i>Measurable Goal:</i> Update the written procedures to track the types and quantities of waste removed from the MS4 by the end of the permitting year.
6-5	Municipal Operations and Maintenance	<i>Measurable Goal:</i> Continue to evaluate operations and maintenance (O&M) activities for their potential to discharge pollutants. Perform maintenance on 100% of the cars and light duty trucks in the municipal fleet only at authorized commercial facilities during and by the end of the permitting year. <i>Measurable Goal:</i> Conduct self-inspections to determine if housekeeping practices and BMPs are effective and sufficient by the end of the permitting year.	<i>Measurable Goal:</i> Continue to evaluate operations and maintenance (O&M) activities for their potential to discharge pollutants. Perform maintenance on 100% of the cars and light duty trucks in the municipal fleet only at authorized commercial facilities during and by the end of the permitting year. <i>Measurable Goal:</i> Conduct self-inspections to determine if housekeeping practices and BMPs are effective and sufficient by the end of the permitting year.	<i>Measurable Goal:</i> Continue to evaluate operations and maintenance (O&M) activities for their potential to discharge pollutants. Perform maintenance on 100% of the cars and light duty trucks in the municipal fleet only at authorized commercial facilities during and by the end of the permitting year. <i>Measurable Goal:</i> Conduct self-inspections to determine if housekeeping practices and BMPs are effective and sufficient by the end of the permitting year.	<i>Measurable Goal:</i> Continue to evaluate operations and maintenance (O&M) activities for their potential to discharge pollutants. Perform maintenance on 100% of the cars and light duty trucks in the municipal fleet only at authorized commercial facilities during and by the end of the permitting year. <i>Measurable Goal:</i> Conduct self-inspections to determine if housekeeping practices and BMPs are effective and sufficient by the end of the permitting year.	<i>Measurable Goal:</i> Continue to evaluate operations and maintenance (O&M) activities for their potential to discharge pollutants. Perform maintenance on 100% of the cars and light duty trucks in the municipal fleet only at authorized commercial facilities during and by the end of the permitting year. <i>Measurable Goal:</i> Conduct self-inspections to determine if housekeeping practices and BMPs are effective and sufficient by the end of the permitting year.



Outfall Number	Legal Description
HC001	Emerald Park #1 Amending (Drainage ROW)
HC002	WJ Rand Survey 325 Abstract 8814 Tract 1-P (8.2825 Ac)
HC003	WJ Rand Survey 325 Abstract 8814 Tract 1-P (8.2825 Ac)
HC004	WJ Rand Survey 325 Abstract 8814 Tract 1-P (8.2825 Ac)
HC005	WJ Rand Survey 325 Abstract 8814 Tract 1-P (8.2825 Ac)
HC007	East of 4 Emerald Spring Retreat Lot 6 Drainage ROW
HC006	East of Block 5 Emerald Estates #3 Lot 25 (Drainage ROW)
HC008	East of 4 Emerald Springs Retreat Lot 32
HC009	1 Arroyo Pass Lot 2 (67071.43 sq ft)
HC010	1 Arroyo Pass Lot 2 (67071.43 sq ft)
HC011	1 Arroyo Pass Lot 2 (67071.43 sq ft)
HC012	WJ Rand Survey 325 Abstract 8814 Tract 1-M
HC013,14,15,16	WJ Rand Survey 325 Abstract 8814 Tract 1-E and 1-F (39.566 AC)

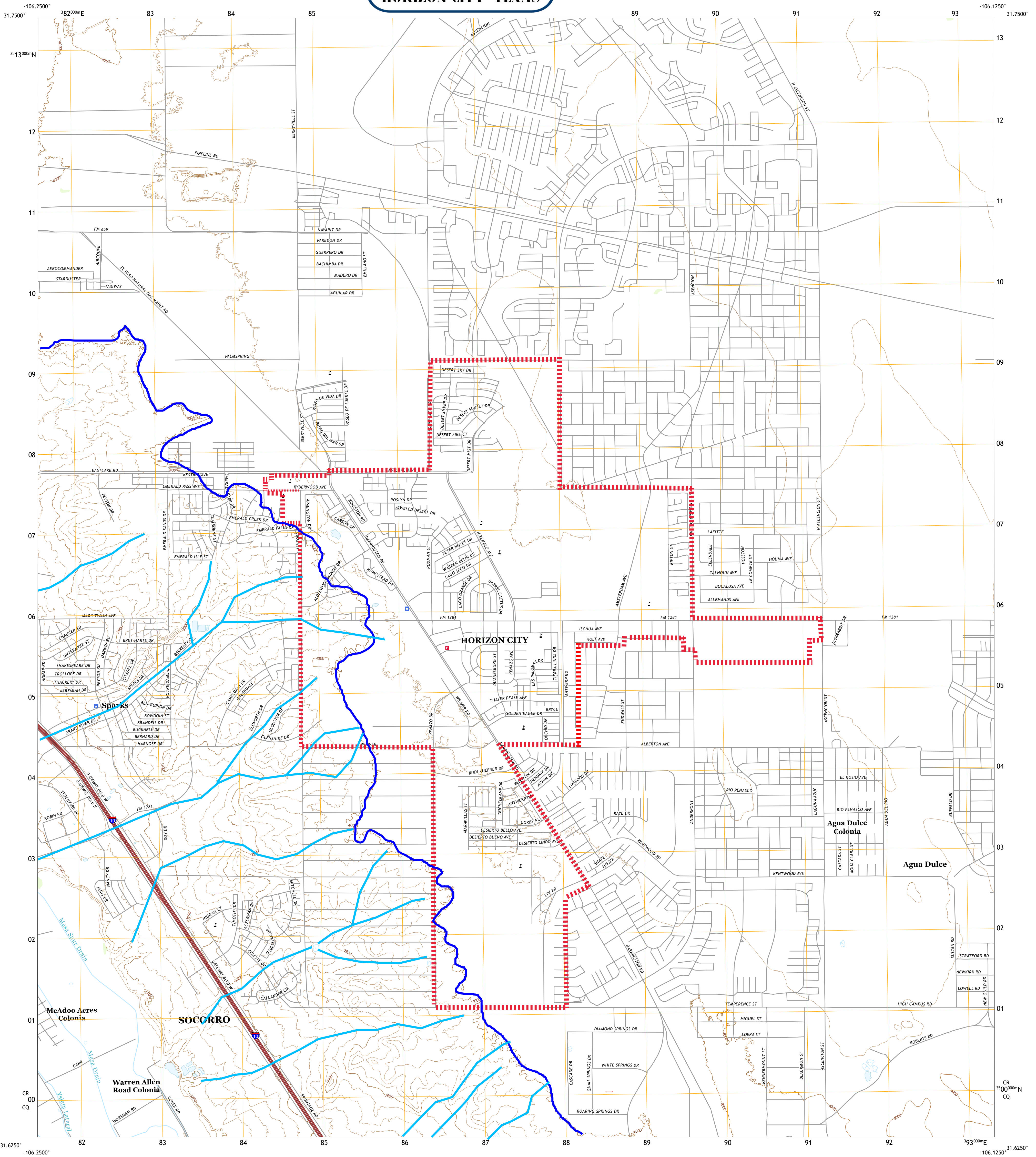


**Legend**

- Town of Horizon City Limits
- Unnamed Waters of the US
- Parcel Limits Associated with Outfalls
- Storm Water Outfalls
- Storm Water Flow Direction

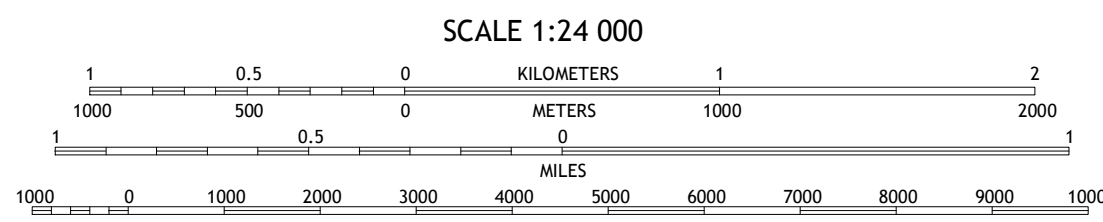
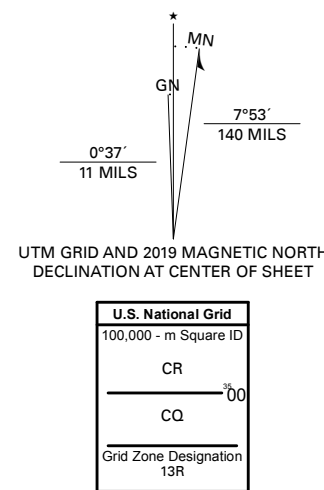
AT THIS POINT, THE DETENTION POND WILL OUTFLOW INTO THE LARGE PRIVATE RETENTION POND IN THE GOLF COURSE.

