Stormwater Management Plan (SWMP)

CITY OF BELTON, MISSOURI
SEPTEMBER 2026
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Introduction

The City of Belton, Missouri is an operator of a small municipal separated storm sewer system (MS4). As part of the National Pollutant Discharge Elimination System (NPDES) Phase II requirements, the City is required to develop, implement and enforce a stormwater management program designed to reduce the discharge of pollutants from their MS4 to the "maximum extent practicable" to protect water quality requirements of the Clean Water Act. The stormwater management program must include six minimum control measures:

4.1 Public Education and Outreach on Stormwater Impacts

4.2 Public Participation

4.3 Illicit Discharge Detection and Elimination (IDDE)

4.4 Construction Site Stormwater Runoff Control

4.5 Post-Construction Stormwater Management in New Development and Redevelopment

4.6 Pollution Prevention/Good Housekeeping for Municipal Operations

The City of Belton is regulated and permitted through the Water Pollution Control Branch of the Missouri Department of Natural Resources (MDNR). The implementation of the stormwater management program began in March 2003 with a five-year permit cycle. The Stormwater Management Plan (SWMP) document was updated in March 2008 at the time of the first permit renewal and again for the five-year permit cycles beginning in 2013, 2018, and 2021. The following report details the City's approach to stormwater management for the next five-year permit cycle starting in November 202.

MCM #1: Public Education and Outreach on Stormwater Impacts

4.1 Permit Requirement

The MS4 Operator shall implement a public education program to distribute educational materials to the community and/or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.

4.1.A. Target Audiences

Target audiences who are likely to have significant stormwater impacts have been identified as the following: *Homeowners and Contractors*.

The target audiences may remain the same for the entire permit cycle or may change if the tracking and adaptive management reviews show a new target may be better for the MS4. Any changes shall be stated and explained in the MS4 Stormwater Management Program Report.

4.1.B. Target Pollutants

The MS4 Operator must specify a target pollutant for each target audience specified in 4.1.A. These pollutants shall be the subject of the educational program and are as follows:

Table 4-1: Target Pollutants

Target Audience	Target Pollutants
Homeowners	• Grass clippings & leaf litter • Fertilizer & Pesticides • Pet Waste • Vehicle Washing • De-icing, rock salt usage, storage • Illegal disposal of household hazardous wastes • Dumping of solid waste
Contractors	• Oil, grease, fluids from vehicles • Sediment runoff from construction/ land disturbance

The target pollutants may remain the same for the entire permit cycle or may change if needed. Any changes shall be stated and explained in the MS4 Stormwater Management Program Report.

4.1.C. Outreach and Education BMPs

The MS4 Operator must utilize appropriate educational resources to be used as BMPs in conjunction with selected pollutants for the selected target audiences. The MS4 Operator must implement a minimum of four education and outreach BMPs each permit cycle. Table 4-2 below provides the selected

BMPs, measurable goals, tracking and adaptive management, and an explanation of how the BMP relates to the target pollutant and target audience.

Table 4-2: Outreach and Education BMPs

BMP	Measurable Goals	Tracking & Management	Audience/Pollutant/BMP Relation
Information on the City Website	Maintain a webpage with up-to-date information and working links. All links shall be checked, and the page shall be updated as necessary at a minimum annually. Must be maintained the entire year.	The number of hits shall be tracked. The MS4 Operator shall use this to see which messages get reactions, and if certain messages may need more education.	This BMP provides up-to-date information to all members of the public but specifically homeowners on the target pollutants noted in Table 4-1.
Social Media Posts	Post a minimum of four (4) times a year, on a minimum of one social media platform. The messages shall address ways attendees can minimize or avoid adverse stormwater impacts or practices to improve the quality of stormwater runoff. The messages shall be seasonally appropriate.	The number of views, impressions, and other interaction shall be tracked. The MS4 Operator shall use this to see which messages get reactions, and if certain messages may need more education.	This BMP provides information on seasonally relevant target pollutants to all members of the public, but specifically Belton homeowners in an easily accessible and digestible format.
Require installation of permanent embossed, or precast inlets with "No Dumping – Drains to Stream" or similar message	All new inlets in the City of Belton.	Number of inlets, the location of the inlets shall be tracked. These areas shall be noted on MCM #3 dry weather screenings, and illicit discharge investigations as a method to determine if the markings are effective or if areas could benefit from markings.	This BMP requires contractors to mark all new inlets with a "No Dumping – Drains to Stream" stamp which serves as a visual reminder to contractors and homeowners when they encounter marked inlets.
Paid Membership in a regional or watershed group.	Organizations must focus on stormwater runoff.	The group may enact BMPs on behalf of all members, the permittee must participate to ensure their MS4 has representation and receives some of the educational BMPs.	The City of Belton is a paid member of the South Grand Regional Watershed Alliance (SGRWA). This group organizes stream clean-ups in Belton and provides educational materials to participants during events.

This City has an active inlet marking program but cannot meet the required 10% inlets marked per year requirement to include the activity as an implemented BMP due to low participation rates.

The MS4 Operator may change BMPs throughout the permit cycle if it is determined through tracking and adaptive management reviews that a different BMP may be more effective for the MS4. Any changes shall be reflected in the SWMP and explained in the MS4 Stormwater Management Program Report.

4.1.D. Involvement BMPs

The MS4 Operator shall implement a minimum of two (2) involvement BMPs and include tracking and adaptive management processes. Table 4-3 below, provides the selected BMPs, measurable goals and tracking and adaptive management.

Table 4-3: Involvement BMPs

BMP	Measurable Goals	Tracking & Management
Stream/Lake or Watershed clean-up events: Adopt-a-Stream	To be considered an event, the land area cleaned must be at minimum 2 acres, or 400 yards of stream/streambank/watershed, or 2 miles of roadside. (These may be combined such as 1 acre of land and 200 yards of stream.)	Track the area or distance cleaned (by acre, yard, or lane miles), the amount of waste removed (by tonnage, cubic yard, or Stream Team bag count) and the attendance. Use the waste measurements to determine if there are priority area for litter entering stormwater, or areas for illegal dumping.
Ongoing yard waste collection, designated yard waste collection area, household hazardous waste collection, or street sweeping program	Provide the service as an annual occurrence or at readily accessible locations. For street sweeping, this shall be conducted at minimum, twice a year.	Track the amount collected. If educational information is being used in conjunction with this activity, track for changes due to the education. Tracking can be used with illicit discharge tracking, to determine if the rate of this type of discharges or dumping were reduced.

4.1.E. MS4 Operator Support

The MS4 Operator shall create or support the involvement BMP(s) in Section 4.1.D. To be considered support given to the coordinating groups the MS4 Operator shall at a minimum conduct the following or similar:

- Plan, or assist with planning the event or activity;
- Contribute supplies, materials, tools, or equipment;
- Provide assistance from MS4 staff during the activity;
- Provide assistance with recruiting volunteers for events;
- Make a space available for projects, meetings, or events;
- Advertisement for the events;
- Supply disposal services;
- Arrange land or stream access;
- Financial support; and
- In-kind donation such as food.

City of Belton MS4 staff generally provide the support specified in Table 4 – 4. This support is subject to change to meet evolving needs.

Table 4-4: MS4 Staff Support

BMP	MS4 Staff Support
Adopt-A-Stream	• Coordinate with SGRWA on spring stream clean-up. • Contribute supplies and equipment • Provide assistance from MS4 staff during cleaning events • Advertise for clean-up events • Supply disposal services
Yard Waste Collection	• Coordinate with waste collection services • Advertise Yard Waste Collection times

4.1.F. Adaptive Management

The MS4 Operator shall review the Public Education and Outreach on Stormwater Impacts Program, at a minimum, annually and update implementation procedures and/or BMPs as necessary within the requirements of the permit. This may be conducted when preparing the MS4 Stormwater Management Program Report for submittal to MDNR.

MCM #2: Public Participation

4.2 Permit Requirement

The permittee shall develop and implement a comprehensive public participation program that provides opportunities for public participation in the development and oversight of the permittee's Stormwater Program.

This program must provide opportunities for public participation of the permittee's permit renewal and shall, at a minimum, comply with any state and local public notice requirements. Additionally, the program must provide opportunities for public participation in activities related to developing and implementing the Stormwater Management Program.

4.2.A. Public Notice

To promote public involvement in the SWMP, the City will provide a thirty (30) day review period for draft permits and SWMP updates prior to their submission to MDNR.

4.2.B. Operator Website

As part of the public notice, draft permits and/or SWMP updates shall be posted on the City of Belton, Public Works Department's Stormwater Management webpage.

i. The public can submit comments by email to publicworkscomments@belton.org. This email shall be provided on the webpage with the draft documents.
ii. The MS4 Operator shall respond to comments received during the comment period.
iii. Copies of public comments shall be retained along with records of information submitted by the public as part of the public notice process. These comments and responses shall be made available to the public or MDNR upon request.

4.2.C. Public Information Meeting

The MS4 Operator shall hold a public information meeting to provide information on, or describe the contents of, the proposed Stormwater Management Program. This meeting shall be advertised for at least thirty (30) days prior to the public meeting.

i. The MS4 Operator shall post notice on the City's Stormwater Management webpage along with the standard public event advertisement method.
ii. The notice shall include date, time, and location.
iii. The meeting must be held withing the service area of the MS4. Typically, this will be at the City Hall Annex Council Chambers.

4.2.D. Public Inquiries

The MS4 Operator shall have a publicly available method to accept public inquiries, or concerns, and to take information provided by the public about stormwater and stormwater related topics.

i. The City of Belton website features a “Report a Concern or Ask a Question” option for all users. Submissions related to stormwater are sent to the MS4 Operator.
ii. All reports shall be tracked, recording the topic, location, and concern. This information can help identify pollutants of concern, priority areas, pollutant sources, educational needs, and other information the MS4 Operator may use to evaluate the Stormwater Management Program.

4.2.E. City Council Update

A representative of the MS4 Operator, who is familiar with the MS4 Stormwater Program, shall provide an update to the governing board. This shall be conducted at minimum, annually with the status of, or updates on, the Stormwater Management Program, and compliance with the Stormwater Management Program.

4.2.F. Tracking Mechanisms

The MS4 Operator shall track attendance, inquiries, or concerns in the MS4 folder per the requirements of Section 4.2 of the permit/SWMP. Using adaptive management, the MS4 Operator shall review the Public Participation Program, at minimum, annually and update implementation procedures as necessary within the requirements of the permit/SWMP. This shall be used to review how to best reach the public, the effectiveness of the mechanisms, the effectiveness of reaching the public and the City Council, and if the community and MS4 government are working together for water quality. Any additional events and/or BMPs shall be acknowledged in the Stormwater Management Program report.

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

4.3 Permit Requirement

The MS4 Operator shall implement and enforce a program to detect and eliminate illicit discharges (as defined in 10 CSR 20-6.200 at 40 CFR 122.26(b)(2)) into its regulated MS4.

4.3.A. Storm Sewer System Map

MS4 staff shall maintain a current storm sewer system map that shall be updated as needed to include features which are added, removed, or changed. This map is electronic and is kept by the GIS Technician. MS4 staff and/or construction inspection staff are responsible for providing updates to the GIS Technician. The map must show at a minimum:

i. The location of all MS4 outfalls. The map shall be detailed enough that the outfalls can be accurately located;
ii. The names and locations of all receiving waters of the state that receive discharges from the MS4 outfalls; and
iii. The boundary of the regulated MS4 area.

The map shall be readily available and used by field staff as needed. The map and any accompanying necessary information shall be made available to MDNR upon request.

4.3.B. Outfall Mapping

The MS4 Operator must record the sources of information used for the map and must track, at a minimum:

i. A numbering or naming system of all outfalls;
    1. Outfalls are labeled for their watershed and numbered.
ii. Dates that the outfall locations were verified/last field survey; and
iii. For newly added outfalls, the date that it was added to the storm sewer system.

Outfall locations and inspection information is tracked via the ArcGIS Collector application. All MS4 Staff shall have access to this application to facilitate inspection record keeping and illicit discharge detection and elimination program monitoring.

4.3.C. Regulatory Mechanism

The City prohibits non-stormwater discharges through ordinance, specifically *Article V. – Stormwater Pollution Prevention – Illicit Discharges*. A copy of the ordinance can be found in Attachment 2. Prohibited non-stormwater discharges include:

i. Litter
ii. Household hazardous waste disposal
iii. Leaf disposal

iv. Use of soaps & detergents with discharge to stormwater
v. Illegal dumping of solid waste
vi. Vehicle fluid disposal
vii. Pet waste
viii. Sewage

4.3.D. Dry Weather Screening

The City's dry weather screening strategy is as follows:

i. The MS4 Operator or designated staff shall conduct outfall field assessments. The screening shall be conducted during dry weather conditions (minimum of 72 hours after the last precipitation event) to check for the presence of discharges.
    1. As a new permittee of the Comprehensive permit, MS4 staff shall locate and screen all outfalls over the first 5-year permit cycle (Oct. 2021 – Oct. 2026). Staff shall also identify priority areas.
    2. After the first 5-year permit cycle ends, MS4 staff shall screen at least 60% of all the outfalls during each permit cycle. Priority areas identified in the first permit cycle shall be screened each year.
ii. The screening shall include a checklist to; ensure a complete inspection of each outfall, enhance consistency, and to track field screening. This shall be used regardless of the presence of dry weather flow.

    When discharge is present, the checklist shall note the following general observations and physical characteristics at a minimum:
    1. Date and time
    2. Weather conditions and temperature
    3. Color of discharge
    4. Estimate of flow rate (can be qualitatively noted)
    5. Odor
    6. Surface scum, algal bloom, floatables or oil sheen present
    7. Deposits or stains (note color)
    8. Turbidity (can be qualitatively noted)
    9. Stream impact including vegetation, fish, wildlife
    10. Length of impacted stream
    11. Notes of obvious source of flow

4.3.E. Diagnostic Monitoring for Non-Stormwater Flows

The following procedures are for possible illicit discharges which may be collected and analyzed by a contracted lab, or similar agreement with another entity who is equipped and experienced in sample collection and analysis.

i. Diagnostic monitoring shall include sampling of unknown discharges from MS4 outfalls that are found to be flowing or ponding more than 72 hours after the last precipitation event and considered to be an illicit discharge.
ii. The samples shall be analyzed for relevant parameters to determine if a pollutant is involved.
    1. Relevant parameters will need to be determined on a case-by-case basis depending on the nature of the discharge and what the potential sources may be.
    2. The City of Belton has an account with Pace Analytical for supplying and analyzing samples. City staff that are collecting samples shall be trained to properly collect and transport samples.
    3. Possible parameters to sample for and analyze when deemed applicable include but are not limited to:
        a. pH
        b. Oil and grease
        c. *E. Coli* or fecal coliform
        d. Surfactants or fluorescence concentration
        e. Specific conductivity
        f. Ammonia
        g. Chlorine
        h. Dissolved oxygen
        i. Fluoride/hardness

4.3.F. Illicit Discharge Source Tracing

If initial screening indicates that a dry weather discharge contains pollutants, or if an illicit discharge is suspected from another reporting method, the source shall be traced. MS4 staff shall visually trace and/or dye test to locate the source of the discharge. In cases of non-flowing discharges, storm drain access points upstream of the illicit discharges will be inspected for staining or other evidence of contamination. The following investigative tools may also be used as appropriate:

i. Storm sewer sampling
ii. Map of the storm sewer system
iii. Closed circuit television
iv. Smoke or dye tracing
v. Tunnel entry

4.3.G. Illicit Discharge Source Removal

Once the source is located, the pollutant and source must be removed. Exact procedure for removal will depend on the source, pollutant, and circumstances. The MS4 Operator must maintain necessary contacts with appropriate entities that may be needed for proper removal. This information shall be accessible to responsible staff.