**FIGURE 4**  
**MS4 OUTFALL MAP AREA OF INTEREST**  
 TOWN OF HORIZON CITY  
 STORMWATER MANAGEMENT PLAN  
 EL PASO COUNTY, TEXAS



**FIGURE 3**  
**TOPOGRAPHIC AND DRAINAGE PLAN**  
**TOWN OF HORIZON CITY**  
**STORMWATER MANAGEMENT PROGRAM**  
**EL PASO COUNTY, TEXAS**

- LEGEND**
- ARROYO
  - ESCARPMENT
  - APPROXIMATE COORPORATE LIMITS IN 2019

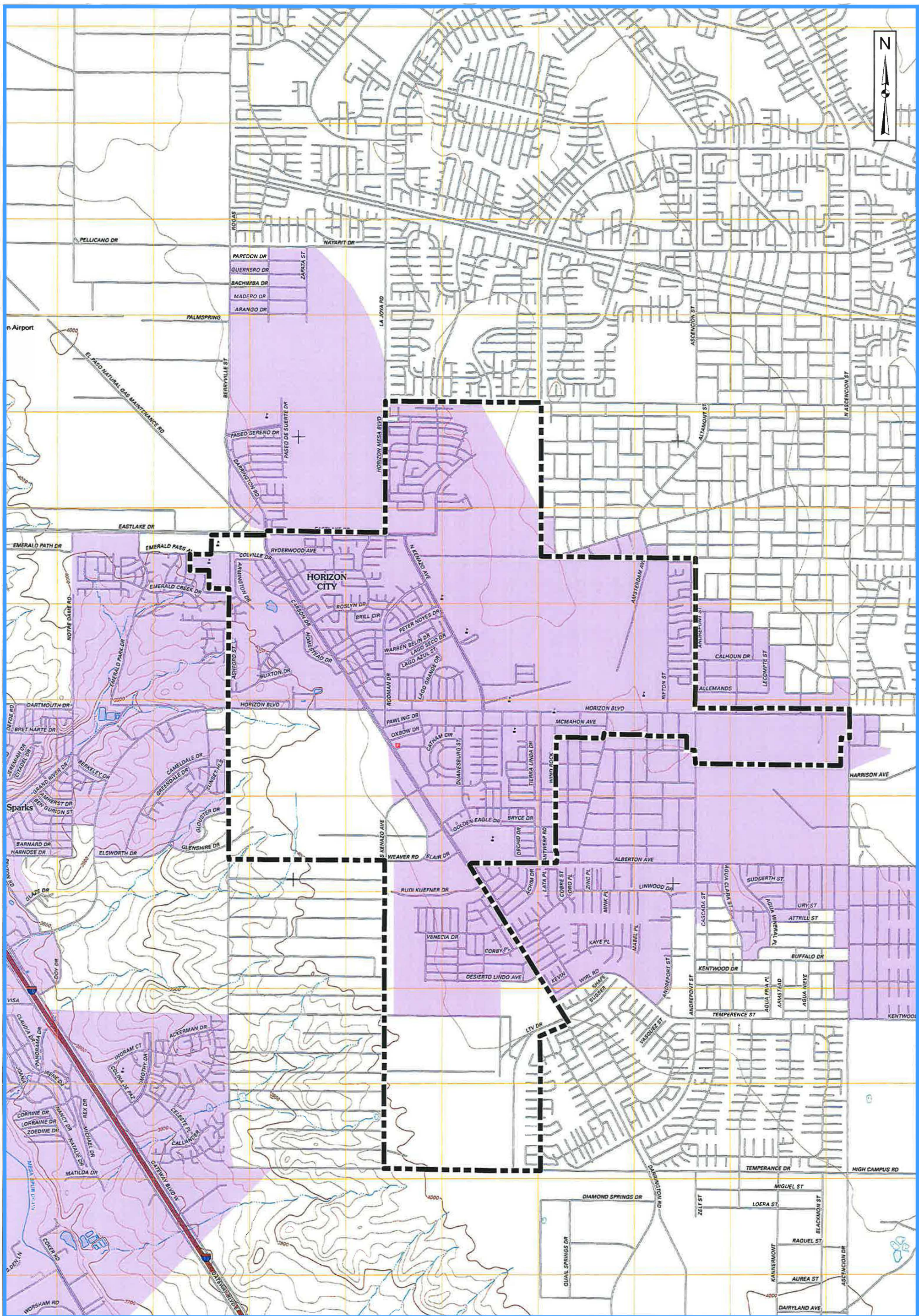


ADJOINING QUADRANGLES

1	2	3
4	5	6
7	8	9

- ROAD CLASSIFICATION**
- Expressway
  - Secondary Hwy
  - Ramp
  - Local Connector
  - Local Road
  - 4WD
  - Interstate Route
  - US Route
  - State Route

CONTOUR INTERVAL 20 FEET  
 NORTH AMERICAN VERTICAL DATUM OF 1988  
 This map was produced to conform with the National Geospatial Program US Topo Product Standard, 2011. A metadata file associated with this product is draft version 0.6.18



1 INCH = 3,000 FEET



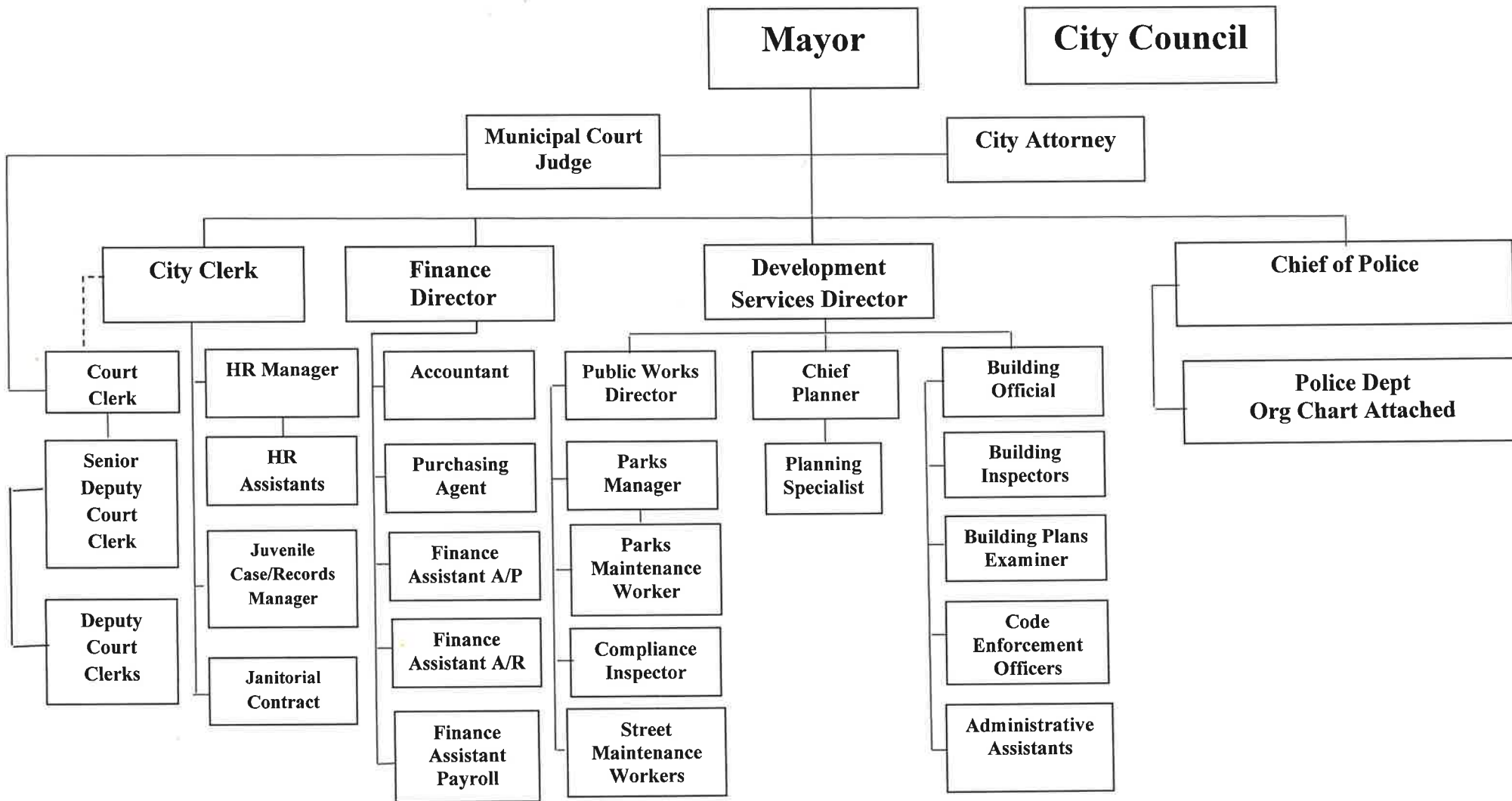
APPROXIMATE CORPORATE LIMITS IN 2024



URBANIZED AREA IN 2024


**FIGURE 1**  
**CORPORATE AND UA LIMITS**  
TOWN OF HORIZON CITY  
STORMWATER MANAGEMENT PROGRAM  
EL PASO COUNTY, TEXAS





Approved this 4 day of November, 2024.

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 Andres Renteria, Mayor



**FIGURE 2**  
 HORIZON CITY STAFF ORGANIZATIONAL CHART  
 TOWN OF HORIZON CITY  
 STORMWATER MANAGEMENT PLAN  
 EL PASO COUNTY, TX

**ORDINANCE NO. 0192**

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, ESTABLISHING REGULATIONS, PROHIBITIONS, REQUIREMENTS, REMEDIES, AND PENALTIES TO PROTECT STORMWATER IN THE MUNICIPAL SEPARATE STORM SEWER SYSTEM AND SURFACE WATER WITHIN THE TOWN OF HORIZON CITY, TX.**

**WHEREAS**, Section 402 of the federal Clean Water Act requires a permit to discharge from a Municipal Separate Storm Sewer System (MS4); and

**WHEREAS**, Section 26 of the Texas Water Code authorizes the Texas Commission on Environmental Quality to issue permits for discharges from a municipal storm sewer systems under the Texas Pollutant Discharge Elimination System (TPDES); and

**WHEREAS**, the Town of Horizon City operates a MS4 and has received TPDES permit authorization to discharge from the MS4; and

**WHEREAS**, the TPDES permit requires the Town of Horizon City to implement an ordinance to eliminate illicit discharges and to protect the MS4 from pollutants in stormwater runoff from construction sites; and

**WHEREAS**, the City Council of the Town of Horizon City desires to comply with federal and state regulations to protect stormwater quality and recognizes the importance of clean stormwater runoff and surface waters to the quality of life in the Town;

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS that;

Pursuant to ~~Sections~~ 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby enacts and adopts this ordinance which regulates stormwater quality and stormwater runoff within the territorial limits of the Town of Horizon City.



**ORDINANCE NO. 0192  
STORMWATER QUALITY PROTECTION**

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## **SECTION 1. ADOPTION AND TITLE**

These regulations and requirements are hereby adopted and shall be known as the "Stormwater Quality Protection Ordinance" of the Town of Horizon City, Texas.

## **SECTION 2. PURPOSE**

This Ordinance sets forth the minimum performance standards necessary to protect stormwater quality within the Town and to establish the various public and private responsibilities for providing this protection. Further, it is the purpose of this Ordinance to:

- (a) Maintain and improve the quality of stormwater runoff and surface water within the Town;
- (b) Prohibit illicit connections and discharges of pollutants from any person into the MS4 and surface water within the Town;
- (c) Establish legal authority to carry out all inspection, surveillance, and monitoring procedures necessary to ensure compliance with this Ordinance;
- (d) Promote public awareness of the hazards associated with the illegal discharge of petroleum products, household hazardous waste, sediment and waste from construction activity, wastes from industrial activity, and other pollutants into the MS4 and surface water;
- (e) Facilitate compliance with state and federal standards and permits by operators of industrial and construction activities within the Town;
- (f) Enable the Town to comply with federal and state laws and regulations applicable to stormwater discharges; and
- (g) Satisfy requirements of the TPDES general permit under which the TCEQ has authorized the Town to discharge from its MS4.

## **SECTION 3. ADMINISTRATION**

The Director of Public Works or his or her authorized representative will administer, implement, and enforce the provisions of this Ordinance.

## **SECTION 4. ACRONYMS AND DEFINITIONS**

### **4.1 ACRONYMS**

The following abbreviations, when used in this Ordinance, shall have the designated meanings:

CFR - Code of Federal Regulations

- CGP - Construction General Permit
- CSN - Construction Site Notice
- EPA - U.S. Environmental Protection Agency
- HHW - Hazardous Household Waste
- MS4 - Municipal Separate Storm Sewer System
- MSGP - Multi-Sector General Permit
- NOC - Notice of Change
- NOI - Notice of Intent
- NOT - Notice of Termination
- NPDES - National Pollutant Discharge Elimination System
- RQ - Reportable Quantity
- SWP3 - Storm Water Pollution Prevention Plan
- TAC - Texas Administrative Code
- TCEQ - Texas Commission on Environmental Quality
- TPDES - Texas Pollutant Discharge Elimination System
- USC - United States Code

## **4.2 DEFINITIONS**

**4.2.X COMMON PLAN OF DEVELOPMENT OR SALE** shall mean a construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development or sale is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities.

**4.2.X CONSTRUCTION ACTIVITY** shall mean any human activity that involves clearing, grading, excavation, or other placement, movement, removal, disposal of soil, rock, or other earthen materials that:

- (a) Disturbs equal to or greater than one (1) acre of total land area: or
- (b) Disturbs less than one (1) acre of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than one (1) acre of area. (For example, construction of a single-family residence on one lot in a subdivision where the developer and all builders combined will disturb one acre or more).

Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities).

- 4.2.X CONSTRUCTION SITE NOTICE (CSN)** shall mean the form, other than the Notice of Intent, required by the TCEQ to be posted at the site of construction activities, including the large CSN, small CSN, primary and secondary operator CSNs, or other TCEQ notice that the TPDES Construction General Permit requires to be posted based on size of the construction activity and role of the operator.
- 4.2.X CONTAMINATED** shall mean containing a harmful quantity of any substance.
- 4.2.X CONTAMINATION** shall mean the presence of or discharge into the MS4 or surface water any substance which may be of a harmful quantity.
- 4.2.X DAY** shall mean one (1) calendar day of 24 hours.
- 4.2.X DIRECTOR** shall mean the Director of the Department of Public Works or the Director's authorized representatives.
- 4.2.X DISCHARGE** shall mean to introduce, to allow to be introduced, to release, or to cause to be released any prohibited substance, pollutant, stormwater, or other material into the MS4 or surface water.
- 4.2.X DISCHARGER** shall mean any person who causes, allows, permits, or is otherwise responsible for a discharge, including, without limitation, any operator of a construction activity or industrial activity.
- 4.2.X DOMESTIC SEWAGE** shall mean human excrement, gray water (from home clothes washing, bathing, showers, dishwashing, and food preparation), other wastewater from household drains, and waterborne waste normally discharged from the sanitary conveyances of dwellings (including apartment houses and hotels), office buildings, factories, and institutions, that is free from industrial waste.

- 4.2.X ENVIRONMENTAL PROTECTION AGENCY (EPA)** shall mean the United States Environmental Protection Agency, or any duly authorized official of said agency.
- 4.2.X GARBAGE** shall mean putrescible animal and vegetable waste materials from the handling, preparation, cooking, or consumption of food, including waste materials from markets, storage facilities, and the handling and sale of produce and other food products.
- 4.2.X HARMFUL QUANTITY** shall mean the amount of any substance that will:
- (a) Violate a Water Quality Standard; or
  - (b) Cause pollution of the MS4; or
  - (c) Cause a film or sheen on the surface of water; or
  - (d) Damage the MS4; or
  - (e) Interfere with operation of the MS4, such as sediment blocking the MS4; or
  - (f) Be harmful to the public health, public welfare or the environment as determined by the Director.
- 4.2.X HAZARDOUS WASTE** shall mean any solid waste under 30 TAC §335.1 that is ignitable, corrosive, reactive, or toxic and/or is listed under the definition of hazardous waste in 40 CFR §261.3.
- 4.2.X HOUSEHOLD HAZARDOUS WASTE (HHW)** shall mean by-products generated in a household (including single and multiple residences, hotels and motels, bunk houses, ranger stations, crew quarters, camp grounds, picnic grounds, and day use recreational areas) by a residential consumer which, except for the exclusion provided in 40 CFR § 261.4(b)(1), would be classified as a hazardous waste under 40 CFR Part 261, such as paints, stains, varnishes, solvents, pesticides, herbicides, and other materials or products that can catch fire, react, explode, or are corrosive or toxic.
- 4.2.X INDUSTRIAL ACTIVITY** shall mean manufacturing, processing, material storage, and waste material disposal areas (and similar areas where stormwater can contact industrial pollutants related to industrial activity) at a facility included in any of the ten (10) categories in the definition of stormwater discharges associated with industrial activity in 40 CFR §122.26(b)(14)(i)-(ix) and (xi).

- 4.2.X INDUSTRIAL SOLID WASTE** shall mean any solid waste under 30 TAC §335.1 resulting from an industrial activity or other manufacturing, mining, or agricultural operation.
- 4.2.X MOTOR VEHICLE FLUID** shall mean any vehicle crankcase oil, antifreeze, transmission fluid, hydraulic fluid, brake fluid, differential lubricant, gasoline, diesel fuel, gasoline/alcohol blend, and any other fluid used in a motor vehicle.
- 4.2.X MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)** shall mean a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by the Town for collecting or conveying stormwater, and which is not used for collecting or conveying sewage.
- 4.2.X NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)** shall mean the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the federal Clean Water Act.
- 4.2.X NOTICE OF CHANGE (NOC)** shall mean the written notification from an operator to the TCEQ providing changes to information that was previously provided to the TCEQ in a Notice of Intent.
- 4.2.X NOTICE OF INTENT (NOI)** shall mean a written submission to the TCEQ from a person requesting coverage under the TPDES Construction General Permit, the TPDES Multi-Sector General Permit, or other TPDES general permit for the discharge of stormwater.
- 4.2.X NOTICE OF TERMINATION (NOT)** shall mean a written submission to the TCEQ from an operator authorized under a TPDES general permit requesting termination of coverage under the general permit.
- 4.2.X OPERATOR** shall mean for a **construction activity** the person or persons who meet either of the two following criteria:
- (a) The person or persons have operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
  - (b) The person or persons have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a Storm Water Pollution Prevention Plan (SWP3) for the site or other TPDES Construction General Permit conditions (e.g. they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

For an **industrial activity**, **OPERATOR** shall mean the person or persons responsible for the management of an industrial facility subject to the provisions of the TPDES Multi-Sector General Permit. Industrial facility operators include entities with operational control over industrial activities, including the ability to modify those activities; or entities with day-to-day operational control of activities at a facility necessary to ensure compliance with the MSGP (e.g, the entity is authorized to direct workers at a facility to carry out activities required by the permit).