Ideally, the MS4 Operator will work with the source of the illicit discharge to remedy the situation. Possible remedies shall include:

i. Implement source control or treatment BMPs to prevent reoccurrence of the violation
ii. Remediation or restoration of the affected property

4.3.H. Priority Area Identification

To prevent further illicit discharges, the MS4 Operator shall identify priority areas such as, but not limited to:

i. Areas with evidence of ongoing illicit discharges
ii. Areas with a history of illicit discharges
iii. Certain land use influencing storm sewer/ proximity of potential sources
iv. Areas of higher population density
v. Neighborhood with onsite sewage systems
vi. Areas with known litter or dumping issues
vii. Areas with large or increased number of citizen complaints
viii. Industrial areas

Annually, the MS4 Operator shall evaluate the priority area list/map and update as necessary to reflect changing priorities.

4.3.I. IDDE Program Procedures

The MS4 Operator shall maintain written procedures for implementing the IDDE Program, including the following components, to ensure program continuity and consistency.

i. A description of the dry weather screening strategy and implementation schedule to detect and address non-stormwater discharges, including discharges from illegal dumping and spills to Belton's storm sewer system.
ii. A description of how the discharge is evaluated and the possible parameters that are tested.
iii. If contracted to another entity, the contact information shall be listed.

The City of Belton is in the process of developing the IDDE Program and plans to have in completed within the first 5-year permit cycle as required in permit section 4.3.P.

4.3.J. Discharge Investigations

The MS4 Operator must conduct investigations in response to field screening discoveries, spills, or in response to complaints from the public, municipal staff, or adjacent MS4s. The investigation must work to determine the source of the connection, the nature and volume of discharges through the connection, and the party responsible for the connection. Responses shall meet the following investigation timelines:

i. Immediately respond to all illicit discharges, including spills, that are determined to constitute a threat to human health, welfare, or the environment.
ii. Investigate (or refer to the appropriate agency with the authority to act) within five (5) business days, on average, any complaints, reports or monitoring information that indicates a potential illicit discharge which does not constitute a threat to human health, welfare, or the environment.
iii. If illicit connections or illicit discharges are observed related to, discharging to, or discharging from, an adjacent MS4 Operator's municipal storm sewer system, the MS4 Operator must notify the other MS4's Operator within 24 hours of discovery or as soon as practicable.

4.3.K. Enforcement Procedures

The MS4 Operator has procedures for appropriate enforcement, depending on the situation, this may include fines, the ability to collect cleanup and abatement costs, and actions to ensure that the permittee's illicit discharge ordinance is being implemented.

i. The MS4 Operator shall maintain a written description of the enforcement procedure. This shall include a copy of or link to the ordinance that the MS4 Operator will use to enforce the prohibition of illicit discharges into the MS4.
    1. A copy of the enforcement procedures can be found in Attachment 1.

4.3.L. IDDE Database

The MS4 Operator shall maintain a database to track dry weather field screenings, spills, incidents, and investigations.

i. Tracking mechanisms shall be used for incidents, investigations, enforcement and follow up. This data shall be used to continuously evaluate the effectiveness of the IDDE program. This data shall be reviewed to determine if there is a new priority area. At a minimum, the MS4 Operator must annually record:
    1. Number of outfalls screened
    2. Number of complaints received and investigated
    3. Number of illicit discharges removed
ii. The MS4 Operator shall document all investigation to track at a minimum:
    1. The date(s) the illicit discharge was observed and investigated
    2. Summary of procedures used to investigate the illicit discharges
    3. The outcome of the investigation including sample results and findings
    4. Any follow-up of the investigation including cleanup, enforcement actions, visits to confirm the illicit discharges have removed
    5. The date the investigation or issue was closed or resolved.

4.3.M. Public Hazards Notice

The MS4 Operator shall inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.

4.3.N. Annual Review

The MS4 Operator shall review the IDDE Program, at minimum, annually and update implementation procedures as necessary.

4.3.O. Existing Permittee Program Evaluation

Not Applicable.

4.3.P. New Permittee IDDE Program Development

As a new MOR04C permit holder, City of Belton MS4 staff must develop an IDDE Program. The IDDE Program shall be described in the SWMP and be fully implemented withing five years of permit issuance.

i. The City of Belton currently has an illicit discharge ordinance. It can be found in Attachment 2.
ii. The MS4 Operator shall complete the outfall map in accordance with Section 4.3.A of the MS4 Permit. All outfalls shall be dry weather screened within the first five (5) years of permit issuance.

4.3.Q. Staff Training

The MS4 Operator must develop and implement a training program for all municipal field staff, who, as part of their normal job responsibilities, may come into contact with or otherwise observe an illicit discharge or connection to the storm sewer system.
This includes staff who may handle materials which may become an illicit discharge. This shall include discharges through spills, improper disposal, mismanagement, improper vehicle or equipment washing or rinsing. This training is outlined in the O&M Manual to provide training focused on topics that are relevant specific facilities.

i. New staff shall take training within a year of being hired.
ii. The applicable staff include the following:
    1. Vehicle maintenance staff
    2. Transportation Division staff
    3. Water Services Division staff
    4. Code enforcement staff
    5. Park maintenance staff
    6. Relevant engineering division staff
    7. Relevant police department staff
    8. Relevant fire department staff
    9. Other city staff shall be included if appropriate
iii. The training date, topics and the attendance shall be recorded

iv. Reviews of the training effectiveness shall be considered after municipal site inspections or after an incident occurs. If a certain department or facility did not perform the way they were trained, or if an issue arises that was not handled properly, the MS4 Operator should consider if the training is enough or is ineffective. The MS4 Operator shall consider ways to survey or test staff to see if the training is effective.

4.3.R. Annual IDDE Program Review

Using adaptive management, the MS4 Operator shall review their IDDE Program, at minimum, annually and update implementation procedures as necessary. This data shall be used to continuously evaluate the effectiveness of each BMP and the implementation of each BMP. Any new/additional BMPs shall be acknowledged in the Stormwater Management Program report.

MCM #4: Construction Site Stormwater Runoff Control

4.4 Permit Requirement

"The MS4 Operator shall develop, implement and enforce a program to reduce pollutants in any stormwater runoff to their MS4 from construction activities that result in land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre shall be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more."

4.4.A. Regulatory Mechanism

The City of Belton has enacted an ordinance, specifically *Article III. – Subdivision Design – Stormwater runoff plan,* that requires construction site runoff control BMPs at construction/land disturbance sites greater than or equal to one (1) acre or less than one acre sites if the construction activity is part of a larger common plan or development or sale that would disturb one acre or more. Copies of the ordinance and Land Disturbance Permit are included in this SWMP as Attachment 2 and Attachment 4.

4.4.B. Plan Review

The MS4 Operator or designated representative shall be responsible for reviewing pre-construction plans. The Preliminary Stormwater Plan Checklist (Attachment 5) shall be used during plan review to ensure that the following requirements are met and that designs are in accordance with KC-APWA Section 5600, the City of Belton Design and Construction Manual, and the APWA/MARC BMP Manual.

i. Incorporate the consideration of potential water quality impacts through procedures for site plan review. The site plan review procedures shall evaluate threats to water quality by considering, at a minimum, the following factors:
    1. Soil erosion potential
    2. Site slope
    3. Project size and type
    4. Sensitivity of receiving waterbodies
    5. Discharge flow type
    6. Location of discharge point in relation to receiving water
    7. Proximity of the site to receiving waterbodies
    8. Other factors relevant to the MS4 service area

ii. Use the Preliminary Stormwater Plan checklist, and other listed criteria, to ensure consistency and completeness.

iii. Include requirements for construction site operators to select, install, implement, and maintain appropriate stormwater control measures.
    1. This includes temporary BMPs throughout the life of the land disturbance, and permanent BMPs which remain on site as required by Belton's design specifications.

iv. Consider ways to minimize disturbed areas through actions such as, phased construction requirements, temporary seeding or sodding, or erosion mats to exposed areas.
v. Include requirements for construction site operators to control construction-site waste that may cause adverse impacts to water quality. This shall include at a minimum:
    1. Discarded building materials
    2. Concrete truck, and mortar mix washout
    3. Chemicals (such as fertilizer, paint, oils, herbicides, pesticides)
    4. Litter
    5. Sanitary waste

4.4.C. Inspection and Enforcement

The MS4 Operator has the authority to perform site inspections and enforce control measures. The MS4 Operator shall utilize the Public Works Inspection Form (Attachment 6); the General BMP and SWPPP Inspection Form (Attachment 7), and/or the Erosion and Sediment Control Inspection Report Form (Attachment 8) as necessary during site inspections.

The construction site runoff control program includes the following:

i. Identify priority sites for inspection based on nature of the construction activity, topography, disturbed area, and the characteristics of soils and sensitivity of, or proximity to, receiving water.
ii. Construction site inspections shall include assessment of compliance with the MS4 Operator's construction site storm water runoff control ordinance or regulatory mechanism, and other applicable ordinances.
iii. The inspections shall evaluate any structure that functions to prevent pollution of stormwater or to remove pollutants from stormwater and use enforcement policies to require BMPs are implemented and effective.
iv. Final inspection, upon completion of the land disturbance and prior to final approval of construction project. Ensure all disturbed areas have been stabilized, that all temporary erosion and sediment control measures are removed.
v. The inspections conducted by the MS4 Operator shall be documented with one or more of the aforementioned checklists. The appropriate checklist must include structural BMPs and verify the self-inspections which are conducted by the construction site operator. These MS4 Operator checklists may be electronic.

4.4.D. Enforcement Policy Requirement

The construction site runoff control program includes an established, escalating enforcement policy that clearly describes the action to be taken for violations.

i. The MS4 Operator has the authority to initiate a range of enforcement actions to address the variability and severity of noncompliance.

ii. Enforcement responses to violations must consider the following criteria at minimum:
    1. Degree and duration of the violation
    2. Effect the violation has on the receiving water
    3. Enforcement actions shall be timely to ensure the actions are effective. These procedures and actions are written and available for MS4 staff for consistency and training purposes and can be found in Attachment 1
    4. The MS4 Operator has the authority to use the following enforcement procedures:
        a. Stop Work orders
        b. Verbal education or educational materials given to the construction site operator
        c. Written warnings or notice of violation
        d. Bonding or escrow requirements
        e. Fines/penalties
        f. Denials for previous non-compliance or current non-compliance at other sites

Additional relevant policies include: *Stormwater and Flood Management Policy* (Attachment 9) and *UDC Chapter 32 Section 2 Stormwater and Floodplain Penalties* (Attachment 10) which states that a notification letter shall be sent to the property owner with a specified time period for the property owner to take corrective action and outlines the process by which the enforcement response is chosen.

4.4.E. Inspection Requirements

The MS4 Operator shall require the construction site operator to conduct inspections at minimum:

i. Every fourteen (14) days, when construction is active; and
ii. Within 72 hours of any storm event, and within 48 hours after any storm event equal to or greater than a 2-year, 24-hour storm has ceased.

Checklists used for the inspections conducted by construction site operators shall be submitted to the MS4 Operator, or the MS4 Operator shall verify that these inspections are being conducted by the construction site operator checklists during MS4 Operator inspections**.**

These requirements are listed out in Attachment 4: *City of Belton Land Disturbance Permit.*

4.4.F. Land Disturbance Inventory

The MS4 Operator shall maintain an inventory of active public and private land disturbance sites, as defined in Section 4.4 of the permit. This may be supplemented with records such as a plan review checklists and email correspondence.

The inventory must contain:

i. Relevant contact information for each project

ii. Size of the project/ area of disturbance
iii. If the site is a priority site/ how high of priority

The MS4 Operator satisfies this requirement by keeping records of the Attachment 5. *Preliminary Stormwater Plan Checklist* for each project.

4.4.G. Inspection Record

The MS4 Operator shall track their oversite inspections. This is done by retaining copies of records such as the SWPPP Construction Inspection Template (Attachment 10) and email correspondence. The MS4 Operator must make these inventories available to the MDNR upon request.

Construction inspections are conducted weekly, and the tracking includes the following at a minimum:

i. Inspection dates and time
ii. Inspector name
iii. Inspection findings
iv. Follow up actions and dates, including corrective actions and enforcement actions

4.4.H. SWMP Compliance Review

Not Applicable.

4.4.I. SWMP Compliance Development

The City of Belton is a new MOR04C permit holder, with a previously developed construction site runoff program ordinance, see Attachment 3. A formal inventory of active sites shall be developed by November 2022 and updated as new projects are permitted.

4.4.J. Public Input Concerning Land Disturbance

The Stormwater Management Program includes procedures for the MS4 Operator to receive and consider information submitted by the public about land disturbance sites. This is in combination with 4.2.D of this SWMP.

4.4.K. Construction Site Runoff MS4 Training

The MS4 Operator shall provide, or support access to, construction site runoff control training for MS4 inspectors, construction inspectors and plan reviewers at minimum once every permit cycle. This education shall be tracked or documented.

The MS4 Operator shall provide annual training to applicable MS4 Staff that includes:

i. Inspection checklist and procedure review
ii. Plan review checklist and procedure review

iii. Proper BMP usage, installation, and maintenance training

Further information for MS4 training can be found in the Operation and Maintenance manual which is referenced in the MCM #6 Pollution Prevention/Good Housekeeping section in this document.

4.4.L. MS4 Inspection and Enforcement Procedures

The MS4 Operator must provide written procedures outlining the local inspection and enforcement procedures to construction inspection staff to ensure consistency among the inspections. These include the *SWPPP Construction Inspection Template* (Attachment 10) and *Stormwater and Flood Management Policy* (Attachment 7).

4.4.M. Review

Using adaptive management, the MS4 Operators shall review, at minimum annually, the Construction Site Stormwater Runoff Control Program and evaluate the ordinances, review procedures, inspection procedures, enforcement procedures, receipt of public information procedures, and effectiveness of training procedures to ensure compliance with these requirements and determine if changes are needed. This annual review may include but is not limited to:

i. Evaluating the most common violations, how the violations are handled, how many are escalated;
ii. If the education program can assist in reducing violations;
iii. Determining if the site plans match the sites when violations arise or if additional items need to be evaluated at plan review;
iv. Assessing public complaints being addressed in a timely manner; and
v. Evaluating if the inspections are thorough and consistent across different sites.

MCM #5: Post-Construction Stormwater Management in Development

4.5 Permit Requirement

"The MS4 Operator shall continue or develop, implement, and enforce a program to address the quality of long-term stormwater runoff from new development and redevelopment projects that disturb equal to and greater than one acre, including projects less than one acre that are part of a larger common plan of development or sale that would disturb one acre or more and that discharge into the regulated MS4. The MS4's program shall ensure that controls are in place that have been designed and implemented to prevent or minimize water quality impacts."

4.5.A. Ordinance Requirements for Developers

The MS4 Operator uses *Chapter 32 of the City of Belton Unified Development Code* and land disturbance permits to address post-construction runoff from new development and redevelopment projects to the extent allowable under state and local law for sites equal to or greater than one acre including projects less than one acre that are part of a larger common plan of development or sale. The goal of this approach is to arrive at designs that protect sensitive areas, minimize the creation of stormwater pollution, utilize BMPs that effectively remove stormwater pollution, and attempt to maintain predevelopment runoff conditions. Erosion and sediment control plans, MDNR permitting, and grading plans are required to be submitted for approval by the MS4 Operator before the land disturbance permit is issued to the developer. Sediment and erosion control standards, design methods, and specifications must meet APWA and City requirements and are made available through the MS4 Operators website at https://www.belton.org/Government/Departments/Public-Works-Department/Design-and-Construction-Manual.