**4.2.X PERSON** shall mean any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns.

**4.2.X POLLUTANT** shall mean dredged spoil; solid waste; incinerator residue; sewage; garbage; sewage sludge; munitions; chemical wastes; biological materials; radioactive materials; heat; wrecked or discarded equipment; rock; sand; cellar dirt; and industrial, municipal, recreational, and agricultural waste discharged into water or into the municipal separate storm sewer system. For the purpose of this ordinance, the term "pollutant" includes sediment.

**4.2.X POLLUTION** shall mean the alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any surface water in the state or waters of the United States, that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

**4.2.X QUALIFIED PERSONNEL** shall mean persons who possess the appropriate knowledge, skills, and ability (as demonstrated by sufficient education, training, experience, and/or, when applicable, any required certification or licensing) to perform a specific activity in a timely and complete manner consistent with the applicable regulatory requirements and generally-accepted industry standards for such activity. For construction activity SWP3 inspections, the knowledge, skills, and ability of the qualified personnel conducting the inspections must include knowledge of the TPDES CGP, familiarity with the construction site, and knowledge of the SWP3 for the site, as well as demonstrated:

- (a) Knowledge of the principles and practice of erosion and sediment control;
- (b) Knowledge of the principles and practice of pollution prevention;
- (c) Skills to assess conditions at the construction site that could impact stormwater quality; and

(d) Skills to assess the effectiveness of any stormwater controls selected to control the quality of stormwater discharges from the construction activity.

- 4.2.X RELEASE** shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into ground water, subsurface soils, surface soils, the MS4, surface water in the state, or waters of the United States.
- 4.2.X REPORTABLE QUANTITY (RQ)** shall mean the amount of a material or waste that when released within a 24- hour period, the person responsible for the release is required to notify the Town and state and federal authorities.
- 4.2.X RUBBISH** shall mean non-putrescible solid wastes that consist of (a) combustible waste materials, including paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, and similar materials; and (b) noncombustible waste materials, including glass, crockery, tin cans, aluminum cans, metal furniture, and similar materials that do not burn at ordinary incinerator temperatures (1600 to 1800 degrees Fahrenheit).
- 4.2.X SMALL CONSTRUCTION ACTIVITY** shall mean a construction activity that results in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale, if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land.
- 4.2.X STORMWATER** and **STORMWATER RUNOFF** shall mean any natural flow of water occurring during, following, or as a result of rainfall or snow melt.
- 4.2.X STORM WATER POLLUTION PREVENTION PLAN (SWP3)** shall mean a document required by the TPDES Construction General Permit or TPDES Multi-Sector General Permit and which describes and ensures the implementation of controls and management practices to reduce the pollution discharged from the construction or industrial activity.
- 4.2.X SURFACE WATER IN THE STATE** and **SURFACE WATER** shall mean lakes, bays, ponds, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, and all other bodies of surface water, natural or artificial, navigable or nonnavigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be in the state.
- 4.2.X TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)** shall mean the State of Texas agency by that name, the regional office thereof, any



state department, agency or commission that may succeed to the authority of the TCEQ, and any duly authorized official of TCEQ or such successor agency.

- 4.2.X TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM (TPDES)** shall mean the program delegated to the State of Texas by the EPA pursuant to 33 USC § 1342(b).
- 4.2.X TPDES GENERAL PERMIT RELATING TO STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES SITES OR “CONSTRUCTION GENERAL PERMIT (CGP)”** shall mean the current TPDES Construction General Permit issued by TCEQ, as authorized under provision of Section 402 of the Clean Water Act and Chapter 26 of the Texas Water Code, and known as TPDES General Permit TXR150000 effective March 5, 2008, and its successors.
- 4.2.X TPDES GENERAL PERMIT RELATING TO STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY OR “MULTI-SECTOR GENERAL PERMIT” (MSGP)** shall mean the current TPDES Multi-Sector General Permit issued by TCEQ, as authorized under provisions of Section 402 of the Clean Water Act and Chapter 26 of the Texas Water Code, and known as TPDES General Permit 050000 effective August 14, 2006, and its successors.
- 4.2.X TOWN** shall mean the Town of Horizon City, Texas.
- 4.2.X UNCONTAMINATED** shall mean not containing a harmful quantity of any substance.
- 4.2.X WASTEWATER** shall mean any water or other liquid, other than uncontaminated stormwater, discharged from a facility or activity.
- 4.2.X WATER QUALITY STANDARD(S)** shall mean the explicit goals established for surface water in the state as codified in Title 30, Chapter 307 of the Texas Administrative Code.
- 4.2.X WATERS OF THE UNITED STATES** shall mean:
- (a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce;
  - (b) All interstate waters, including interstate wetlands;
  - (c) All other waters, such as intrastate lakes, rivers, streams (including intermittent streams), wetlands, prairie potholes, playa lakes, or natural ponds that the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce;

- (d) All impoundments of waters otherwise defined as waters of the United States under the federal definition of *WATERS OF THE UNITED STATES* at 40 CFR § 122.2;
- (e) All tributaries of waters identified in this definition; and
- (f) All wetlands adjacent to waters identified in this definition; but
- (g) Not including any waste treatment systems, treatment ponds, or lagoons designed to meet the requirements of the federal Clean Water Act.

## **SECTION 5. GENERAL PROHIBITION**

- 5.1** No person(s) shall introduce or cause to be introduced into the Municipal Separate Storm Sewer System (MS4), surface water in the state, or waters of the United States any discharge that is not composed entirely of stormwater.
- 5.2** It is an affirmative defense to any enforcement action for violation of Subsection 5.1 of this section, upon presentation of evidence by the discharger, that the discharge was composed entirely of one or more of the following categories of discharges:
  - (a) Water line flushing (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
  - (b) Runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, groundwater, or surface water sources;
  - (c) Discharges from potable water sources;
  - (d) Diverted stream flows;
  - (e) Rising ground water and springs;
  - (f) Uncontaminated ground water infiltration;
  - (g) Uncontaminated pumped ground water;
  - (h) Foundation and footing drains;
  - (i) Air conditioning condensation;
  - (j) Water from crawl space pumps;
  - (k) Individual residential vehicle washing;

- (l) Flows from wetlands and riparian habitats;
  - (m) Dechlorinated swimming pool discharges;
  - (n) Street wash water;
  - (o) Discharges or flows from fire fighting activities (fire fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, and similar activities);
  - (p) Other allowable non-stormwater discharges listed in 40 CFR §122.26(d)(2)(iv)(B)(1);
  - (q) Non-stormwater discharges that are specifically listed in the TPDES Multi-Sector General Permit or the TPDES Construction General Permit; or
  - (r) Other similar occasional incidental non-stormwater discharges, unless the TCEQ develops permits or regulations addressing these discharges.
- 5.3** No affirmative defense shall be available under Subsection 5.2 of this Section if the discharge or flow in question has been determined by the Director to be a pollutant to or to cause pollution of the MS4, surface water in the state, or waters of the United States, and written notice of such determination has been provided to the discharger.
- 5.4** The burden of proof that a discharge was composed entirely of one or more of the categories in Subsection 5.2 and that it was not a source of a pollutant or did not cause pollution of the MS4, surface water in the state, or waters of the U.S. is upon the person responsible for the discharge.

**SECTION 6. SPECIFIC PROHIBITIONS AND REQUIREMENTS**

- 6.1** The specific prohibitions and requirements in this section are within but do not limit the general prohibition in Section 5.
- 6.2** No person shall introduce or cause to be introduced into the MS4 any discharge that causes or contributes to causing the Town to violate a Water Quality Standard, the Town's TPDES permit for discharges from its MS4, or any federal or state issued discharge permit for discharges from its MS4.
- 6.3** No person shall discharge any of the following substances into the MS4, surface water in the state, or waters of the United States:
- (a) Any new or used motor oil, antifreeze, or any other motor vehicle fluid;
  - (b) Any hazardous waste, including household hazardous waste;

- (c) Any garbage, domestic sewage or septic tank waste, cooking oil, grease trap waste, or grit trap waste;
- (d) Any trash, rubbish, yard waste, or other floatable material;
- (e) Any wastewater from a commercial car wash facility; from any vehicle washing, cleaning, or maintenance at any new or used automobile or other vehicle dealership, body shop, repair shop, or maintenance facility, with the exception that the exterior of new or used automobiles for sale at a dealership may be rinsed with non-heated potable water as long as no pollutants (including but not limited to detergent, surfactants, emulsifiers, etc.) enter the MS4;
- (f) Any wastewater from a commercial mobile power washer or from the washing or other cleaning of a building exterior or exterior mechanical equipment that contains any soap, detergent, degreaser, solvent, other cleaning substance, or a pollutant from the item that is being cleaned, or that has been produced by wash water applied at pressures elevated above the distribution system pressure, or that is at a temperature that has been elevated by induced heating;
- (g) Any wastewater from commercial floor, rug, or carpet cleaning;
- (h) Any wastewater from the wash-down or cleaning of parking lots, streets, or other pavement that contains soap, detergent, solvent, degreaser, emulsifier, dispersant, or any other cleaning substance, or that has been produced by wash water applied at pressures elevated above the distribution system pressure, or that is at a temperature that has been elevated by induced heating; or any wastewater from the washing or cleaning of parking lots, streets, or other pavement where any spill, leak, or other release of hazardous material, hazardous substance, hazardous waste or other pollutant has occurred;
- (i) Any effluent from a cooling tower, condenser, compressor, emissions scrubber, emissions filter, or the blowdown from a boiler;
- (j) Any ready-mixed concrete, mortar, ceramic, or asphalt base material or hydromulch material, or from the cleaning of commercial vehicles or equipment containing, or used in transporting or applying, such material;
- (k) Any filter backwash from a swimming pool, fountain, or spa;
- (l) Any discharge from water line disinfection by superchlorination or other means if it contains any harmful quantity of chlorine or any other chemical used in line disinfection;
- (m) Any runoff or washdown water from an animal pen, kennel, or fowl or livestock containment area; or

(n) Any substance or material that will damage, block, or clog the MS4.