4.5.B. Minimizing Water Quality Impacts

The MS4 Operator shall continue or develop their strategy to minimize water quality impacts. This shall include a combination of structural and/or non-structural controls (BMPs) appropriate for the permittee's community.

Structural controls include but are not limited to; extended detention basins, grass swales, bio-retention, permeable surfaces, sand filter basins, stormwater planters, proprietary BMPs.

Erosion, sediment control, and land development plans shall be designed in accordance with APWA 5600 and the MARC BMP Manual which are available on the MS4 Operator website at the link in section 4.5.A of this document. This includes the design of the forementioned structural BMPs.

Non-structural controls include but are not limited to; stream buffers, no mow zones, preservation of open spaces, tree preservation, impervious cover reduction, land use planning, and low impact development.

Erosion, sediment control, and land development plans shall be designed in accordance with APWA 5600 and the MARC BMP Manual. This includes the design of the forementioned non-structural BMPs.

i. Policies and ordinances that provide requirements and standards to direct development to identified areas;
ii. Protection of sensitive areas such as wetlands and riparian areas;
iii. Maintain and/or increase open space (which may include a dedicated funding source for open space acquisition);
iv. Maintain requirements for buffer zones along water bodies;
v. Require minimizing impervious surfaces;
vi. Require minimizing disturbance of soils and vegetation;
vii. Policies or ordinances that encourage infill development in higher density urban areas, and areas with existing infrastructure;
viii. Programs which incentivize the use of green infrastructure;
ix. Requirements for minimization of directly connected impervious areas; and
x. Tree preservation ordinances.

Erosion and sediment control plans, MDNR permitting, and grading plans are required to be submitted for approval by the MS4 Operator before the land disturbance permit is issued to the developer. The MS4 Operator considers all structural and non-structural BMPs that can be used to minimize impacts on water quality.

4.5.C. Plan Review Requirements

Pre-construction plan review shall be conducted by the MS4 Operator to assess site characteristics at the beginning of the construction site design phase to ensure adequate planning for stormwater program compliance.

The structural or non-structural controls chosen shall; protect sensitive areas, minimize the creation of stormwater pollution, and effectively reduce stormwater pollution. This can be achieved by reasonably mimicking pre-construction runoff conditions on all affected new development projects, or the MS4 Operator may achieve this goal through a method more appropriate for specific locations.

i. The plan review process shall use the Preliminary Stormwater Plan Checklist (Attachment 5), the UDC Land Use Ordinance (Attachment 12), GIS and site visits
ii. The plan review process shall evaluate non-structural BMP selection first, such as comprehensive plans, zoning ordinances, buffer strips, and/or maximization/preservation of open space. Non-structural BMPs primarily prevent stormwater runoff from a site, which could influence the options for structural BMPs which help mitigate the stormwater related impacts after they have occurred.

4.5.D. Operation and Maintenance Enforcement Requirements

The MS4 Operator shall enact an ordinances or similar enforcement mechanisms to ensure adequate long-term operation and maintenance (O&M) of the selected BMPs, including, as appropriate, agreements between the MS4 Operator and other parties such as post-development landowners or regional authorities within the first five-year permit cycle.

i. Long term O&M shall be addressed during the plan review and approval process.
ii. Copies of O&M manuals shall be retained by the party responsible for the post-construction BMP, and with the MS4 Operator. This may be done electronically.

4.5.E. Post Construction BMP Inspection Requirements

The MS4 Operator shall inspect, or require inspection of, each water quality structural and non-structural water post-construction BMP according to the following at minimum:

i. A minimum of one (1) inspection shall be conducted during construction, and one (1) inspection before the site is finalized, to verify water quality facilities are built as designed and any applicable boundaries or practices for non-structural BMPs are being observed. This may be conducted in combination with MCM 4 inspections.
    1. The MS4 inspector shall have access to the approved plans to ensure proper installation.
ii. A minimum of once in the first three years after the installation by the MS4 Operator.
iii. Annually by the owner or operator of the post-construction BMP, or by the MS4 Operator. If completed by the BMP owner or operator, this inspection report shall be submitted to the MS4 Operator for evaluation and review.
iv. The MS4 Operator shall inspect a minimum of 60% of all water quality post-construction BMPs within the five-year permit cycle. This must include installations with ongoing or open enforcement issues.

The MS4 Operator shall use the *SWPPP Construction Inspection* and be involved during the planning and development agreement process. MS4 Staff shall review ESC plans prior to making decisions regarding the operation and maintenance of permanent, structural BMPs. The *Stormwater and Flood Management Policy* reflects requirements ii-iv above.

4.5.F. Water Quality Development Regulation Requirements

The MS4 Operator must maintain a plan designed to ensure compliance with the MS4's post-construction water quality regulatory mechanism. This plan includes escalating enforcement mechanisms the MS4 Operator has the authority to use to ensure compliance.

The MS4 Operator has the authority to initiate a range of enforcement actions to address the variability and severity of noncompliance.

Enforcement responses to violations must consider at minimum:

i. Degree and duration of the violation
ii. Effect the violation has on the receiving water
iii. Compliance history of the post-construction BMP owner or operator
iv. Cooperation of the owner or operator with compliance efforts

Attachment 9. *Stormwater and Flood Management Policy* outlines the enforcement mechanisms that the MS4 Operator shall utilize when determining the severity of penalties for developers. The MS4 Operator has authority through the *UDC Chapter 32 Stormwater and Flood Plain Management Penalties* in which section 2 describes the enforcement capabilities of the MS4 Operator including violation notices, penalties, stop work orders, withholding certificate of occupancy, suspension of permit, civil penalties, and criminal penalties.

4.5.G. Enforcement Actions

Enforcement actions shall be timely to ensure the actions are effective. The MS4 Operator shall begin enforcement actions within thirty (30) days of discovering a violation.

The MS4 Operator shall maintain at a minimum of two possible sanctions. These include, but are not limited to:

i. Education regarding the BMP and verbal warnings
ii. Written warnings or notice of violation (this includes email notification)
iii. Property lien
iv. Fines

Attachment 9. *Stormwater and Flood Management Policy* includes a schedule and listing for enforcement actions.

4.5.H. Tracking and Inventory for Permanent Water Quality BMPs

The MS4 Operator shall maintain an inventory tracking the water quality post-construction BMPs. This inventory must contain, at a minimum:

i. Relevant contact information for the responsible person(s) or entity (e.g., tracking number, name, address, phone, etc.);
ii. The type of post-construction BMP;
iii. Applicable operations and maintenance documents;
iv. Date the MS4 Operator approved the construction site plan; and,
v. If the water quality facility is owned or operated by the MS4, the tracking shall also include any maintenance, such as sediment clean-out or replanting.

The MS4 Operator shall maintain a file for each development and capital project with all prudent information, including contact information, permanent BMP type, operation and maintenance documents, and the date of MS4 Operator site plan approval. Files to be included in a project folder along with a description of what that file should contain are included in the Project Management Manual (Attachment 13).

4.5.I. Post Construction BMP Inspection Tracking

The MS4 Operator shall also track the post construction BMP inspections. This is done by retaining copies of records such as inspection checklists, violations and email correspondence. The MS4 Operator must make these inventories available to MDNR upon request.

The MS4 Operator shall track at a minimum:

i. Inspection dates/ times;
ii. Inspector name(s);
iii. Inspection findings; and,
iv. Follow up actions including all enforcement actions.

An example can be viewed in the references of this document as Attachment 5. General BMP and SWPPP Inspection Form.

4.5.J. Existing Permittee Self Evaluation

Not applicable.

4.5.K. Newly Regulated Permittee Ordinance and Regulation Development

As a new MOR40C permit holder, the City shall develop an ordinance or regulatory mechanism. Development of this program shall be completed within the first five (5) years of the permit issuance.

The inventories of public and private post-construction water quality BMPs must be completed within two (2) years of permit issuance and then updated as new projects are permitted and projects are completed.

4.5.L. Development Water Quality Training for MS4 Inspectors

The MS4 Operator shall provide appropriate training for MS4 inspectors at minimum once every permit cycle. This may include Green Infrastructure training, or specific operation of proprietary post-construction BMPs. The MS4 shall provide overall training to explain the function of both structural and non-structural post-construction water quality BMPs.

Attachment 14: *Stormwater Training Policy* outlines all stormwater topics which are covered in required annual training for MS4 Staff.

4.5.M. Review

Using adaptive management, all MS4 Operators shall review, at minimum annually, their Post-Construction Site Stormwater Management in New Development and Redevelopment Program and evaluate effectiveness of the overall program. and determine if changes are needed. This annual review may include but is not limited to:

i. Reviewing the number and types of developments;
ii. How many BMPs were installed/inspected;
iii. The amount of watershed area being treated;
iv. The types of violations found and how frequently; and
v. How education could improve the effectiveness of the program.

Attachment 9: Stormwater and Flood Management Policy, includes these review procedures.

MCM #6: Pollution Prevention/Good Housekeeping for Municipal Operations

4.6 Permit Requirement

"The permittee shall develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations."

4.6.A. Training Program

The MS4 Operator shall maintain and utilize an employee training program for MS4 municipal operations staff. The training shall be given, at minimum, annually to all MS4 staff who work with material handling, at MS4 owned or operated vehicle/equipment maintenance areas, storage yards, and material storage facilities. This may be broken up into staff units, or by applicable topics.

The MS4 Operator generally provides training every spring for all applicable municipal staff. A full inventory of training material is maintained by MS4 Staff.

4.6.B. Stormwater Pollution Prevention Training

Training shall be used to prevent and reduce stormwater pollution. Training shall cover a minimum of the following topics/activities (if applicable to the MS4):

i. Vehicle and equipment washing;
ii. Fluid disposal and spills;
iii. Fleet, equipment, and building maintenance;
iv. Park and open space maintenance procedures (including fertilizer, herbicide, pesticide application);
v. New construction, road maintenance, and land disturbances;
vi. Stormwater system maintenance;
vii. MS4 operated salt and de-icing operations;
viii. Fueling;
ix. Solid waste disposal; and
x. Illicit Discharges.

A full list of potential topics and a description of applicable staff, as well as specific facilities and activities can be found in the Introduction of the *Stormwater Operation and Maintenance Manual (px. table x)*.

4.6.C. Training Materials and Procedures

The MS4 Operator shall:

i. Maintain materials to use in the training program, such as those available from the EPA, the state, or other organizations.

ii. Maintain written procedures for the training program. Include a description of how this training will coordinate with all other minimum control measures (such as Illicit Discharge), monitoring and TMDL implementations where applicable.
iii. Maintain a written schedule to offer topic specific training when it is appropriate. Such as, swimming pool discharges in the summer, leaf disposal in the fall, proper salt clean-up and usage in the winter.

Attachment 14: Stormwater Training Policy contains a description of training coordination, applicability, and seasonal changes.

4.6.D. Municipal Operations and Facilities

The MS4 Operator shall maintain a list of all municipal operations and facilities that are impacted by the operation and maintenance program.

This shall include a minimum of the following if owned and operated by the MS4 and if applicable to the MS4:

i. Maintenance yards;
ii. Fleet or maintenance shops, including parks department;
iii. Storage yards;
iv. Parks, golf courses, swimming pools, and splash pads;
v. Municipal parking lots;
vi. Salt/sand storage locations;
vii. Snow disposal areas; and
viii. Other locations expected to contribute floatables and/or pollutants.

A complete list of operations and facilities is maintained by MS4 Staff and can be seen in Table 1 (page x) of the referenced document *Stormwater Operation and Maintenance Manual*.

4.6.E. MS4 Owned or Operated Industrial Facilities

The MS4 Operator shall maintain a list of industrial facilities the MS4 Operator owns or operates which are subject to NPDES permits for discharges of stormwater associated with industrial activity. The list shall include the permit number or a copy of the No Exposure Exemption Certification (if applicable) for each facility.

This includes Municipal projects with a land disturbance permit, wastewater facilities, airports, etc.

NPDES permitted facilities not owned or operated by the permittee are not required to be part of the list, however the MS4 Operator should be familiar with all such facilities in their MS4 service area as they may signify a priority area for the IDDE program.

The Wastewater Treatment Facility is maintained by the City's Water Services Division. The facility is regulated by MDNR and is operated under Permit # MO0117412. Table 4 (page x) in reference

document *Stormwater Operation and Maintenance Manual* outlines BMPs and proper maintenance procedures for the Wastewater Treatment Facility.

4.6.F. Controls for Reducing or Eliminating Floatables and Pollutants

The MS4 Operator shall develop or maintain controls for reducing or eliminating the discharge of floatables and pollutants from municipal facilities listed in Section 4.6.D and 4.6.E.

These controls shall include at a minimum, where applicable:

i. A list of potential pollutant sources at each facility, such as materials used and stored on site;
ii. A minimum of annual inspections of all municipally owned or operated facilities for stormwater issues;
iii. Records shall be kept for inspections and follow up. This may be a checklist, and may be electronic;
iv. Use of structural controls/BMPs to reduce or prevent pollutants from entering waters of the state or into another MS4 where needed.
v. A map with descriptions of these BMPs shall be maintained for each facility;
vi. All paints, solvents, petroleum products, and petroleum waste products (except fuels) under the control of the permittee shall be stored so these materials are not exposed to stormwater;
vii. Sufficient practices of spill prevention, control, and/or management shall be provided to prevent any spill of these pollutants from entering waters of the state;
viii. This shall include spill kits when liquid product is stored at a facility; and any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
ix. Tracking of rock salt/brine or other de-icer usage;
x. Maintaining municipal salt storage area(s) after use of rock salt, at minimum:
xi. Sweep and/or shovel spillage in loading area and storage area, and unload salt hoppers or keep under cover when salt is in the hopper.

A list of potential pollutants for all municipal facilities can be seen in the referenced document *Stormwater Operation and Maintenance Manual*. There is a section for each facility and operation within the MS4. Each facility and operation contain a specific table outlining each potential pollutant, BMP, or action required. The MS4 Operator has a policy outlining inspection schedules, procedures, and record keeping requirements that can be seen in Attachment 14. *Stormwater Training Policy* and site-specific topics are outlined in the referenced document *Stormwater Operation and Maintenance Manual*.

4.6.G. Procedures for Proper Waste Management of MS4 Structures

The MS4 Operator has procedures for proper disposal of waste removed from the MS4 structures and areas of jurisdiction outlined in the Stormwater Operation and Maintenance Manual.

This waste, shall include at minimum:

i. Street sweeper spoils and washout;
ii. Accumulated sediment;
iii. Dredged materials;
iv. Floatables, trash and litter;
v. Leaves, other organic matter; and
vi. Other debris.

4.6.H. Vehicle and Equipment Washing Procedures

The MS4 Operator shall maintain and utilize the following procedures, at minimum, for the washing of all municipal vehicles and equipment (if applicable to the MS4):

i. Use of any soap or detergent shall only be where there is connection to sanitary sewer or equivalent treatment; and
ii. Any wash or rinse water that contains pollutants such as salt, oils, grease, sediment, grass clippings, lawn chemicals, or pesticides shall not be discharged to waters of the state or the MS4 system without appropriate treatment.
iii. Any washing or rinsing activities shall be conducted in an appropriate area so the water is treated. This area(s) shall be marked on the map of the facility.

All applicable MS4 municipal employees shall receive training for vehicle wash procedures annually as stated in Attachment 14. *Stormwater Training Policy*.

4.6.I. Procedures, Controls, Schedules, and Explanation of Tracking

The MS4 Operator shall maintain written explanation of the controls, procedures, inspection schedules, and explanation of tracking of these controls. Tracking may be done by retaining inspection reports or checklists.

The City of Belton utilizes one overarching Operations and Maintenance Manual for all applicable MS4 facilities. This document is still in production, but after completion, each individual site shall be familiar with the document, and a copy shall be present on each site referenced in the document or available electronically.

Annually, the MS4 Operator shall evaluate the results, controls, and inspection procedures to ensure compliance with these requirements and determine if changes are needed. This evaluation may also aid in finding priority areas or pollutants in relation to MCM 3, or adding more education in relation to MCM 1.

4.6.J. Flood Management Projects

The MS4 Operator shall maintain procedures to determine if there are impacts to water quality for new flood management projects, if applicable. Any flood management projects shall require the protection of water quality in the standards that are used to plan, design, build, and maintain stormwater infrastructure.

Flood management projects are those projects developed or designed to reduce flooding.

4.6.K. Existing Permittees Evaluation

Not applicable.

4.6.L. New Permittees Development

As a newly regulated permittee, the MS4 Operator shall develop this program. The SWMP shall describe the pollution prevention/ good housekeeping plan and scheduled implementation. Development of this program shall be completed within the first five (5) years of the permit issuance.

4.6.M. Review

Using adaptive management, the MS4 Operator shall review their Municipal Operations Program, at minimum, annually and update implementation procedures as necessary within the permit requirement. Any additional BMPs shall be acknowledged in the Stormwater Management Program Report.

Attachments

Attachment 1: Illicit Discharge Enforcement and Abatement Procedures

Attachment 2: Illicit Discharge Ordinance

Attachment 3: Article III. – Subdivision Design – Stormwater Runoff Plan

Attachment 4: City of Belton Land Disturbance Permit

Attachment 5: Preliminary Stormwater Plan Checklist

Attachment 6: Public Works Inspection Form

Attachment 7: General BMP and SWPPP Inspection Form

Attachment 8: Erosion and Sediment Control Inspection Report Form

Attachment 9: Stormwater and Flood Management Policy

Attachment 10: UDC Chapter 32 Section 2 Stormwater and Floodplain Penalties

Attachment 11: Stormwater Runoff Ordinance

Attachment 12: UDC Land Use Ordinance

Attachment 13: SWPPP Construction Inspection Template

Attachment 14: Project Management Manual

THE CITY OF BELTON
PUBLIC WORKS DEPARTMENT
ILLICIT DISCHARGE PROHIBITION ENFORCEMENT & ABATEMENT PROCEDURE

Date last revised: February 2, 2022

Peer reviewed by: Public Works Department

Division: Engineering

Purpose: The purpose of this procedure is to provide direction and ensure consistency in the enforcement of the illicit discharge prohibition ordinance. Illicit discharges can have lasting impacts on the health of our environment and citizens. It is important to have the groundwork laid out to identify illicit discharges and effectively remediate or restore the impacted areas. This procedure will guide MS4 and Code Enforcement Staff through the process of enforcing the City's illicit discharge ordinance.

Emergencies: If an illicit discharge is hazardous and immediately necessary to remove for protection of the health and welfare of citizens and the environment, contact the Missouri Department of Natural Resources' (MDNR) **24-Hour Environmental Emergency Response Spill Line** at **573-634-2436**, or the National Response Center at **800-424-8802**.

Otherwise, follow the procedures below.

Detection and Identification: Use the IDDE Program procedures to detect illicit discharges and identify the source(s). Once a discharge has been confirmed to be illicit, the MS4 Operator shall declare it a nuisance and is authorized to pursue abatement and enforcement procedures as specified below and in Chapter 14, Article 1 of the Belton Code of Ordinances.

Contact Source:

- Use available resources to contact and inform the responsible party of their illicit discharge and that it is in violation of City Ordinance. Contact information can be found using, GIS parcel information, water billing account information, company websites, etc.

- If possible, work with the responsible party to stop the discharge and develop and implement a plan to remediate or restore the affected area.

Enforcement: If an agreement with the responsible party cannot be reached to stop the discharge and restore or remediate the affected area, the following procedures can be used.

- MS4 staff will work with Code Enforcement to issue a summons to appear in municipal court on the violation.
- If the party is found guilty, after the issuance of a summons to appear in municipal court, they shall be assessed a fine and court costs not to exceed $200.00 for the first offense.
    - Second offence in 12-month period = fine and court cost not to exceed $275.00.
    - Third offence in a 12-month period = fine and court cost not to exceed $350.00.
    - Habitual offenders (4 or more times in a 12-month period) = fine and court cost not to exceed $450.00 per offense.

Abatement:

- If the illicit discharge is not immediately necessary to remove for immediate protection of the health and welfare of citizens and the environment, MS4 staff or the code enforcement officer shall give 10 days' notice to the responsible party ordering the removal and/or remediation of the illicit discharge.
- The responsible party shall not fail, neglect or refuse to comply with the order within the specified time. For every day from the time specified in the notice that the party shall fail, neglect, or refuse to comply, and for every day thereafter that the person shall fail, neglect, or refuse to remove and/or remediate the illicit discharges, that party shall be deemed guilty of a separate offense.
- The notice shall meet the following:
    1. Be in writing
    2. State that the nuisance is an illicit discharge, and constitutes as a nuisance.
    3. Describe the premises where the illicit discharge is alleged to exist or to have been committed
    4. Specify a period of ten days for the removal or remediation of the illicit discharge and advise the responsible party of their right to request a hearing under the appeal procedure in subsection 14-6(d).
    5. State that, unless the illicit discharge is removed and/or remediated within the ten days, it can be removed and/or remediated by the city and the costs of removal/remediation shall be assessed as provided in City Code Section 14-9.
    6. Be served upon the responsible party by delivery personally or by leaving notice at the responsible party's usual place of abode with a member of the family other the age of 15 years, or by United States mail, postage prepaid, addressed to the responsible party or their agent. If a person to whom the notice is addressed cannot be found after reasonable effort to do so, service may be made upon the person by posting the notice on the premises described in the notice, or by causing the notice to be published in a newspaper of general circulation. If the owner or occupant is a corporation, notice shall be served upon an officer, a person in charge of any local business office, or its registered agent or any other agent authorized by appointment or required by law to receive service of process.

Appeals: Information on appeals can be found in the City Code of Ordinances; Section 14-6(d).

ARTICLE V. STORMWATER POLLUTION PREVENTION—ILLICIT DISCHARGES

Sec. 11-338. Title.

These regulations shall hereafter be known as illicit discharge regulations.

(Ord. No. 2012-3878, § 1, 12-11-2012)

Sec. 11-339. Purpose and findings.

(a) The purpose of this article is to provide for the health, safety, and general welfare of the citizens of Belton, Missouri through the regulation of stormwater and nonstormwater discharges to the storm drainage system to the maximum extent possible.

(b) The city council of the city hereby finds that pollutants may discharge into surface waters, both through inappropriate nonstormwater discharges into the municipal separate storm sewer system (MS4) or the surface waters directly, and through the wash-off and transport of pollutants found on the land and built surfaces by stormwater during rainfall events. Such discharge of pollutants may lead to increased risks of disease and harm to individuals, particularly children, who come into contact with the water; may degrade the quality of such water for human uses, such as drinking, irrigation, recreation, and industry; and may damage the natural ecosystems of rivers, streams, lakes and wetlands, leading to a decline in the diversity and abundance of plants and animals.

(c) Further, the city council of the city hereby finds that this article will promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the storm drainage system. Such discharges are inconsistent with the provisions and goals of the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES), and other federal and state requirements for water quality and environmental preservation.

(d) Further, the city council of the city hereby finds that a reasonable establishment of restrictions and regulations on activities within the city is necessary to eliminate or minimize such discharges of pollutants, to protect the health and safety of citizens, to preserve economic and ecological value of existing water resources within the city and within downstream communities, and to comply with the provisions of the city's responsibilities under the Clean Water Act and the NPDES program.

(Ord. No. 2012-3878, § 1, 12-11-2012)

Sec. 11-340. Abbreviations.

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

BMP	Best management practice
CFR	Code of Federal Regulations
EPA	Environmental Protection Agency
HHW	Household hazardous waste
MDNR	Missouri Department of Natural Resources

MS4	Municipal separate storm sewer system
NPDES	National Pollutant Discharge Elimination System
PST	Petroleum storage tank

(Ord. No. 2012-3878, § 1, 12-11-2012)

Sec. 11-341. Definitions.

For the purposes of this article, the following definitions shall apply:

Best management practices (BMPs) means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

City means the City of Belton.

Clean Water Act means the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Code means the Belton Code of Ordinances.

Director means the director of public works or the director's authorized representative.

Discharge means the addition or introduction, directly or indirectly, of any pollutant, stormwater, or any other substance into the MS4 or surface waters.

Domestic sewage means 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 conveniences of dwellings (including apartment houses and hotels), office buildings, retail and commercial establishments, factories, and institutions, that is free from industrial waste.

Extremely hazardous substance means any substance listed in the appendices to 40 CFR Part 355, Emergency Planning and Notification.

Fertilizer means a substance or compound that contains a plant nutrient element in a form available to plants and is used primarily for its plant nutrient element content in promoting or stimulating growth of a plant or improving the quality of a crop, or a mixture of two or more fertilizers.

Hazardous household waste (HHW) means any material generated in a household (including single and multiple residences) by a consumer which, except for the exclusion provided in 40 CFR Section 261.4(b)(1), would be classified as a hazardous waste under 40 CFR Part 261.

Hazardous substance means any substance listed in Table 302.4 of 40 CFR Part 302.

Hazardous waste means any substance identified or listed as a hazardous waste by the EPA pursuant to 40 CFR Part 261.

Illicit discharge means any discharge to the city's municipal separate storm sewer system (MS4) that is not composed entirely of stormwater, except discharges pursuant to a NPDES permit.

Industrial waste means any waterborne liquid or solid substance that result from any process of industry, manufacturing, mining, production, trade, or business.

Municipal separate storm sewer system (MS4) means the system of conveyances, (including roads with drainage systems, municipal streets, private streets, catch basins, curbs, gutters, ditches, manmade channels, or

storm drains) owned and operated by the city and designed or used for collecting or conveying stormwater, and which is not used for collecting or conveying sewage.

NPDES means 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.

NPDES permit means for the purpose of this article, a permit issued by United States Environmental Protection Agency (EPA) or the State of Missouri that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Oil means any kind of oil in any form, including, but not limited to: petroleum, fuel oil, crude oil, synthetic oil, motor oil, bio-fuel, cooking oil, grease, sludge, oil refuse, and oil mixed with waste.

Person means 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, including all federal, state, and local governmental entities.

Pesticide means a substance or mixture of substances intended to prevent, destroy, repel, or migrate any pest, or substances intended for use as a plant regulator, defoliant, or desiccant.

Petroleum product means a product that is obtained from distilling and processing crude oil and that is capable of being used as a fuel or lubricant in a motor vehicle, boat or aircraft including motor oil, motor gasoline, gasohol, other alcohol blended fuels, aviation gasoline, kerosene, distillate fuel oil and #1 and #2 diesel fuel.

Pollutant means any substance or material which contaminates or adversely alters the physical, chemical or biological properties of the waters including changes in temperature, taste, odor, turbidity, or color of the water. Such substance or material may include, but is not limited to, dredged spoil, spoil waste, incinerator residue, sewage, pet and livestock waste, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, yard waste, hazardous household wastes, oil and petroleum products, used motor oil, antifreeze, litter, pesticides, and industrial, municipal, and agricultural waste discharged into water.

Property owner means the named property owner as indicated by the records of the Cass County, Missouri Records and Tax Administration.

Release means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the MS4 and/or surface waters.

Sanitary sewer means the system of pipes, conduits, and other conveyances which carry industrial waste and domestic sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, to a sewage treatment plant and to which stormwater, surface water, and groundwater are not intentionally admitted.

Septic tank waste means any domestic sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Sewage means the domestic sewage and/or industrial waste that is discharged into the sanitary sewer system and passes through the sanitary sewer system to a sewage treatment plant for treatment.

State means the State of Missouri.

Stormwater means stormwater runoff, snow melt runoff, and surface runoff and drainage.

Surface waters means any body of water classified as "surface waters" by the State of Missouri, including streams, rivers, creeks, brooks, sloughs, draws, arroyos, canals, springs, seeps, cavern streams, alluvial aquifers associated with these surface waters, lakes, manmade reservoirs, oxbow lakes, ponds, and wetlands, as well as any other body of water classified by the federal government as a "water of the United States".

Waste means any garbage, refuse, sludge or other discarded material which is abandoned or committed to treatment, storage or disposal, including solid, liquid, semisolid or contained gaseous materials resulting from industrial, commercial mining, community and agricultural activities. Waste does not include solid or dissolved materials in domestic sewage or irrigation return flows or solid or dissolved materials or industrial discharges which are point sources subject to permits under the State of Missouri. The federal definition of solid waste is found at 40 CFR 257.2.

Water quality standard means the law or regulation that consists of the beneficial designated use or uses of a water body, the numeric and narrative water quality criteria that are necessary to protect the use or uses of that particular water body, and an antidegradation statement.

(Ord. No. 2012-3878, § 1, 12-11-2012)

Sec. 11-342. General prohibition.

(a) No person shall release or cause to be released into the MS4, or into any surface water within the city, any discharge that is not composed entirely of stormwater that is free of pollutants, except as allowed in subsection (b).

(b) Unless identified by the city or MDNR as a significant source of pollutants to surface water the following nonstormwater discharges are deemed acceptable and not a violation of this section:

(1) Water line flushing;

(2) Diverted stream flow;

(3) Rising groundwater;

(4) Groundwater infiltration to the storm system;

(5) Uncontaminated pumped groundwater;

(6) Contaminated groundwater if authorized by MDNR and approved by the city;

(7) Discharges from potable water sources;

(8) Foundation drains;

(9) Discharges from crawl space pumps;

(10) Air conditioning condensate;

(11) Landscape irrigation or lawn watering;

(12) Springs;

(13) Water from crawl space pumps;

(14) Footing drains;

(15) Individual residential car washing;

(16) Flows from riparian habitats and wetlands;

(17) Dechlorinated swimming pool discharges excluding filter backwash;

(18) Street wash waters (excluding street sweepings which have been removed from the street);

(19) Discharges or flows from emergency firefighting activities;

(20) Heat pump discharge waters (residential only);

(21) Dye testing if written notification is provided to the director prior to the time of test;

(22) Treated wastewater or other discharges meeting requirements of a NPDES permit; and

(23) Other discharges determined not to be a significant source of pollutants to waters of the state, a public health hazard or a nuisance.

(c) Discharges specified in writing by the director or authorized representative or authorized representative as being necessary to protect public health and safety.

(d) Notwithstanding the provisions of subsection (b) of this section, any discharge shall be prohibited by this section if the discharge in question has been determined by the director or authorized representative to be a source of a pollutant to the MS4 or to surface waters, written notice of such determination has been provided to the property owner or person responsible for such discharge, and the discharge has occurred more than ten days beyond such notice.

(Ord. No. 2012-3878, § 1, 12-11-2012)

Sec. 11-343. Specific prohibitions and duties.