**6.4** No person shall connect a line conveying sanitary sewage, domestic or industrial, to the MS4, or allow such a connection to continue.

## **SECTION 7. RELEASE REPORTING AND CLEANUP**

**7.1** The person who owns or operates a vehicle, facility, activity, or other source of any spill, discharge, or other release that may flow, leach, enter, or otherwise be introduced into the MS4 or surface water in the state shall notify the Town as soon as practicable and in no case later than 24 hours after discovering a release of the following:

(a) An amount equal to or in excess of a reportable quantity of a hazardous substance, as established by 40 CFR §302.4, except where the RQ is greater than 100 pounds, in which case the RQ shall be 100 pounds;

(b) An amount equal to or in excess of a reportable quantity of an extremely hazardous substance, as established under 40 CFR Part 355;

(c) An amount of petroleum product or used oil of either:

(1) 5 gallons or more if spilled or released onto land; or

(2) Sufficient to create a sheen if discharged or released directly into the MS4 or surface water in the state.

(d) An amount equal to or in excess of 25 pounds of industrial solid waste or other industrial substance.

**7.2** The initial notification shall include the following information, to the extent known:

(a) Name, address, and telephone number of the person making the report;

(b) Date, time, and location of the release;

(c) Specific description or identification of the oil, petroleum product, hazardous substance, or other substances released;

(d) Estimate of the quantity released;

(e) Duration of the incident;

(f) Name or description of the street, MS4 structure, or surface water affected or threatened by the release;

(g) Source of the release;

- (h) Description of the extent of actual or potential water pollution or harmful impacts to the environment and an identification of any environmentally sensitive areas or natural resources at risk;
- (i) If different from subpart (a) of this subsection, the names, addresses, and telephone numbers of the responsible person and the contact person at the location of the release;
- (j) Description of any actions that have been taken, are being taken, and will be taken to contain and respond to the release;
- (k) Any known or anticipated health risks;
- (l) Identity of any governmental representatives, including local authorities or third parties, responding to the release; and
- (m) Any other information that may be significant to the response action.

7.3 Within fourteen (14) days following such release, the responsible person in charge of the vehicle, facility, activity, or other source of the release shall, unless waived by the Town, submit a written report containing the items specified above and the following additional information:

- (a) The ultimate duration, concentration, and quantity of the release;
- (b) All actions taken to respond to, contain, and clean up the released substances, and all precautions taken to minimize the impacts;
- (c) Any known or anticipated acute or chronic health risks associated with the release;
- (d) Where appropriate, advice regarding medical attention necessary for exposed individuals;
- (e) The identity of any governmental/private sector representatives responding to the release; and
- (f) The measures taken or to be taken by the responsible person(s) to prevent similar future occurrences.

7.4 Any release report required by a state or federal authority containing the information described above shall be adequate to meet the reporting requirements for submittal to the Town.

7.5 The notifications required above shall not relieve the responsible person of any expense, loss, damage, or other liability which may be incurred as a result of the release, including

any liability for damage to the Town, to natural resources, or to any other person or property; nor shall such notification relieve the responsible person of any fine, penalty, or other liability which may be imposed pursuant to this Ordinance or to state or federal law.

- 7.6 Any person responsible for any release as described above shall comply with all state, federal, and any other local law requiring reporting, cleanup, containment, and any other appropriate remedial action in response to the release.
- 7.7 Any person responsible for a release described in above shall reimburse the Town for any cost incurred by the Town in responding to the release.

**SECTION 8. STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY**

- 8.1 All operators of a construction activity shall comply with the requirements, effluent limitations, certifications, notices, inspections, and all other applicable conditions of the TPDES Construction General Permit, except where alternative TPDES permit coverage is obtained for the discharge of stormwater and eligible non-stormwater discharges from the construction activity.
- 8.2 Unless a waiver is applicable (refer to sub-section 8.3), all operators of a construction activity shall prepare and submit to the Town a Storm Water Pollution Prevention Plan (SWP3) at least seven (7) days prior to commencing construction activity. The SWP3 shall be in accordance with the requirements for a SWP3 in the TPDES CGP. For more effective coordination of management practices, preparation and implementation of a single, comprehensive SWP3 for all operators and phases of construction at a site is encouraged.
- 8.3 Small construction activities that meet the criteria for a waiver from coverage under the TPDES CGP may submit to the Town a copy of the completed TCEQ Low Rainfall Erosivity Waiver Form instead of a SWP3. The form shall be submitted to the Town at least seven (7) days prior to commencing construction activities. The Town may require submission of a SWP3 if the Town determines upon review or a site inspection that the construction activity is operating beyond the limits of the waiver's applicability.
- 8.4 The Town may review a submitted SWP3 and require changes be made to the SWP3 and the SWP3 resubmitted if, in the professional judgment of the Director, the SWP3 does not comply with the requirements of the TPDES CGP or will not be effective in controlling erosion and the discharge of soil, wastes, and other pollutants to the extent practicable. The deficiencies in the SWP3 will be provided in writing.
- 8.5 All operators of a construction activity shall submit to the Town a signed copy of its Notice of Intent (NOI) and/or Construction Site Notice (CSN), as applicable under the TPDES CGP. The NOI and/or CSN shall be submitted at least (7) days prior to commencing construction activities and shall be posted at the construction site prior to the commencement of construction activities. The NOI and/or CSN must be posted in a

location where it is safely and readily available for viewing by the general public and local, state, and federal authorities.

- 8.6 Qualified personnel (provided by the operator of the construction activity) shall inspect disturbed areas of any construction site that has not been finally stabilized, areas used for storage of materials that are exposed to precipitation, discharge locations, structural controls, and locations where vehicles enter or exit the site, in accordance with the inspection schedule and procedures in the SWP3 for the construction activity. All erosion and sediment control measures and other management practices shall be observed in order to ensure they are operating correctly and are effective in minimizing the discharge of soil, wastes, and other pollutants. Based on the results of the inspection, the operator of the construction activity shall maintain, repair, or replace controls and management practices, as appropriate. At a minimum, controls and management practices shall be cleaned and repaired or replaced as needed when their capacity is reduced by fifty percent.
- 8.7 The Town may inspect a construction activity for compliance with its SWP3 and the TPDES CGP. Notice of deficiencies will be provided in writing, and the Director will give a reasonable amount time, not to exceed ten (10) days, to implement the necessary corrective actions.
- 8.8 The Town may deny approval of any building permit, grading permit, subdivision plat, site development plan, inspection, or any other approval necessary to commence or continue construction, or to assume occupancy, on the grounds that the controls and management practices described in the SWP3 reviewed by the Town or observed on a site inspection by the Town are determined by the Director to not be sufficient to minimize the discharge of soil, wastes, and other pollutants associated with construction activity to the extent practicable.
- 8.9 An operator who is denied an approval may appeal the decision to the City Council. The appeal shall be initiated by filing a written notice of appeal with the Director within fourteen (14) days from the date of the denial by the Director. The notice of appeal shall cite the factual basis for the appeal and the relief sought and shall be accompanied by relevant supporting documents. The City Council may affirm, reverse, or modify the decision of the Director.

## **SECTION 9. STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY**

- 9.1 All operators of an industrial activity shall comply with the requirements, effluent limitations, certifications, notices, inspections, discharge monitoring, and all other applicable conditions of the TPDES Multi-Sector General Permit, except where alternative TPDES permit coverage is obtained for the discharge of stormwater and eligible non-stormwater discharges from the industrial activity.



- 9.2 The Town may require submission of an industrial facility's SWP3 to the Town upon determination by the Director that an industrial activity may be introducing pollutants to the MS4 or surface water in the state. The Town may review a submitted SWP3 and require changes be made to the SWP3 and the SWP3 resubmitted if, in the professional judgment of the Director, or authorized representative, the SWP3 does not comply with the requirements of the TPDES MSGP. The deficiencies in the SWP3 will be provided in writing, and the Director will give the operator a reasonable amount of time, not to exceed twenty-one (21) days, to make the necessary changes and resubmit the SWP3.
- 9.3 The Town may inspect an industrial activity for compliance with its SWP3 and the TPDES MSGP. Notice of deficiencies will be provided in writing, and the Director will give a reasonable amount time, not to exceed ten (10) days, to implement the necessary corrective actions.