The specific prohibitions and requirements in this section are not inclusive of all the discharges prohibited by the general prohibition in section 11-342, but are provided to address specific discharges that are frequently found or are known to occur:

(a) No person shall release or allow to be released any of the following substances into the MS4:

(1) Any new or used, motor oil, antifreeze, petroleum product or waste;

(2) Any industrial waste;

(3) Any hazardous substance or hazardous waste, including household hazardous waste;

(4) Any domestic sewage or septic tank waste, grease trap or grease interceptor waste, holding tank waste, or grit trap waste;

(5) Any garbage, rubbish or other waste;

(6) Any new or used paints, including latex-based paints, oil-based paints, stains, varnish, and primers, as well as cleaning solvents and other associated products;

(7) Any yard wastes which have been moved or gathered by a person;

(8) Any ready-mixed concrete, mortar, ceramic, or asphalt base material or discharge resulting from the cleaning of vehicles or equipment containing or used in transporting or applying such material;

(9) Any other discharge that causes or contributes to causing the city to violate a state water quality standard, the city's NPDES stormwater permit, or any state-issued discharge permit for discharges from its MS4.

(b) No person shall introduce or cause to be introduced into the MS4 any harmful quantity of sediment, silt, earth, soil, or other material associated with clearing, grading, excavation or other construction activities in excess of what could be retained on site or captured by employing sediment and erosion control measures.

(c) No person shall connect a line conveying sanitary sewage, domestic or industrial, to the MS4. No property owner shall allow such a connection to continue in use on their property.

(d) No person shall use pesticides, herbicides and fertilizers except in accordance with manufacturer recommendations. Pesticides, herbicides and fertilizers shall be stored transported and disposed of in a manner to prevent release to the MS4.

(e) No person shall tamper with, destroy, vandalize, or render inoperable any BMPs which have been installed for the purpose of eliminating or minimizing pollutant discharges, nor shall any person fail to install or fail to properly maintain any BMPs which have been required by the city or by other local, state, or federal jurisdictions.

(Ord. No. 2012-3878, § 1, 12-11-2012)

Sec. 11-344. Inspection and detection program.

The director or authorized representative is authorized to develop and implement a plan to actively detect and eliminate prohibited discharges and connections to the MS4 or surface waters within the city. Such plan may include, but is not limited to, periodic and random inspections of facilities and businesses, particularly those most associated with potentially prohibited discharges; visual surveys of exterior practices; inspection, sampling and analyses of discharges from outfalls of the MS4, particularly during dry weather periods; manhole and pipe inspections to trace discharges through the system to point of origin; education on pollution prevention; and receipt of complaints and information from the public regarding known or suspected discharges.

(Ord. No. 2012-3878, § 1, 12-11-2012)

Sec. 11-345. Release reporting and cleanup.

(a) Any person responsible for the release of any prohibited material that may flow, leach, enter, or otherwise be introduced into the MS4 or surface waters shall take all necessary steps to ensure the containment and cleanup of such release.

(b) In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services.

(c) In the event of a release of nonhazardous materials, said person shall notify the director or authorized representative in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the director or authorized representative within three business days of the phone notice.

(Ord. No. 2012-3878, § 1, 12-11-2012)

Sec. 11-346. Enforcement; designation of officer; penalty.

(a) *Enforcement/designation of officer.*

(1) The director or his or her appointed representative shall be designated as the public officer charged with the administration and enforcement of this article. The public officer shall authorize the investigation of violations of the article. If it is determined that a violation of this article exists, then the officer shall declare such condition a nuisance and is authorized to pursue abatement and enforcement procedures as specified in chapter 14, article 1 of the Belton Code of Ordinances.

(b) *Penalty.*

(1) Penalties for the violation of this chapter shall be as specified in section 14-2 of the Belton Code of Ordinances.

(Ord. No. 2012-3878, § 1, 12-11-2012)

Sec. 11-347. Severability.

If any section, subsection, paragraph, sentence, clause or phrase in this article or any part thereof is held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this article.

(Ord. No. 2012-3878, § 1, 12-11-2012)

Sec. 36-69. - Subdivision design.

(a) *Access control.*

(1) In the interest of public safety and for the preservation of the traffic-carrying capacity of the street system, the planning commission shall have the right to restrict and regulate points or access to all property from the public street system. Such restrictions shall be indicated on the final plat.

(2) The design of the subdivision shall provide for efficient traffic flow, proper mixing of land uses, and a logical link between surrounding, and existing development and the proposed layout. The comprehensive plan should be used as a guide in determining if the design of the proposed subdivision is proper. The planning commission shall have the authority to deny a plat or request redesign, if, in its opinion, the layout is not suitable for the site, or if the development of the subdivision would be premature because of inadequate road access or utilities to the proposed subdivision.

(b) *Stormwater runoff plan.*

(1) *Design criteria.*

a. All new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than on acre that are part of a larger common plan of development or sale shall include best management practices (BMPs) intended to minimize water quality impacts, and attempt to maintain pre-development runoff conditions. A copy of the MDNR land disturbance permit shall be provided to the city prior to any land disturbance activities.

b. In addition, whenever existing downstream stormwater facilities are inadequate to carry stormwater runoff, the developer will be required to build detention facilities. The maximum allowable release rate (MARR) for stormwater runoff originating within the proposed development shall not exceed the pre-developed runoff from the site.

c. The downstream capacities and flows shall be checked at the most critical points as determined by the city engineer, and the most restrictive shall apply. Connection to downstream storm sewer must be approved by the city engineer.

d. All detention facilities and stormwater BMPs shall be designed in accordance to section 5600, APWA Standard Specifications and Design Criteria and the MARC/APWA "Manual of Best Management Practices For Stormwater Quality." In addition to these design criteria, the following supplemental design criteria shall be used in the design of detention facilities:

1. The interior of all dry detention facilities shall be sloped at a minimum 1.0 percent grade toward the pilot channel or outlet.

2. All dry detention facilities serving an area greater than five acres shall be equipped with a two-stage outlet structure, plus an emergency spillway. The outlet structure shall be designed so that the discharge through the first stage accounts for no greater than 20 percent of the total design storm discharge.

3. Detention facilities serving more than one lot with the potential for multiple users shall be provided a separate lot owned jointly by the lots served through a homeowners association or other agreement. Maintenance shall be provided per subsection (b)(3) of this section unless otherwise provided on the plat.

4. Detention requirements may be waived if the increase in design storm peak runoff for a given development is less than 5.0 cfs from pre-developed conditions.

5. Provide five years sediment storage in both wet detention facilities and dry detention facilities. Sediment accumulation shall be calculated per APWA design standards.

6. Each proposed subdivision or commercial development shall have the following:
   (i) Drainage map using two-foot contour intervals, show all creeks, drainage ways, inlets, pipes, manholes, culverts, bridges, roads and buildings.
   (ii) Drainage map must include all adjacent watersheds that flow through or near the projects site.
   (iii) Hydraulic grade line must be shown for each enclosed storm drainage system or pipe.
   (iv) Curb inlet, field inlet, gutter spread and pipe capacity charts shall be included in the storm drainage improvement plans.
   (v) For flows or runoff greater than 3.0 cfs, field inlets or area inlets shall be required in rear or side yards to reduce flooding of adjacent properties.
   (vi) A storm drainage report based on APWA 5600 and City of Belton Standards shall be submitted and approved prior to completion of storm drainage plans. This report shall include a discussion of proposed and existing runoff conditions of the site, capacity of downstream sewer, proposed storm sewer improvements and detention/retention ponds. A review of drainage areas that are adjacent or that flow through the proposed site must be included.
7. The city engineer may require that detention/retention basins that flow into adjacent properties meet one or all the following requirement:
   (i) A reduction in outfall release rate and velocity to reduce erosion.
   (ii) Letters of agreement signed by adjacent property owners.
   (iii) Indemnification agreement that indemnifies the city from damages due to runoff, erosive velocities or flood damage to property owners.

(2) *Landscaping requirements.*

a. A landscaping plan for detention facilities in conformance with requirements of this section shall be submitted for approval as part of the preliminary plat for any development.
b. Detention facilities shall be seeded with a seed mix commonly known as "Red Top" Bluegrass.
c. Detention facilities shall include landscaping with trees located within five feet of the top of the slope on the perimeter. Trees shall be in good condition with a minimum size of 2.0 caliper. Selection of species and permitted spacing shall conform to the following:

Shade Trees - Spacing: 35' Minimum 50' Maximum		
White Ash	Shademaster Honey Locust	Swamp White Oak
Ginko	Shingle Oak	Pin Oak
Willow Oak	Greenspire Linden	Bald Cypress
Ornamental Trees - Spacing: 20' Minimum 30' Maximum		
Amur Maple	Flowering Dogwood	Eastern Redbud
River Birch	Chanbticleer Pear	

Evergreen Trees - Spacing: 30' Minimum 40' Maximum		
White Spruce	Eastern Red Cedar	Austrian Pine

d. Landscaping requirements shall not apply to parking lot or rooftop detention facilities or permanent wet pond facilities. Trees shall be omitted in locations designated by the city engineer in which installation of such trees represent a hazard condition by root intrusion into embankment area.

(3) *Maintenance.*

a. Stormwater facilities shall be maintained by the owner or other responsible party as outlined in a maintenance agreement approved by the city council at the time of final plat approval.

b. Disposal of waste from maintenance of facilities shall be constructed in accordance with applicable federal, state and local laws and regulations.

c. Records of the installation and maintenance and repair shall be retained by the owner or other responsible party for the current five-year period and shall be made available to the city public works department upon request.

d. Any failure to maintain a stormwater facility in accordance with city requirements or to correct problems with stormwater facility as required by the city after receipt of due notice shall be handled under the procedure for nuisances as outlined in the Belton City Code.

(4) *Stormwater conveyance.*

a. *Enclosed systems.* Enclosed systems consisting of underground pipes, culverts, and similar functional underground structures shall be used to convey stormwater at all locations within 60 feet of the closest boundary of any existing or proposed habitable building, unless no substantial risk of flooding or other damage is evident and the location is specifically approved by the city engineer.

b. *Open systems.* Open systems consisting of natural or improved open channels with intermittent culverts or bridges crossing streets and other surfaced areas may be used to convey stormwater at all locations where the use of an enclosed system is not required by the foregoing criteria.

1. *Special provisions.* Maximum Side slopes for open channels shall be three horizontal to one vertical (3:1). Slopes greater than 3:1 shall be allowed only for paved concrete or gabion lining materials and shall require installation of a four-foot-high chainlink fence at the channel perimeter.

(c) *Flooding.*

(1) All subdivision proposals shall be consistent with the need to minimize flood damage.

(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

(d) *Water bodies and watercourses.* If a tract being subdivided contains a water body, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the water body among the adjacent lots. The planning commission may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the water body is so placed that it will not become a city responsibility. No more than 25 percent of the minimum

area of a lot required under the zoning ordinance may be satisfied by land which is under water. Where a watercourse separates the buildable area of a lot from the street by which it has access, provisions shall be made for installation of a culvert or other structure, when the design is approved by the city engineer.

(e) *Environmental restrictions.* No lot shall be impractical to improve due to steepness of terrain, dangerous soil conditions nor other adverse natural physical conditions, or shall any lot be platted to allow development which will constitute a danger to health or safety or result in property destruction.

(f) *Dams.* Where dams are proposed in any subdivision, they shall be designed by professional engineers registered in the state. A preliminary engineering report including soil investigations and design and construction procedures shall be submitted with the preliminary plat. When a dam is planned on private property, the engineer shall certify that the dam is constructed in accordance with the approved plans and specifications. Dams shall be designed, approved and permitted based on the latest requirements from the state department of natural resources.

(UDC 2010, § 20.20; Ord. No. 2008-3419, 2-12-2008; Ord. No. 2012-3823, § 1, 8-14-2012; Ord. No. 2013-3938, § 1, 7-23-2013)

PUBLIC WORKS

CITY OF BELTON, MISSOURI

Land Disturbance Permit (Greater than 1 Acre)

PROJECT NAME: _____

LAND DISTURBANCE AREA (Acres): _____

MDNR LAND DISTURBANCE PERMIT NO: _____

MDNR LAND DISTURBANCE PERMIT EXPIRATION DATE: _____

PROPOSED CONSTRUCTION START DATE: _____

ESTIMATED CONSTRUCTION COMPLETION DATE: _____

1. Submit completed Land Disturbance Permit (Greater than 1 Acre) to Public Works' Engineering Division.
2. Approval of sediment and erosion control plans is required before issuance of this permit. Submit one copy of the plans for review. Plans shall be designed in accordance with the City of Belton's Design and Construction Manual and Unified Development Code, and prepared by a registered Professional Engineer in the State of Missouri.
3. A Missouri Department of Natural Resources (MDNR) Land Disturbance Permit is required. Provide verification of a MDNR Land Disturbance Permit application or a copy of a MDNR permit for the site. MDNR permit information can be found at http://www.dnr.mo.gov/env/wpp/epermit/help.htm
4. The property owner and permittee are responsible for installing and maintaining erosion and sediment control (ESC). Additional ESC measures beyond what is on approved plans may be required.
5. Clearing, grading, and stockpiling are prohibited on land not defined in the ESC plans.
6. Sediment and erosion control plans shall comply with the City of Belton's Design and Construction Manual and Unified Development Code.
7. A Land Disturbance Permit is valid for one year after issuance. A one-year extension may be granted upon request.
8. Inspect erosion prevention and sediment controls weekly and within 24 hours after a 1/2" in 24 hours rain event. The permittee shall maintain written records of such checks and repairs. These records must be kept on the job site or in the office of the responsible person and available for review at any time by an individual from the Planning and Building Department or Public Works Engineering Division. The weekly Inspection is to be faxed or emailed to the Engineering Division when completed.

Checklist:

- ☐ The final plat has been approved by the City of Belton City Council. (If the approval of the final plat is contingent upon any conditions requiring further Council review or action, the Council must provide specific approval to allow for the preliminary work to begin.)
- ☐ A preliminary grading plan, including existing contours and features and proposed improvements and contours, has been approved by the City Engineer.
- ☐ If construction cost of erosion and sediment control measures exceeds $2,000, a performance bond or letter of credit is required.
- ☐ A preliminary stormwater management plan addressing both water quality and quantity has been approved by the City Engineer. The plans shall indicate the necessary size, approximate dimensions, and location of the detention and best management practices to be utilized.
- ☐ A preliminary engineer's estimate (including contingencies) for the stormwater management facilities has been provided.
- ☐ An erosion control plan has been approved by the City Engineer.
- ☐ All other local, state, and federal permits applicable to grading are obtained. This may include, but is not limited to an MDNR Land Disturbance Permit, 401 permit, and 404 permit.
- ☐ The applicant will bear the entire burden of risk and agrees to indemnify the City from any expense that may occur due to beginning the project prior to final approval of all documents including final site plans, stormwater management plans, and public infrastructure plans. The applicant shall meet all ordinances, regulations, and code requirements regardless of the changes that may be necessary to the preliminary plans and any construction that has already occurred.

Acceptance of Conditions:

OWNER: _____
Name

_____
Address

_____
Phone Contact

_____ _____
Signature Date

DESIGN ENGINEER: _____
Name

_____
Address

_____
Phone Contact

_____ _____
Signature Date

CONTRACTOR: _____
Name

_____
Address

_____
Phone Contact

_____ _____
Signature Date

APPLICATION APPROVED:

_____ _____
DATE CITY ENGINEER or
AUTHORIZED REPRESENTATIVE

Preliminary Stormwater Plan Checklist

Public Works - Engineering Division

Project Name: _____

Project Location: _____

Project Contact: _____

Please refer to the **City of Belton Design and Construction Manual**, including **KC-APWA Section 5600** and the **APWA/MARC BMP Manual**, as well as the **City's Unified Development Code** for more information.

General Application Requirements

MET	NOT MET	N/A	
☐	☐	☐	Drawings shall be on 24" x 36" sheets (or smaller where appropriate).
☐	☐	☐	Provide a North arrow and scale on each drawing.
☐	☐	☐	Use of appropriate line types, shading labeling and details to clearly represent the plan.

Levels of Service

☐	☐	☐	Peak runoff control is provided for the 1%, 10%, and 50% chance storms.
☐	☐	☐	Volumetric and/or extended detention control of the 90% mean annual event storm is provided for broad protection of the receiving system, including channel erosion protection and flood peak reductions over a range of return periods.

Detention

☐	☐	☐	A 24-hour Type II rainfall distribution storm hyetograph is provided.
☐	☐	☐	Acceptable hydrologic methodology is provided; SCS TR-55 is the preferred method.
☐	☐	☐	Modified Puls (storm-indication method) is provided for detention routing.
☐	☐	☐	Post-development peak discharge rates from the site shall not exceed: ☐ 50% storm peak rate less than or equal to 0.5 cfs per site acre ☐ 10% storm peak rate less than or equal to 2.0 cfs per site acre ☐ 1% storm peak rate less than or equal to 3.0 cfs per site acre ☐ 40-hour extended detention of runoff from the local 90% mean annual event (1.37"/24-hour rainfall)

On-site Drainage System

☐	☐	☐	Use acceptable hydrologic methodology, SCS TR-55 is the preferred methodology.
☐	☐	☐	Use acceptable hydraulic methodology.
☐	☐	☐	Addition runoff from off-site areas included in calculations.

Preliminary Stormwater Plan Checklist

Public Works - Engineering Division

MET | NOT MET | N/A

Water Quality

☐ ☐ ☐ Post-construction BMP's per the MARC BMP Manual are provided. Preferred BMP's are those that provide landscaping features, such as rain gardens.

☐ ☐ ☐ In detention design an orifice providing 40-hour detention of the water quality event is incorporated.

Erosion and Sediment Control (ESC)

☐ ☐ ☐ City's ESC standard details from the Design and Construction Manual are provided in plans.

☐ ☐ ☐ Note is provided on ESC plans that City's Standard Inspection Form will be completed and submitted during construction weekly or after each 0.5 inch rainfall event

Upon approval of ESC plans, submit the following to the Engineering Division:

Disturbing greater than 1 acre of land:
- **City of Belton Land Disturbance Permit (Greater than 1 acre)**
- **State of Missouri Land Disturbance Permit**

Disturbing less than 1 acre of land but greater than 300 square feet:
- **City of Belton Land Disturbance Permit (Less than 1 acre)**

Streams

☐ ☐ ☐ United States Army Corps of Engineers (USACE) requirements for stream disturbances are followed and all documents regarding Corps Jurisdictional Determinations and correspondence between the developer and the Corps are submitted.

☐ ☐ ☐ Federal Clean Water Act Individual 404 Permit requirements are met and provided.

☐ ☐ ☐ Stream buffers are depicted and shall be a minimum average of 40 fee on each side of the stream beginning at the stream centerline.

Floodplain Management

☐ ☐ ☐ Floodplain Development Permit is required and provided for all proposed construction or other development in Zones A and AE of the Flood Insurance Rate Maps (FIRMs) for the City of Belton.

☐ ☐ ☐ Any portion of the parcel within the 100-year floodplain shall be shown with base flood elevations.

☐ ☐ ☐ Plans meet Federal Emergency Management Agency (FEMA) requirements.

☐ ☐ ☐ All FEMA, Missouri Department of Natural Resources and/or USACE approvals must be provided and in place prior to any review by staff or the planning commission.

☐ ☐ ☐ All floodplain permits, LOMA, LOMR, and CLOMR permits are provided and subject to the approval of FEMA and/or SEMA.

Preliminary Stormwater Plan Checklist

Public Works - Engineering Division

Engineering Review Comments:

Name

Date

Public Works Inspection Form

Contact Name:_____ Phone Number:_____

Address:_____ Date:_____

Inspector:_____ Contractor:_____

Special Instructions:

Sidewalk and Drive Approach Pass: ☐ Fail: ☐

Notes:

Stormwater Pass: ☐ Fail: ☐

Notes:

Water Pass: ☐ Fail: ☐

Notes:

Sanitary Sewer Pass: ☐ Fail: ☐

Notes:

Street Pass: ☐ Fail: ☐

Notes:

Erosion Control Pass: ☐ Fail: ☐

Notes:

Misc. Pass: ☐ Fail: ☐

Notes:

Attachment 7

SWPPP Facility Inspection Checklist

This inspection checklist can be used by Division personnel to

- Conduct a general SWPPP inspection of municipal or private Facilities
- Determine if additional best management practices (BMP's) may be required

Location:_____ **Date:**_____

Inspector:_____ **Time:**_____

GOOD HOUSEKEEPING

(Circle one)

1. Are outside areas kept neat, clean and orderly?	Yes	No	n/a
2. Are garbage bins, waste bins and dumpsters covered?	Yes	No	n/a
3. Has the storm water conveyance system been altered?	Yes	No	n/a
a. If yes, does the alteration maintain SWPPP compliance?	Yes	No	n/a
4. Are storm water outfalls clear of debris?	Yes	No	n/a
5. Are vehicles or equipment cleaned at this facility?	Yes	No	n/a
a. If yes, is wash water being collected and disposed of properly?	Yes	No	n/a

STORAGE

6. Are auxiliary fueling tanks clean?	Yes	No	n/a
a. Are hoses leaking? Pumps leaking? Handle leaking?	Yes	No	n/a
7. Are any storage drums being stored outside?	Yes	No	n/a
8. Has there been a hazardous waste spill since the last inspection?	Yes	No	n/a
9. Any vehicles or equipment leaking fluids?	Yes	No	n/a
10. Are erodible soils exposed to rain water?	Yes	No	n/a
11. Are old tires neatly stacked and covered?	Yes	No	n/a
12. Is all scrap metal placed in the dumpster?	Yes	No	n/a
13. Do the asphalted surfaces need to be swept?	Yes	No	n/a
14. Is the ground surface stained by oil or significant materials?	Yes	No	n/a

ACTION ITEMS: make note of any items, either listed above or not, needing addressed to protect storm water runoff.

_____

_____

_____

_____

_____

CITY OF BELTON
TECHNICAL REVIEW CHECKLISTS
EROSION CONTROL REQUIREMENTS
FOR
PUBLIC INFRASTRUCTURE IMPROVEMENTS

REF #	Description	Approved?		
		Yes	No	N/A
5104.6	Existing Conditions:			
	Existing Contours – Show existing contours of the site.			
	Existing Vegetation – Show existing tree lines, grassed areas, or unique			
	vegetation.			
	Soils – Show the boundaries of different soil types.			
	Existing Drainage Patterns – Show the dividing lines and the direction of flow for different drainage areas. Include the acreage of each drainage area.			
	Critical Areas – Indicated all steep slopes, channels, wetlands, underground springs, and environmentally sensitive areas.			
5103.1	Proposed Construction:			
	Proposed Contours – Show the proposed contours of the site.			
	Site Development – Show all improvements such as buildings, parking lots, access roads, and utility construction.			
	Location of Practices – Show the locations and types of erosion and sediment controls and stormwater management practices used on the site.			
	Location of Topsoil Stockpile – Indicate the location of all soil stockpiles on the site.			
	Detail Drawings – Explain and Illustrate with detail drawings any structural practices used which are not referenced in APWA-KC 5100.			
	Construction Access – Show the access on which construction traffic will be entering and exiting the construction site.			
	Staging Area – Indicate the area on which the construction equipment and materials will be stored.			
	Schedule - Indicate the schedule of installation. Erosion control measures should be in place prior to clearing and grubbing. Also indicate removal of all temporary structures.			
	Inspection and Maintenance – Provide a schedule of regular inspections and maintenance of erosion and sediment control structures.			
	Template Standards – Provide all standard templates applicable to this construction project.			
	Controls Checklist:			
5105.1	See Erosion Control Design Guidance			
	See also City of Belton - Subdivision Regulations 4.82 Erosion			
	Other Permits Required:			
	Construction Activity (NPDES)			
	Section 401			
	Section 404			
	Other State applicable permits			
	Other Local applicable permits			

Review Comments:

Reviewer's Signature:	*Date*:
Design Engineer's Signature:	*Date:*

PUBLIC WORKS

THE CITY OF BELTON
PUBLIC WORKS DEPARTMENT
STORMWATER & FLOOD MANAGEMENT POLICY
MARCH 2021

Overview

The objective of this document is to detail the City of Belton's approach to stormwater management, with the goals of providing citizens flood protection as well as clean lakes and streams through the preservation of stormwater quality.

Stormwater Service Levels

The City has adopted APWA design specifications in the City's Design and Construction Manual. This manual includes the adoption of Section 5600 – Storm Drainage Systems & Facilities as a design guidance document that establishes storm magnitudes and levels of protection.

The City is also considering adoption of a map of Detention Strategies by Watershed to define the required Stormwater Management policy for private development. The map was prepared as part of the City's Stormwater Master Plan (SWMP). The four strategies identified on the map coincide with the respective requirements as outlined in APWA 5600 Section 5601.5.A.4 – Stormwater Management.

Stormwater Quality

MS4 Permit

The City's stormwater discharges are permitted by the NPDES Phase II Small MS4 General Permit. The permit covers a 5-year period, and the City of Belton renewed their permit with the state. Renewal includes updates to the City's Stormwater Management Plan (SWMP), which is used to report compliance with the MS4 permit requirement to the MDNR and EPA. Therefore, the SWMP establishes the City's policy on how stormwater quality needs to be addressed.

Sediment and Erosion Control

Section 36-110.j of the UDC details the City's Sediment and Erosion Control Program. Some of the major requirements of the program are provided below.

1) All sites one acre or more shall have a Missouri Department of Natural Resources permit and a City of Belton permit.
2) The permittee or his or her agent shall make weekly inspections of all control measures in accordance with the inspection schedule outlined on the approved erosion and sediment control plan.
3) The permittee or his or her agent shall inspect and repair as needed all sediment and erosion controls after each rainfall event.

Further details of the Sediment and Erosion Control Program are included in Section 36-110.j.

Operation Plan

The City utilizes the STORMview module in the Cartegraph software program to inventory and maintain public stormwater infrastructure. Public stormwater structures and facilities are inspected on a four year cycle by ward. Inspection forms have been developed for those stormwater structures and pipes that are publicly owned. These forms are used to complete scheduled inspections and evaluate the need for maintenance activities. For those structures that are found to require maintenance, work orders are generated with Cartegraph to schedule the required labor and ensure the structure/facility is operational. Maintenance activities are performed as necessary based on the results of inspections.

Operations and maintenance of private facilities is, by code, the responsibility of the property owner. The City's private facility inspection program is driven by incidental visual inspections from staff and by citizen complaints. In situations of vegetative overgrowth or silt accumulation, the City's Code Enforcement Officer has the ability to issue violations based on the Nuisance chapter of the City's Code of Ordinances. If vegetative overgrowth and/or silt accumulation is significantly decreasing the performance of the stormwater facility, a letter of notification is mailed to the property owner with a specified time period for the property owner to take corrective action.

Floodplain and Floodway Management

The City of Belton participates in FEMA's National Flood Insurance Program (NFIP). Therefore, the floodplain and floodway is defined by FEMA through their countywide Flood Insurance Rate Maps (FIRMs). The City has adopted the latest countywide FIRMs, effective January 2, 2013.

In Chapter 32 of the Unified Development Code (UDC), the Administration section names the Public Works Director or his designee as the Floodplain Administrator, and is responsible for the implementation of the Provisions of Chapter 32.

Section 32-5.b stipulates that a floodplain development permit is required for all proposed construction located in any area identified as a zone A or zone AE, as identified on the FIRMs.

PUBLIC WORKS

THE CITY OF BELTON
PUBLIC WORKS DEPARTMENT
STORMWATER & FLOOD MANAGEMENT POLICY
MARCH 2021

Conclusion

The Public Works Department utilizes an extensive program to manage stormwater runoff that addresses design guidance, inspection and maintenance, flood management and stormwater quality. Stormwater management is an essential service the department provides.

This policy is in the best interest of this Department and the customers it serves.

Greg Rokos
Public Works Director

Sec. 32-2. - Violations, enforcement and penalties.

Any action or inaction which violates the provisions of this chapter or the requirements of an approved plan may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described in the following subsections shall not prevent such equitable relief.

(1) *Notice of violation.* If the city determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved site plan or the provisions of this chapter, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this chapter without having first secured the appropriate approvals therefore, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site. The notice of violation shall contain:

a. The name and address of the owner or the applicant or the responsible person;

b. The address or other description of the site upon which the violation is occurring;

c. A statement specifying the nature of the violation;

d. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the approved site plan or this Code and the date for the completion of such remedial action;

e. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,

f. A statement that the determination of violation may be appealed to the director of public works by filing a written notice of appeal within 30 days after the notice of violation (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient).

(2) *Penalties.* In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, anyone or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the director of public works shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except that in the event the violation

constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the director of public works may take anyone or more of the following actions or impose anyone or more of the following penalties.

(3) *Stop work order.* The director of public works may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take necessary remedial measures to cure such violation or violations.

(4) *Withhold certificate of occupancy.* The city may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

(5) *Suspension, revocation or modification of permit.* The director of public works may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the director of public works may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

(6) *Civil penalties.* In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days (or such greater period as the director of public works shall deem appropriate) (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient) after the director of public works has taken one or more of the actions described above, the director of public works may impose a penalty not to exceed $1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

(7) *Criminal penalties.* For intentional and flagrant violations of this chapter, the director of public works may issue a citation to the applicant or other responsible person, requiring such person to appear in (appropriate municipal, magistrate or recorders) court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed $1,000.00 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

Sec. 32-1. - Stormwater detention requirements.

All facilities and methods discussed in this section shall meet current APWA and building code requirements.

(1) *Applicability.* The provisions of this chapter apply to all land disturbance construction activities including residential (single-family and multifamily), commercial and industrial development. Stormwater detention facilities shall be constructed and in operation prior to any construction of impervious surface and so noted on the engineering drawings.

(2) *Developer responsibility.* There are many methods and/or combination of methods, which may be utilized to provide the amount of storage required. It is the responsibility of the developer to choose which method or combination of methods he or she will use. All required improvements must be designed and built according to the latest edition of the Kansas City Metropolitan APWA unless otherwise required by the City of Belton. Whenever these two are in conflict, the more restrictive applies.

(3) *Methods of storage.* The following is a list of various methods of detention including conditions and limitations, which shall be observed in the selection of a method of detention.

a. *Rooftop storage.*

1. Building codes require roof load designs for rain and snow. The design load may be converted to an equivalent water depth in inches, which can be safely contained on flat roofs.
2. The maximum storage allowed for design purposes should not exceed this depth unless a building is designed to withstand a greater roof-load. The depth of water can be controlled by proper sizing of downspouts and by constructing scuppers through the parapet walls.
3. Overflow drains should be used to protect against possible roof overloading. Roof-water tightness is required to prevent leakage from water accumulation.

b. *Parking lots.*

1. Considerable area in commercial areas is occupied by parking lots. Planned correctly these paved areas can provide adequate detention with minimum inconvenience to the public and without functional interference. This method involves storage of runoff in depressions constructed near drains.
2. In parking lots, detention is permitted to a maximum depth of seven inches. The maximum limits of ponding may not be designed closer than ten feet from a building unless waterproofing of the building and pedestrian accessibility are properly documented.