## **SECTION 10. CITIZEN PARTICIPATION**

- 10.1 All citizens are encouraged to report to the Town any spills, releases, illicit connections, discharges from construction activity, other instances of a person or persons discharging pollutants into the MS4 or surface water in the state, and any other violation of this Ordinance of which they become aware. Such citizen reports may be made by telephone, in writing, or in person.
- 10.2 The Town will designate an individual or office to receive all such citizen reports and will establish a phone number and publish the number to facilitate citizen reports.

## **SECTION 11. RIGHT OF ENTRY**

- 11.1 The Director may enter premises or vehicles regulated by this Ordinance at all reasonable times, whenever it is necessary to make an inspection to enforce any of the provisions of this Ordinance, to inspect permits and records required by this Ordinance, to collect water, waste, or wastewater samples, or whenever probable cause exists to believe that a violation of this Ordinance or other environmental laws exists on such premises.
- 11.2 The Director shall first present credentials and demand entry if the premises are occupied. If the premises are unoccupied, a reasonable attempt to locate the owner or person in control of the premises and demand entry shall be made.
- 11.3 Where premises have security measures in force which require proper identification and clearance before entry into its premises, the person in control of the premises shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Director will be permitted to enter without delay for the purposes of performing specific responsibilities.
- 11.4 If entry is denied or if a person in control cannot be located, the Director shall have every recourse provided by law to secure entry. Such recourse shall include the right to obtain a search warrant under the guidelines of the Texas Code of Criminal Procedure, and for

the purposes of same, any person with enforcement authority under this Ordinance is hereby declared to be a "health officer."

## **SECTION 12. ADMINISTRATIVE ENFORCEMENT REMEDIES**

### **12.1 NOTICE OF VIOLATION**

When the Town finds that any person has violated, or continues to violate, any provision of this Ordinance, or any order issued hereunder, the Town may serve upon that person a written Notice of Violation. Within ten days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention of reoccurrence thereof, to include specific required actions, shall be submitted by the alleged violator to the Town. If the alleged violator denies that any violation occurred or contends that no corrective action is necessary, an explanation of the basis of any such denial or contention shall be submitted to the Town within ten days of receipt of the notice. Submission of an explanation or plan in no way relieves the alleged violator of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the Town to take any action, including emergency action or any other enforcement action, without first issuing a notice of violation.

### **12.2 EMERGENCY CEASE AND DESIST ORDER**

**12.2.1** When the Town finds that any person has violated, or continues to violate, any provision of this Ordinance, or any order issued hereunder, or that the person's past violations are likely to recur, and that the person's violation(s) have caused or contributed to an actual or threatened discharge to the MS4, surface waters in the state, or waters of the United States, which reasonably appears to present an imminent or substantial endangerment to the health or welfare of persons or to the environment, the Town may issue an order to the violator directing it immediately to cease and desist all such violations and directing the violator to:

- (a) Immediately comply with all Ordinance requirements; and
- (b) Take such appropriate preventive action as may be needed to properly address a continuing or threatened violation, including immediately halting operations and terminating the discharge.

**12.2.2** Any person notified of an emergency order directed to it under this section shall immediately comply and stop or eliminate its endangering discharge. In the event of a person's failure to immediately comply voluntarily with the emergency order, the Town may take such steps as deemed necessary to prevent or minimize harm to the MS4, surface water in the state, or waters of the United States, or endangerment to persons or to the environment; including immediate termination of a facility's water supply, sewer connection, or other municipal utility services. The Town may allow the person to recommence its discharge when it has demonstrated to the satisfaction of the Director that the period of endangerment

has passed, unless further termination proceedings are initiated against the discharger under this chapter. A person that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful discharge and the measures taken to prevent any future occurrence, to the Town within five (5) days of receipt of the emergency order. Issuance of an emergency cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the violator.

### **12.3 STOP WORK ORDER**

**12.3.1** Whenever the Town finds that any operator of a facility or activity, to include a construction site, has violated, or continues to violate, any provision of this Ordinance, or any permit or order issued thereunder, the Director may order that a Stop Work Order be issued to the operator, posted at the facility, and distributed to all Town departments and divisions whose decisions affect any activity at the facility.

**12.3.2** Unless express written exception is at issuance, the Stop Work Order shall prohibit any further activity at the entire facility and site and shall bar any further inspection or approval by the Town associated with a building permit, grading permit, subdivision plat approval, site development plan approval, or any other Town approval necessary to commence or continue activity or to assume occupancy of the facility.

**12.3.3** A person receiving an order under this section may file a written notice of appeal with the Director, no later than the tenth day after receipt of the order. Such notice shall include an explanation as to why the person believes the enforcement action should not be taken.

**12.3.4** Issuance of a Stop Work Order shall not be a bar against, or a prerequisite for, taking any other action against the violator.

### **12.4 NUISANCE ABATEMENT**

**12.4.1** A violation of any provision of this Ordinance, if it exists within the corporate limits of the Town or within 5,000 feet of such limits, or of any order issued hereunder, is hereby declared a public nuisance and shall be corrected and remediated by the person(s) creating the nuisance. The Town may give notice to cease, abate, remove, or otherwise remedy a nuisance immediately to:

(a) The owner of property upon which a nuisance is located or from which a nuisance originated or is emanating. If the person creating, allowing, or maintaining the nuisance is not the owner of the property, notice shall also be given to such person; or

(b) Any person creating, allowing, or maintaining a nuisance.

**12.4.2** The notice may order the owner/person to undertake and implement any appropriate action:

- (a) To remediate and/or abate any adverse effects of the nuisance upon the MS4, surface waters in the state, waters of the United States, or any other aspect of the environment; and/or
- (b) To restore any part of the MS4, surface waters in the state, waters of the United States, or any other aspect of the environment that has been harmed.

The notice may direct that the remediation, abatement, and/or restoration be accomplished on a specified compliance schedule and/or be completed within a specified period of time. An order issued under this section does not relieve the violator of liability for any violation, including any continuing violation.

**12.4.3** Any owner on whose property the public nuisance is occurring or from which the nuisance is emanating or any person(s) creating a public nuisance shall institute and complete all actions necessary to remediate and/or abate the effects of such nuisance and restore any damages done. Such remedial, abatement, and restoration action may include, but not be limited to:

- (a) Monitoring, assessment, and evaluation of the adverse effects and determination of the appropriate remedial, abatement, and/or restoration action;
- (b) Confinement, removal, cleanup, treatment, and disposal of any discharged or released pollution or contamination;
- (c) Prevention, minimization, and/or mitigation of any damage to the public health, welfare, or the environment that may result from the nuisance; and
- (d) Restoration or replacement of Town property or natural resources damaged by the nuisance.

**12.4.4** If the owner or person(s) responsible for creating the public nuisance fails to correct and remediate the nuisance within ten (10) days of the notice being served, the Director may enter any public or private property containing the nuisance and do any work necessary to abate the nuisance, except the demolition of buildings. The person(s) creating the nuisance shall be jointly and severally liable for the cost of such correction and abatement in accordance with state and local law.

**12.4.5** If the immediate abatement of the nuisance is deemed necessary by a Director to protect the environment or the public health, safety, or welfare from an imminent and substantial endangerment, the Director may, without complying with the notice provisions of this section or without waiting the ten-day period, enter the

subject property and do or cause to be done any work necessary to abate the nuisance and remediate and restore the environment.

**12.4.6** After abating the nuisance, the Director may inform the owner/person in a notice sent certified mail, return receipt requested, that if the owner/person commits another violation of the same kind or nature that poses a danger to the environment or to the public health and safety on or before the first anniversary date of the original notice, the Town may without further notice correct the violation at the owner's expense and assess the expense against the owner's property.

**12.4.7** All costs incurred by the Town to abate a nuisance and remediate and restore the environment, including the cost of giving notice as required, will initially be paid by the Town and shall be charged to the owner of the property.

**12.4.8** To obtain a lien against the property, the Director causing the abatement shall file a statement of expenses with the El Paso County Clerk. The lien statement shall state the name of the owner, if known, and the legal description of the property. The lien shall be security for the costs incurred and interest accruing at the rate of 10% on the amount due from the date of payment by the Town. The lien is inferior only to:

(a) Tax liens; and

(b) Liens for street improvements.

**12.4.9** A lien may not be filed against real estate protected by the homestead provisions of the Texas Constitution.

## **SECTION 13. CIVIL AND CRIMINAL PENALTIES**

### **13.1 CIVIL REMEDIES**

Pursuant to Section 54.012(5) of the Texas Local Government Code, the provisions of Subchapter B of Chapter 54 of the Texas Local Government Code are hereby implemented for any violation of this Ordinance, any such violation being classified by the Texas Penal Code as a Class C misdemeanor, so that the Town may seek civil penalties and injunctive relief under the provisions of Subchapter B of Chapter 54.

### **13.2 CRIMINAL PENALTIES**

**13.2.1** Except as otherwise provided in this Ordinance, any person who has violated any provision of this Ordinance, or any order issued hereunder, shall be strictly liable for such violation regardless of the presence or absence of a culpable mental state and shall, upon conviction, be subject to a fine of not more than \$2,000 per

violation, per day, or any greater fine authorized by state statute. Each day, or portion of a day, for which a violation occurs shall constitute a separate violation.

**13.2.2** Any person who has knowingly made any false statement, representation, or certification in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this Ordinance, or any order issued hereunder, or who has falsified, tampered with, or knowingly rendered inaccurate any monitoring device or method required under this Ordinance shall, upon conviction, be subject to a fine of not more than \$2,000 per violation, per day, or any greater fine authorized by state statute. Each day, or portion of a day, for which a violation occurs shall constitute a separate violation.

**13.2.3** In determining the amount of any fine imposed hereunder, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the violation, corrective actions by the violator, the compliance history of the violator, the knowledge, intent, negligence, or other state of mind of the violator, and any other factor as justice requires.

### **13.3 Civil Suit under the Texas Water Code**

Whenever it appears that a violation or threat of violation of any provision of Section 26.121 of the Texas Water Code, or any rule, permit, or order of the Texas Commission on Environmental Quality, has occurred or is occurring within the jurisdiction of the Town, exclusive of its extraterritorial jurisdiction, the Town, in the same manner as the TCEQ, may have a suit instituted in a state district court through its City Attorney for the injunctive relief or civil penalties or both authorized in subsection (a) of Section 26.123 of the Texas Water Code, against the person who committed or is committing or threatening to commit the violation. This power is exercised pursuant to Section 26.124 of the Texas Water Code. In any suit brought by the Town under this subsection, the TCEQ is a necessary and indispensable party.

## **SECTION 14. REMEDIES NONEXCLUSIVE**

**14.1** The remedies provided for in this Ordinance are not exclusive of any other remedies that the Town may have under state or federal law or other ordinances. The Town may take any, all, or any combination of these actions against a violator at any time, in an attempt to gain compliance with this Ordinance and any state or federal regulations. The Town is empowered to take more than one enforcement action against any violator. These actions may be taken concurrently.

**14.2** The Town may notify the Texas Commission on Environmental Quality or the Environmental Protection Agency for assistance with correcting violations of this Ordinance.

## **SECTION 15. CHARGES AND FEES**

The Town may adopt charges and fees related solely to the provisions of this Ordinance and separate from all other applicable fees chargeable by the Town. The fees may include:

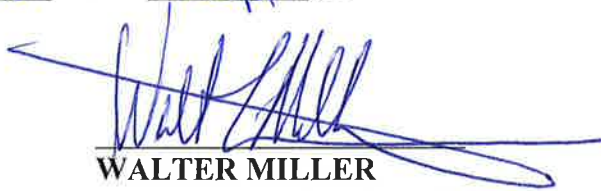
- (a) Fees for inspection, investigation, sampling and monitoring procedures;
- (b) Fees for reviewing accidental discharge reports, NOIs, NOCs, CSNs, and SWP3s; or
- (c) Other fees as the Town may deem necessary to carry out the requirements contained in this Ordinance.

**SECTION 16. SEPARABILITY OF PROVISIONS**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the City Council to enact each section, subsection, sentence, clause or phrase of this Ordinance separately and independently of each other section, subsection, sentence, clause or phrase.

This ordinance was duly enacted together with all requisites and formalities incident thereto the enactment of ordinances and such is evidenced by the below signatures.

SIGNED and EXECUTED on this 20<sup>th</sup> day of Sept, 2011



**WALTER MILLER**  
Mayor, Town of Horizon City

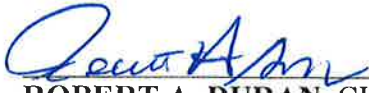


ATTEST:



**KAREN ELLEFSON, CITY CLERK**

APPROVED:



**ROBERT A. DURAN, CITY ATTORNEY**

First Reading: 9/13/11  
Second Reading: 9/20/11  
Approved: 9/20/11



## Section 809 **Variances**

### 809.1 General

A variance from any provision in this ordinance may be requested from the City Building Inspection Department, and/or the Planning and Zoning Commission, which shall refer the request to the appropriate agency, namely, the Board of Adjustment for final action. For application procedures and fee structure see Ordinance No. 0022 [article 1.04, division 3 of the Municipal Code]. (Ordinance 0102 adopted 1/14/03; Ordinance 0102-005 adopted 12/9/03)

## Section 810 **Penalty**

### 810.1 General

Any violation of this ordinance which shall be determined as having been intentionally, knowingly, recklessly, or done with criminal negligence shall be deemed a misdemeanor and can be punishable by a fine of not more than five hundred dollars (\$500.00) as prescribed by law, and that any intentionally, knowingly, recklessly, or a criminal negligent violation of a zoning restriction can be punishable by a fine of not more than two thousand dollars (\$2,000.00) as prescribed by law. Each violation may be deemed as separate violation and punished in accordance with the law and the aforementioned fines. (Ordinance 0102 adopted 1/14/03)

## Section 811 **Drainage Ponds**

### 811.1 Drainage Ponds Required

Provisions for site drainage for construction within a platted subdivision shall be consistent with the approved grading and drainage plans of the subdivision, if such approved plans exist. Such plans may provide for the stormwater runoff to be discharged from a lot onto surrounding public streets or drainage rights-of-way or drainage easements. Absent circumstances that enable the discharge of stormwater off from a property, the City may require a ponding area or areas to be constructed to capture and retain stormwater within the property, and the City may impose this requirement as a condition of the issuance of a permit for building construction or other site development. (Ordinance 0102-008 adopted 2/10/04)

### 811.2 **Ponding Area Development Standards**

A. Private drainage ponds, when required, shall be designed to provide sufficient capacity from the contributing drainage area equivalent of both the volume of stormwater generated by a one percent probability (100-year return frequency) storm event, and a ten-year accumulation of silt. In special circumstances, a lesser capacity may be authorized by the Horizon City Director of Public Works provided alternative means are provided to pass the design storm without causing injury, a hazard or a public nuisance. All calculations shall be made by a professional engineer registered to practice in the state of Texas, and shall be subject to review and approval by the City Engineer.

B. Private drainage ponding areas shall adhere to the same standards applicable to publicly dedicated ponding areas, as described in the City's Subdivision Ordinance, unless drainage ponding is provided within required yard space or as part of a vehicular parking area, and is positioned to be visible from public streets or areas frequented by patrons of the intended use. In those instances, the following criteria shall be imposed:

1. Private drainage ponding areas accessible to the public shall not exceed a depth of ponded water greater than three feet.
2. Private drainage ponding areas shall be landscaped with rock or plants or both in a manner that enhances the appearance of the property, and such landscape treatment shall be maintained by the

property owner. The City prefers the use of native plant[s] or other drought-tolerant plants for all such landscaping.

3. Irrespective of other criteria in this section, a six-foot high rock wall shall be provided on the property line whenever a private ponding area abuts a property line.

4. The public shall be deemed to have easement rights for all private ponding areas. Access by the City to private ponding areas for the purpose of inspection and vector control shall in no way be impaired.

(Ordinance 0102-008 adopted 2/10/04)

### 811.3 Maintenance Required

A. Property owners shall be responsible for the maintenance of ponding areas not dedicated to the public. Failure of a property owner to properly maintain the drainage capacity, inflow structures, landscaping, or failure to remove accumulations of refuse or silt, may subject the property owner to enforcement activity.

B. If, after notifying the property owner of his or her failure to satisfactorily maintain a private drainage ponding area and a lack of suitable response from the property owner, the City Council deems it necessary to undertake maintenance to protect the public health, safety and welfare, the City may directly undertake such maintenance activities as are needed, and shall place a lien against the property for such costs as may have been incurred in so doing.

(Ordinance 0102-008 adopted 2/10/04)

## Section 812 Yards

### 812.1 Yards, Generally

No building shall be permitted or constructed within the yard created by the setback regulations of this Ordinance, except as provided by the exceptions in this Section. (Ordinance 0102-014 adopted 3/13/07)

### 812.2 Front Yards

The front yard regulations may be modified as follows:

A. Where a frontage is divided among districts with different front setback, the deepest setback requirement shall apply to the entire frontage.

B. Gasoline, diesel and/or other fueling pumps and pump islands may occupy required yards; provided, however, that they are not less than twelve feet (12') from all lot lines. A freestanding canopy with support columns centered on the pump or pump island may be located within the required front yard; provided, that it shall not extend closer than twelve feet (12') from the front lot line.

C. Freestanding Automated Teller Machines (ATMs), vending machines, reverse vending machines, shade structures and refuse container areas may be located within the front setback of any commercial or industrial lot, provided that the structure is not located closer than twelve feet (12') from the front property line.

D. On a dwelling or apartment site, an unenclosed porch or entranceway patio with a wall up to six feet high, each not more than one hundred fifty (150) square feet in roof area, may extend not more than ten feet into a required front yard. Chimney backs, bay windows, eaves and cornices may extend not more than thirty (30) inches into the required front yard except that cornices and eaves of the main building may extend not more than four (4) feet into the front yard.