When detention is used on parking lots by means of retaining walls or curbs, these retaining walls and curbs shall be constructed with reinforced concrete and constructed according to APWA standards.

c. *Recreation areas.*

1. Recreation areas, such as open space or sports fields, generally have a substantial area of grass cover which can have high infiltration rates. A secondary use of such recreation areas can be made by providing for limited detention storage of runoff from adjacent areas. Because these areas are not used during periods of precipitation, detention ponding should not impede their primary use.
2. To minimize the effects of detention, the recreation area should be designed so that it will thoroughly drain. Additionally, the vegetation used on the area should be tolerant of periodic inundation and wetness. The developer and the parks and recreation department should work closely to provide open space that can also be used for limited detention storage.

d. *Dry reservoirs.* Dry reservoirs shall be designed in accordance with the latest revision of the Standard Specifications of the Kansas City Metropolitan Chapter of the American Public Works Association as modified below:

1. *Earth bottoms.* All dry detention facilities shall be constructed with earth bottoms unless there is not sufficient runoff to support a plant community as determined by the director of public works. The pond bottom shall be designed as a wetland and plantings shall be installed in accordance with wetland design criteria as specified in the latest revision of the Mid-America Regional Council and American Public Works Association "Manual for Best Management Practices for Stormwater Quality."
2. *Maintenance.*

(i) Stormwater facilities shall be maintained by the owner or other responsible party as outlined in a maintenance agreement approved by the city council at the time of final plat approval.

(ii) Disposal of waste from maintenance of facilities shall be constructed in accordance with applicable federal, state and local laws and regulations.

(iii) Records of installation and maintenance and repair shall be retained by the owner or other responsible party for the current five-year period and shall be made available to the city public works department upon request.

(iv)

Any failure to maintain a stormwater facility in accordance with city requirements or to correct problems with a stormwater facility as required by the city after receipt of due notice shall be handled under the procedure for nuisances as outlined in the Belton City Code.

3. *Inspection.*

(i) Stormwater systems shall be inspected by the city public works department during and after construction and annually thereafter to assure consistency with the approved stormwater management plan.

(ii) All stormwater systems shall be subject to the authority of the on-site detention inspection program of the city public works department to ensure compliance with this Code and may be inspected when deemed necessary.

(iii) Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including but not limited to, random sampling and/or sampling in areas with evidence of stormwater pollution, illicit discharges, or similar factors. Refer to Chapter 11, Article V of the city's Code of Ordinances for details on illicit discharges and the enforcement of the prohibition of illicit discharges.

e. *Permanent lakes.* Permanent lakes must be constructed according to the Kansas City Metro APWA standards and specifications.

f. *Underground storage.*

1. Stormwater runoff may be controlled by a holding tank or large size pipe. This method should be limited to areas where surface ponding is prohibited due to lack or high cost of available land or areas where the surface topography is not conducive to above-ground storage.
2. These systems must be designed so that the water surface from the 25-year storm does not exceed the elevation of the top of the storage pipe or vault or come within six inches of the bottom of any inlet grate or exceed the top of any upstream pipe; and provision must be made to safely control the 100-year storm.
3. Underground storage systems must be designed to be relatively maintenance free by using adequate trash screens at all inlets to the system and at the control structures avoiding the use of moving parts and avoiding the use of small control pipes and narrow weir openings.
4. Privately maintained underground storage systems located on private property must be constructed of materials which have a similar expected life as that of the project. Tanks, vaults or oversized pipes and multiple parallel pipes may be used in these private systems.

5. All underground storage systems must have a reasonable number and type of access locations to allow easy inspection and maintenance.

(4) *Payment in lieu of detention.* Properties located within the Markey Regional Detention Watershed (defined as that property set out on Exhibit A) in lieu of providing for on-site detention in conjunction with improvements to the property, as required by section 32-1(1) of the UDC, may make a payment in lieu of storm water detention to the city (the "payment") and utilize the city's regional detention facility as shown on Exhibit A, (the regional detention facility). In order to be authorized to make a payment and utilize the regional detention facility the following must take place:

a. *For development of property being platted.* An application (the "application") on forms provided by the public works department must be submitted at least 30 days prior to the planning commission's consideration of a preliminary plat which seeks to use the regional detention facility in lieu of providing for on-site detention.

b. *For development of property not being platted.* If the proposed improvements to the property do not require a plat nor modifications to an existing plat, the application must be provided with the site plan submitted for development review.

c. A drainage study (the "drainage study") must be filed with the application and contain all of the information regarding the development proposed for the property being platted and it's storm water detention needs. The drainage study shall be based on APWA 5600 and City of Belton's standards as set out in section 36-69(b) of the UDC. The drainage study shall also include: a) an analysis of the proposed and existing runoff conditions of the site; b) an analysis of the capacity of downstream storm sewers, proposed storm sewer improvements and detention/retention ponds; c) a review of drainage areas that are adjacent to or that flow through the property being platted; and d) any and all other information reasonably request by the city (the "study").

   The director of public works or his designee shall have the sole discretion to approve of the study and shall include such decision for approval to the city council as part of its consideration of the agreement (the "agreement") as described below.

d. The details of the payment shall be set out in the agreement between the city and the applicant and shall be expeditiously approved by the city council:

   1. In the case of a development requiring a plat, the agreement shall be approved by the city council in conjunction with the approval of the preliminary plat.
   2.

In the case of a development which does not require a plat, the agreement shall be approved by a resolution or motion of the city council.

e. In all regards, the payment shall be calculated at a rate (the "rate") of $5,900.00 per impervious acre of development as set out in the approved study. The payment for the property being developed shall be made to the city before a building permit will be issued for the development. After March 1, 2015 the rate shall be increased every March 1st using an escalator fact based upon the Consumer Price Index for Construction.

(5) *Dams, retention basins and siltation control.* Where dams are proposed in any subdivision, they must be designed by a professional engineer registered in the state. A preliminary engineering report including soil investigations and design procedures must be submitted to the director of public works for review. When a dam is planned on private property, the engineer must certify that the dam is constructed according to the approved plans and specifications.

(6) *Stream buffer protection.*

a. *Applicability.* This section applies to all land or new development within the stream corridor, as defined by this section and applied to designated stream segments identified on the Belton Stream Order Map and incorporated as a part of this section. No development shall occur on a parcel of land that is within or partially within the defined stream corridor, except in accordance with this section. This section does not apply to land or to development which:

1. Is on land covered by an approved, unexpired final plat, preliminary plat, memorandum of understanding (MOU) or preliminary plan, where such approval was given prior to the effective date of the ordinance from which this section is derived;
2. Is covered by an unexpired building permit issued prior to the effective date of this section, in accordance with the City Code, and platting was not required prior to issuance of a building permit;
3. Is being used for agricultural operations; or
4. If a development obtains a Federal Clean Water Act Individual 404 Permit allowing a stream to be relocated or otherwise altered, this section will apply to the new stream location and order. A copy of the approved 404 Permit shall be submitted with the buffer plan.

(i) No development shall be approved that proposes development on any parcel of land wholly or partially within the defined stream corridor unless the proposed development is in compliance with the applicable provisions of this section.

(ii)

Except as otherwise provided by this section, the director of public works shall administer, implement and enforce the provisions of this section. The director may delegate any powers or duties granted by this Code to other city personnel or authorized representatives.

(iii) The city is authorized to develop administrative policies and guidelines to implement this section.

(iv) Stream buffers, as required by this section, are a part of the city's stormwater management program.

b. *Buffer and stream setback requirements.* All land development activity subject to this chapter shall meet the following requirements:

1. *Plan requirements.*

(i) A buffer plan approved by the director of public works is required for all projects where development or redevelopment is to occur on property that includes or is adjacent to a stream. The plan shall set forth an informative, conceptual, and schematic representation of the proposed activity so as to enable the city an opportunity to make a reasonably informed decision regarding the proposed activity.

(ii) The delineation of the stream buffer and its component zones shall be shown on any building construction plans, preliminary plat and final plat, as may be required by the City Code. The buffer plan shall be submitted in conjunction with the required preliminary plat and engineering plans for any development and the boundaries of the stream buffer shall be clearly delineated.

(iii) A buffer plan shall contain the following information:

A. A location or vicinity map showing the limits of the FEMA-delineated 100-year flood limits.

B. Field-delineated and/or surveyed streams, springs, bodies of water (include a minimum of 150 feet into adjacent properties).

C. Labels for the stream buffer zones and any structures or activities by the zone where they are to be located.

D. An inspection and maintenance plan.

E. A planting palette in accordance with the latest revision of the Kansas City APWA Best Management Practices Manual.

c. *Boundary markers.* Boundary markers shall be installed prior to final approval of the required clearing and grading plan.

d. *Construction fencing.* Construction fencing shall be placed to delineate the buffer and shall be maintained throughout the construction of the project.

e. *Final plats.* All final plats and survey documents prepared for recording shall clearly:

1. Show the extent of any stream buffer on the subject property.
2. Provide a note to reference any stream buffer stating: "There shall be no clearing, grading, construction or disturbance of vegetation."
3. Provide a note to reference any conservation easements governing all stream buffer areas stating: "Any stream buffer shown hereon is subject to conservation easements that restrict disturbance and use of these areas."

f. *Design standards for stream buffers.*

1. A buffer for a stream shall consist of a strip of land extending along both sides of a stream.
2. The required width for all stream buffers shall be a minimum average of 50 feet on each side of the stream beginning at the stream centerline and shall comply with the following. All buffers are measured from the stream centerline and are required on each side of the stream.

Stream	Minimum Average Buffer Width (feet)
First order	50
Second order	90
Third order	100
Fourth order	140
Fifth order	185
Sixth order	300

3. In no case shall the buffer be less than the floodplain limits as shown on the Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) Cass County Panels.
4. If stream buffers, or stream channels, are disturbed or destroyed during development or construction activities, they shall be restored using native vegetation or plantings.
5. The following structures, practices, and activities are permitted in the stream buffer, with specific design or maintenance features, subject to the review and approval of the city:

(i) Activities for the purpose of building one of the following:

A. A stream crossing by a driveway, transportation route or utility line;

B. Public water supply intake or public wastewater outfall structures;

C. Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;

D. Paved foot trails and paths;

E. Activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used.

(ii) Crossings for roads, bridges and utilities, subject to the following:

A. The right-of-way should be the minimum width needed to allow for maintenance access and installation;

B. The angle of the crossing shall be as close to perpendicular to the stream or buffer as is practicable to minimize clearing requirements; and

C. The minimum number of road crossings should be used within each subdivision, and no more than one crossing is allowed for every 1,000 feet of buffer.

(iii) Public sewer line easements paralleling the creek, except that all easements (permanent and construction) and land disturbance should be at least 25 feet from the top of the bank. This includes such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.

(iv) Within an easement of any utility existing at the time this Code takes effect or approved under the terms of this Code, land disturbance activities and such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.

(v) Emergency work necessary to preserve life or property. However, when emergency work is performed under this section, the person performing it shall report such work to the director of public works on the next business day after commencement of the work. Within ten days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the director of public works to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.

(vi) Placement of structures for the control and monitoring of water quality and water quantity within a stream buffer, as required by the city.

g. *Variance procedures.* Any variance request to the requirements of this chapter shall be filed in accordance with this Unified Development Code.

h. *Compatibility with other buffer regulations and requirements.* This chapter is not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute or other provision of law. The requirements of this chapter should be considered minimum requirements, and where any provision of this chapter imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

i. *Additional information requirements for development on buffer zone properties.* Any permit applications for property requiring buffers and setbacks hereunder must include the following:

1. A site plan showing:
   (i) The location of all streams on the property;
   (ii) Limits of required stream buffers and setbacks on the property;
   (iii) Buffer zone topography with contour lines at no greater than two foot contour intervals;
   (iv) Delineation of forested and open areas in the buffer zone; and,
   (v) Detailed plans of all proposed land development in the buffer and of all proposed impervious cover within the setback;
2. A description of all proposed land development within the buffer and setback.
3. Any other documentation that the director of public works may reasonably deem necessary for review of the application and to ensure that the buffer zone provisions of this subsection (5) are addressed in the approval process.

j. *Responsibility.* Neither the issuance of a development permit nor compliance with the conditions thereof, nor with the provisions of this chapter shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit hereunder serve to impose any liability upon the city, its officers or employees, for injury or damage to persons or property.

k. *Ownership and maintenance responsibility for stream buffers.* The stream buffer areas must be established and recorded by the developer or property owner. Particular zones may be established and protected by different methods. One or more of the following methods shall be used to provide for the preservation of the buffer area in perpetuity:

1. A drainage or conservation easement;

2. Inclusion in a development common area; or
3. Dedication to the City of Belton with the city's acceptance.

Developments and projects must be designed so that all established stream buffers are accessible to facilitate inspection, construction, maintenance and other activities related to the stream and city infrastructure in the buffer area. Nothing contained in this subsection shall establish an independent right of ownership.

l. *Inspection.*

1. The city's engineering and building inspection divisions may cause inspections of the work in the buffer or setback to be made periodically during the course thereof and shall make a final inspection following completion of the work. The permittee shall assist the city in making such inspections. The city shall have the authority to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this chapter, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area.
2. No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

(UDC 2010, §§ 21.1—21.3; Ord. No. 2012-3879, § 1, 12-11-2012; Ord. No. 2014-4005, § 1, 6-10-2014; Ord. No. 2021-4672, § 6, 11-30-2021)

Chapter 20 - LAND USE APPLICATIONS AND PROCEDURES

ARTICLE I. - LAND USE APPLICATIONS AND PROCEDURES

Sec. 20-1. - Zoning map, text amendments, and special uses.

(a) *Authority.* The city council may, by ordinance, amend, supplement, change, modify or repeal the Unified Development Ordinance and the zoning district boundaries.

(b) *Initiation of amendments.* Zoning map amendments may be initiated by the city council, the planning commission or upon application by the owner of a property proposed to be affected. Text amendments may be initiated by the city council or the planning commission.

(c) *Pre-application conference.* Prior to filing of an application for a zoning map amendment, the applicant must attend a pre-application conference.

(d) *Applications.* When the owner of the property affected initiates an amendment to the district boundaries, an application for such amendment must be obtained from the community development director. The application must be completed in its entirety and filed with the community development director so that a public hearing date can be established.

(e) *Submission requirements.* Five copies of the map amendment shall be submitted in support of the application.

(f) *Memorandum of understanding.* A memorandum of understanding (MOU) may be required by the city for any zoning map amendment request.

(UDC 2010, § 22.1; Ord. No. 2011-3752, § 1, 9-27-2011; Ord. No. 2018-4436, § 2, 5-15-2018)

Sec. 20-2. - Procedure for zoning map and text amendments.

(a) *Planning commission public hearing.* All proposed text and map amendments must be submitted to the planning commission for review and recommendation. The planning commission must hold a public hearing on the application. The public hearing must be held at the next regular meeting of the planning commission for which the application may be scheduled given public notice deadlines, unless the applicant has consented to an extension of this time period. The applicant shall send certified letters to the most recent property owner of record for all properties within 185 feet of the subject property 15 days prior to the public hearing. The applicant shall provide proof of such mailing to city staff prior to the public hearing.

(b) *Planning commission recommendation.* Upon conclusion of the public hearing, the planning commission will submit a recommendation to the city council to approve, approve with modifications or deny the proposed amendment. If no majority vote of the full membership of the planning commission can be obtained on a recommendation to be made, the application will be forwarded to the city council with no recommendation. The planning commission must submit its recommendation along with a record of the public hearing thereon, to the city council. The planning commission may include reasonable conditions as a part of its recommendations.