(Ordinance 0102-014 adopted 3/13/07; Ordinance 0102-032 adopted 2/24/15)

### 812.3 **Side and rear yards**

Side and rear yards regulations may be modified as follows:

- A. Sills, eaves, belt courses, wing-walls at heights above six feet, window air conditioning units, chimney backs, bay windows, cornices and ornamental features may project a distance not to exceed twenty-four inches into a required side yard, and thirty inches into a required rear yard.
- B. Open fire escapes, fireproof outside stairways and balconies opening from fire towers, and the ordinary projections of chimneys and flues into a rear yard for a distance of not more than three and one-half feet when so placed as to not obstruct light and ventilation, may be approved by the Director of Public Works.
- C. Open, unenclosed porches when less than one hundred eighty feet in roof area may extend twelve feet into a required rear yard.
- D. Terraces which do not extend above the level of ground (first) with a one hundred fifty square foot maximum floor area and a six-foot-high screen wall may project five feet into a required yard, provided these projections be distant at least two feet from the adjacent lot line.
- E. Freestanding Automated Teller Machines (ATM's), vending machines, reverse vending machines, shade structures and refuse container areas may be located within the side and/or rear setbacks of any commercial or industrial lot, provided that the structure is not located closer than twelve feet (12') from the side and/or rear property line.

(Ordinance 0102-014 adopted 3/13/07; Ordinance 0102-032 adopted 2/24/15)

### 812.4 **Side street yard**

Side street yard regulations may be modified as follows:

- A. Sills, eaves, belt courses, wing-walls at heights above six feet, window air conditioning units, chimney backs, bay windows, cornices and ornamental features may project a distance not to exceed twenty-four inches into a required side street yard.
- B. Accessory structures may extend up to five feet into a required side street yard.

(Ordinance 0102-014 adopted 3/13/07)

### 812.5 **Minor encroachments**

No permit shall be issued for any building within the yard created by the setback regulations of this Ordinance. If, due to a construction error, a minor encroachment into the required yard ensues, the Board of Adjustment shall be empowered, but not obligated, to grant a variance provided said encroachment is not greater than a recommended distance of eighteen inches (18"). The Board shall consider the context of such encroachments relative to neighboring properties, as well as evidence from the builder that the encroachment is not deliberate.

(Ordinance 0102-014 adopted 3/13/07)

### **5.17.3 Dedication of Drainage Easements**

**5.17.3.1 General Requirements.** Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction as will be adequate for the purpose. Whenever possible, it is desirable that the drainage be maintained by an open channel and adequate width for maximum potential area of flow.

#### **5.17.3.2 Drainage Easements**

**5.17.3.2.1** Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements at least fifteen (15) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to a road. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.

**5.17.3.2.2** When the proposed subdivision drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured.

**5.17.3.2.3** The subdivider shall dedicate, either in fee or by drainage easement, land on both sides of existing watercourses to a distance to be determined by the City Road Engineer.

**5.17.3.2.4** Low-lying lands along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways. Such land or lands subject to periodic flooding shall not be included in determining the area requirement for any lot.

### **5.17.4 Drainage Ponding Areas and Basins**

**5.17.4.1** Drainage ponds, when required, shall be designed to provide sufficient capacity from the contributing drainage area equivalent of both the volume of stormwater generated by a one percent probability (100-year return frequency) storm event, and a ten-year accumulation of silt. In special circumstances, a lesser capacity may be authorized by the Horizon City Director of Public Works provided alternative means are provided to pass the design storm without causing injury, a hazard or a public nuisance. All calculations shall be made by a professional engineer registered to practice in the State of Texas, and shall be subject to review and approval by the City Engineer.

**5.17.4.2** Drainage ponds shall be designed to facilitate maintenance. When ponds are not otherwise accessible by equipment from adjoining paved surfaces, access roads, not less than ten feet in width and not steeper than ten percent grade, shall be provided giving access to the base of drainage ponds from public streets. The dimensioning of ponds shall provide adequate space for the maneuvering of trucks and equipment as may be deemed appropriate by the City's Director of Public Works and City Engineer. A permanent monument shall be placed at the base of the drainage pond to provide a benchmark for referencing the invert elevation of the drainage pond. Said monument shall be shown on the engineering plans for the drainage pond construction.

**5.17.4.3** Appropriate measures shall be taken in both the drainage pond design and construction to minimize erosion potential. Such measures shall be determined by the City Director of Public Works and City Engineer. At minimum, the design and construction of drainage ponds shall provide for the following:

1. Site grading and perimeter control measures shall be used to prevent uncontrolled inflow into drainage ponds; stormwater inflow shall only be permitted via reinforced concrete drainage flumes or stormwater drainage pipes.
2. At all points of stormwater discharge into drainage ponds, velocity dissipaters shall be provided, based on good engineering practice.
3. The base of all inflow structures and all side slopes shall be compacted to a density of not less than 90 percent, based on the standards of the American Association of State Highway and Transportation Officials (AASHTO).
4. The maximum steepness of side slopes of drainage ponds shall be a ratio of two units in the horizontal for every one unit of vertical elevation change; the Director of Public Works shall be authorized to permit steeper side slopes only if a soils engineer certifies that such steeper slopes do not exceed the angle of repose of the native soil.
5. If, in the opinion of the City Director of Public Works or City Engineer, soil conditions present an erosion risk, even when properly compacted, armoring of all or any portion of the side slopes of drainage ponds shall be required. Suitable armoring or other slope stabilization may be provided by reinforced concrete, riprap, rock riprap, soil cement, or other like material.
6. The City will allow and does encourage the maintenance of existing, native plants along the side slopes as an erosion control strategy.

**5.17.4.4** To provide for public safety and ensure compatibility with adjoining development, perimeter treatment shall be required for all drainage ponds. The following criteria shall govern perimeter treatment unless the developer can demonstrate that alternative means will provide equal or superior protection to the public interest:

1. All ponds dedicated to the public shall be enclosed by a six-foot high masonry wall. Such walls shall be constructed at the time drainage ponds are developed, without regard to the timing of construction of buildings on adjoining properties.
2. Access to enclosed ponds shall be provided by a wrought iron gate or a steel gate of similar appearance. A locking mechanism for the gate shall be provided in accordance with criteria to be specified by the Director of Public Works.
3. Five-foot wide concrete sidewalks shall be provided adjacent to the rock walls along all perimeter boundaries of drainage ponds that abut public street rights-of-way.
4. The parkways lying between required sidewalks and street curbing shall receive landscape treatment consisting of chat materials and, whenever possible, suitable desert plantings. Any plant materials so employed must be sufficiently drought-tolerant so as not to require supplemental irrigation.
5. When site conditions so permit, existing, native plants are not to be disturbed along the perimeter of drainage ponds so as to provide a visual buffer from other nearby development. This provision is not meant to apply to the base of the ponding areas from which all plant materials are to be removed.

**5.17.4.5** The use of park areas as drainage ponds is discouraged, but may be permitted under conditions where neither use impairs the other, and where the siting and dimensioning of the park is appropriate based on good planning practices and in accordance with such plans and policies that may be adopted regarding outdoor public recreation. The application of these principles shall be solely vested in the Planning and Zoning Commission and City Council. The

burden shall be on the developer to demonstrate that the combining of both park and drainage ponding usage is appropriate and in the public interest. The following criteria shall govern the combined use of a site for both park purposes and drainage ponding purposes:

1. Because the use of property for park purposes implies ready public access, the perimeter rock wall requirement is not applicable when park and drainage ponding areas are combined; the sidewalk and parkway landscaping requirements, however, shall remain in force.
2. No slope greater than ten units in the horizontal and one unit in vertical shall be permitted in combined park and drainage ponding areas.
3. Permanent improvements, such as playground equipment and facilities, shall be limited to those improvements that can withstand prolonged periods of inundation. Consequently, the appropriateness of combining park and drainage ponding use will be determined, in part, based on the desired, ultimate development of the park space.
4. The design of drainage inflow shall ensure that the maximum incoming stormwater velocity, under design storm conditions, will not exceed five feet per second in any area accessible to the general public. Furthermore, provisions shall be made to ensure that stormwater inflow will not cause scouring or other erosion damage to the park ground surface.
5. Site grading for combined park and drainage ponding areas shall be such that no more than 50 percent of the park will remain inundated for a period of more than 72 hours following a storm of a 10-year return frequency. Infiltration tests shall be required to demonstrate the adherence to this standard.
6. The maximum depth of standing water permitted in a combined park and drainage ponding area shall not exceed four feet.
7. Turf or other planting is desirable as plant roots maintain the friability of soil and thus facilitate infiltration. Therefore, developers are encouraged to install turf together with necessary irrigation systems based on criteria that shall be specified by the Director of Public Works.
8. Developers that choose to combine parks and drainage ponding areas may only claim credit for parkland dedication, as required by Ord. 0035 [this ordinance], when turf or other landscape materials and necessary irrigation systems are installed. Costs incurred in such site improvements shall not reduce the calculation of park area otherwise required.
9. When developers propose combining park space and ponding areas, innovative designs will be allowed and are preferred to separately impound runoff from 10-year return frequency storms and only use the park space as overflow for stormwater inflows from storms of greater magnitude.

**5.17.4.6** Drainage ponding area requirements of the Horizon City [sic] are in addition to such design and permit requirement as may be imposed by the Texas Pollutant Discharge Elimination System (TPDES) program, and the Federal National Pollutant Discharge Elimination System (NPDES). In the event of a conflict between the provisions of this ordinance and either the TPDES or NPDES, the latter will supersede. Lacking a conflict in such regulatory standards, the more stringent standard will govern

**5.17.4.7** The interpretation and application of the criteria in this ordinance will be based on a standard of reasonableness with regard to public health, safety and welfare. The Director of Public Works shall apply the regulations accordingly.