(c) *City council action.*

(1) The city council must consider the request for an amendment within 60 days of receipt of written recommendation of the planning commission. Upon receipt of the recommendation of the planning commission and any protest petitions that have been submitted, the city council must consider the application and may take final action to approve or deny it.

(2) If final action is not taken by the city council within 120 days after the recommendation of the planning commission is submitted to it, the proposed amendment will be deemed to have been defeated and denied,

unless the applicant has consented to an extension of this time period. Whenever a proposed amendment is defeated, either by vote of the city council or by inaction described in this section, such amendment cannot be passed without another public hearing that is noticed in accordance with this chapter.

(3) If the city council approves an application, it will adopt an ordinance to that effect. If the Official Zoning Map has been changed, the amending ordinance will define the change or boundary as amended, will order the Official Zoning Map to be changed to reflect such amendment and will amend the section of the Unified Development Code incorporating the same and reincorporate the zoning map as amended.

(4) Whenever a proposed map amendment is denied, a map amendment for the same lot or parcel shall not be filed by the same applicant for at least one year.

(UDC 2010, § 22.2; Ord. No. 2011-3752, § 1, 9-27-2011; Ord. No. 2018-4436, § 2, 5-15-2018)

Sec. 20-3. - Findings of fact.

(a) *Findings of fact for map amendments (rezoning)* In their deliberation of a request, the planning commission and city council may give consideration to the criteria stated below, to the extent they are pertinent to the particular application:

(1) The character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property;

(2) The physical character of the area in which the property is located;

(3) Consistency with the goals and objectives of the comprehensive plan and other plans, codes and ordinances of the City of Belton;

(4) Suitability of the subject property for the uses permitted under the existing and proposed zoning districts;

(5) The trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district;

(6) The extent to which the zoning amendment may detrimentally affect nearby property;

(7) Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

(8) The suitability of the property for the uses to which it has been restricted under the existing zoning regulations;

(9) The length of time (if any) the property has remained vacant as zoned;

(10) Whether the proposed zoning map amendment is in the public interest and is not solely in the interests of the applicant; and

(11) The gain, if any, to the public health, safety and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

(12) The planning commission and the city council may also consider other factors that may be relevant to a particular application.

(b) *Findings of fact for text amendment.* In their deliberation of a request, the planning commission and city council may take into consideration the following:

(1) Whether such change is consistent with the intent and purpose of the Unified Development Code and plans adopted by the City of Belton;

(2) Whether the proposed text amendment corrects an error or inconsistency in the Code;

(3) The areas which are most likely to be directly affected by such change and in what way they will be affected;

(4) Whether the proposed amendment is made necessary because of changed or changing conditions in the areas and/or zoning districts affected by it; and

(5) Whether the proposed text amendment is in the best interests of the city as a whole.

(c) *Protest.* In the event that a protest petition against any application for a zoning map amendment is presented to the city clerk prior to the date scheduled for the city council to take action and is properly signed and notarized by the deeded owners of 30 percent or more of the areas of the land (exclusive of streets and alleys) included in such proposed change or within an area determined by lines drawn parallel to and 185 feet distant from the boundaries of the district proposed to be changed, such amendment will not become effective except by the favorable vote of two-thirds of all the members of the city council.

(UDC 2010, § 22.3; Ord. No. 2011-3752, § 1, 9-27-2011)

Sec. 20-4. - Planned unit development (PUD).

(a) *Purpose.* The purpose of a Planned Unit Development (PUD) District is to encourage the unified design of residential, commercial, office, professional services, retail and institutional uses and facilities or combinations thereof in accordance with an approved comprehensive development plan. This district provides for greater flexibility in the design of buildings, yards, courts, and circulation that is provided by other districts.

(b) *Pre-application conference.* Prior to filing of an application for a planned unit development, the applicant must attend a pre-application conference.

(c) *Preliminary plan applications.* An application for a planned unit development may be obtained from the community development director. The application must be completed in its entirety and filed with the community development director so that a public hearing date can be established.

(d) *Submission requirements.* Five copies of the planned unit development (PUD) shall be submitted in support of the application.

(e) *Memorandum of understanding or development agreement.* A memorandum of understanding (MOU) or development agreement shall be prepared for all planned unit development applications. The MOU/development agreement will be prepared by the city and included with the application when submitted to the planning commission for consideration. The applicant shall sign the MOU/development agreement prior to submittal of the application of the city council.

(f) *Procedure.*

(1) *Planning commission public hearing.* All proposed planned unit developments first must be submitted to the planning commission for review and recommendation. The planning commission must hold a public hearing on the application. The public hearing must be held at the next regular meeting of the planning commission for which the application may be scheduled given public notice deadlines, unless the applicant has consented to an extension of this time period. The community development director or other appointed official as designated by the planning commission must prepare a written summary of the proceedings, and give notice of the hearing.

(2) *Planning commission recommendation.* Upon conclusion of the public hearing, the planning commission will submit a recommendation to the city council to approve, approve with modifications or deny the proposed planned unit development. If no majority vote of the full membership of the commission can be obtained on a recommendation to be made, the application will be forwarded to the city council with no recommendation. The commission must submit its recommendation along with a record of the public hearing thereon, to the city council. The planning commission may include reasonable conditions as a part of its recommendations.

(3) *City council review.* The Belton City Council shall review the application and approve, approve with modifications or deny the application.

(UDC 2010, § 22.4; Ord. No. 2011-3752, § 1, 9-27-2011)

Sec. 20-5. - Preliminary and final development plan.

(a) *Preliminary and final development plans; when required.*

(1) A preliminary and final development plan applications shall be submitted for the following situations:

a. Rezoning of a property greater than five acres in size, located in any zoning district. A preliminary development plan shall be submitted and reviewed by the planning commission and governing body simultaneously with the rezoning of the property.

b. The development of any vacant property.

c. The redevelopment of any property.

d. A change in the primary use of a property that negatively impacts traffic circulation or significantly intensifies traffic generation necessitating the formation and approval of a development agreement by and between the developer and the governing body for identified traffic improvements.

e. The development of a non-residential use in A and R districts.

f. The request of any modification of this chapter.

g. A substantial change to an approved preliminary development plan.

(2) A preliminary and final development plan are not required for the following situations:

a. A city initiated rezoning of any property; or

b. A building addition onto an existing building that did not require a preliminary development plan, provided that a substantial change would not be created.

(b) *Submission requirements and contents.*

(1) Five copies of the preliminary development plan shall be submitted in support of the application. The preliminary development plan shall contain the following information:

a. North arrow and scale;

b. With regard to the subject property only:

1. Existing topography with contours at five-foot intervals, and delineating any land areas within the 100-year floodplain.

2. Proposed location of buildings and other structures, parking areas, drives, walks, screening, drainage patterns, public streets, and any existing easements.

3. Conceptual locations, types and sizes of all storm drainage conveyance, detention and treatment facilities.

4. Sufficient dimensions to indicate relationship between buildings, property lines, parking areas and other elements of the plan.

5. General extent and character of proposed landscaping.

c. With regard to area within 200 feet of the subject property:

1. Any drives or streets which are of record.

2. Any drives which exist or which are proposed to the degree that they appear on plans on file with the city, except those serving single-family houses.

3. Any buildings which exit or are proposed to the degree that their location and size are shown on plans on file with the city. Single- and two-family residential buildings may be shown in approximate location and general size and shape.

4. The location and size of any drainage structures, such as culverts, paved or earthen ditches or stormwater sewers and inlets.

d. Preliminary sketches depicting the general style, size, and exterior construction materials of the buildings propc several building types are proposed on the plan, such apartments and commercial buildings, a separate sketch prepared for each type. Such sketches shall include elevation drawings, but detailed drawings and perspectives required.

e. A schedule shall be included indicating total floor area, dwelling units, land area, and parking spaces.

f. Name and address of landowner.

g. Name and address of architect, landscape architect, planner, engineer, surveyor, or other person involved in the preparation of the plan.

h. Date of preparation of the plan.

(2) The following information shall be submitted in support of the application for the preliminary development plan approval:

a. All studies as may reasonably be required by the director of community planning and development.

b. Assurances of adequate public facilities.

(3) For all developments proposed, an acceptable plan shall be submitted to the city that demonstrates that all common open space and natural conservation areas will be managed by a responsible party and how these areas will be managed.

(UDC 2010, § 22.5; Ord. No. 2011-3752, § 1, 9-27-2011)

Sec. 20-6. - Final development plans.

(a) *Contents and submission requirements.*

(1) Five copies of the final development plan shall be submitted in support of the application. The final development plan shall contain the following information:

a. A small key map indicating the location of the property within the city.

b. A site plan including the following:

1. Finished grades or contours for the entire site at two-foot contour intervals.

2. All existing and proposed adjacent public street right-of-way with center-line location.

3. All existing and proposed adjacent public street and public drive locations, widths, curb-cuts and radii.

4. Location, width and limits of all existing and proposed sidewalks.

5. Location, size and radii of all existing and proposed median breaks and turning lanes.

6. Distance between all buildings, between buildings and property lines and between all parking areas and property lines.

7. Location of all required building and parking setbacks.

8. Location, dimensions, number of stories and area in square feet of all proposed buildings.

9. Area of land on site plan in square feet or acres.

10. Limits, location, size and material to be used in all proposed retaining walls.

11. Location and dimensions of all driveways, parking lots, parking stalls, aisles, loading and service areas and docks.

12. Location, height, candle-power, and type of outside lighting fixtures for buildings and parking lots.

13. Location, size, type of material and message of all proposed monument or detached signs.

14. Pertinent peripheral information to include adjacent developments, alignment and location of public and private driveways and streets, medians, public and semi-public easements.

15. Preliminary design and location of all proposed storm drainage conveyance, detention and treatment faciliti existing drainage facilities.

c. Building elevations include the following:

1. Elevations of all sides of proposed buildings, including notation indicating building materials to be used on exteriors and roofs.
2. Size, location, color and materials of all signs to be attached to building exteriors, unless private sign criteria have previously been approved by the planning commission.
3. Location, size and materials to be used in all screening of roof-top mechanical equipment.
4. Building sections.

d. Floor plans indicating dimensions and areas of all floors within proposed buildings.

e. Landscaping and screening plans shall include the following:

1. Size, species, location and number of all proposed landscape materials.
2. Notation of all areas to be seeded or sodded.
3. Location, size, and materials to be used for all screening, including screening of outside trash enclosures area.

(2) All site plans are to be drawn to a standard engineers' scale. The actual scale used will depend on the development and shall be subject to the approval of the director of community planning and development.

(3) One copy of the proposed site plan and one copy of the proposed building elevations shall be reduced onto 8½ inch by 11 inch bond paper.

(4) The following shall be submitted in support of application for final development plan approval:

a. Deeds of dedication for all rights-of-way or easements required as a result of preliminary development plan approval if conveyance thereof is not to be made by plat or by the filing of the final development plan.

b. A copy of all covenants and restrictions applicable to the development, if required by the terms of the preliminary development plan.

c. Evidence of the establishment of the agency for the ownership and maintenance of any common open space and all assurances of the financial and administrative ability of such agency required pursuant to approval of the preliminary development plan, if required by the terms of the approved preliminary development plan.

d. Evidence of satisfaction of any stipulation of the preliminary development plan approval which were conditions precedent to consideration of the final development plan.

e. Assurances of adequate public facilities.

(b) *Expiration or abandonment of final development plan.* In the event that a plan or section thereof is given final approval and thereafter the landowner shall abandon said plan or the section thereof and shall so notify the city in writing, or in the event the landowner shall fail to commence the development within 18 months after final approval has been granted, then, in either event such final approval shall terminate and shall be deemed null and void unless such time period as extended by the planning commission upon written application by the landowner. Whenever the final plan or section thereof has been abandoned, no development shall take place on the property until a new final development plan has been approved.

(UDC 2010, § 22.6; Ord. No. 2011-3752, § 1, 9-27-2011)

Secs. 20-7—20-26. - Reserved.

ARTICLE II. - INTERPRETATIONS AND NONCONFORMING USES

Sec. 20-27. - Interpretations.

(a) *Authority.* The community development director will have the authority to make written interpretations of this Code.

(b) *Request for interpretation.* Requests for written interpretations of this Code must be submitted to the community development director.

(c) *Procedure.* Within ten working days of receipt of a written request for interpretation, the community development director will:

(1) Review and evaluate the request for an interpretation with the purpose and intent of this Code and consistency with the comprehensive plan and any other relevant documents;

(2) Consult with other staff, as necessary;

(3) Request additional information or documentation, as necessary; and

(4) Render a written interpretation.

(d) *Notice of decision.* Written notice of the decision will be provided to the applicant within five days of the decision and a copy will be filed in the official record of interpretations.

(e) *Official record of interpretations.* An official record of interpretations will be kept on file by the community development director. The record of interpretations will be available for public inspection during normal business hours.

(f) *Appeals.* Appeals of the community development director's written interpretation may be taken to the board of zoning adjustment in accordance with stated procedures. If the appeal results in a change of interpretation, the new interpretation will be filed in the official record of interpretations.

(UDC 2010, § 22.7; Ord. No. 2011-3752, § 1, 9-27-2011)

Sec. 20-28. - Nonconformities.

(a) Within the zoning districts established by this Code or its subsequent amendment, there exist lots; structures; uses of land; uses of structures; uses of land and structures in combination; and characteristics of use, which were lawful before this Code was adopted or amended, but which would now be prohibited, regulated or restricted under the terms of this Code or its subsequent amendment. Such instances shall hereafter be considered lawful nonconformities.

(b) The intent of this chapter is to clarify the effect of such nonconforming status and avoid their confusion with illegal buildings and uses. These regulations recognize the interests of land owners in continuing to use and maintain their properties for uses and activities that were lawfully established. The regulations also seek to encourage continued maintenance, rehabilitation and reuse of existing buildings and structures. However, these regulations also place limitations on nonconformities that have the potential to adversely affect surrounding properties.

(UDC 2010, § 22.8)

Sec. 20-29. - Nonconforming lots.

(a) A nonconforming lot of record is a tract of land designated on a duly recorded subdivision plat, by a duly recorded deed or by other lawful means that does not comply with the minimum lot area or lot width regulations of the zoning district in which it is located. Non nonconforming lot of record may be improved except in compliance with this section.

(b) Any nonconforming lot of record may be developed with a use that is permitted within the applicable zoning district,

if it meets the following criteria:

(1) The lot can meet all other bulk and density requirements for the zoning district in which it is located; and

(2) Utilities servicing the lot can be connected to a public sewer system or the lot can meet the minimum sanitary and storm sewer requirements of the city.

(UDC 2010, § 22.9)

Sec. 20-30. - Nonconforming buildings and structures.

Buildings or structures that were lawfully constructed prior to the adoption of this Code, but which could not be constructed under the terms of this Code by reason of restriction on area, lot coverage, height, setbacks, location on the lot or other requirements concerning structures, shall hereafter be considered lawful nonconforming structures. As such, they may continue to exist so long as they remain otherwise lawful, provided that no reconstruction, enlargement or alteration of said structures shall occur that will increase their nonconformity except as otherwise provided in this Code. However, any lawful nonconforming structure or portion thereof may be altered to reduce its nonconformity.

(UDC 2010, § 22.10)

Sec. 20-31. - Nonconforming uses.

(a) *Nonconforming uses of land.* Any use of land, which was lawfully established in accordance with the zoning requirements in effect at the time of the use's establishment but that would not be permitted under the terms of this Code. As such, it may be continued so long as it remains otherwise lawful and provided that no enlargement, increase or extension of the lawful nonconforming use of land occurs so that a greater area of land is occupied than was occupied at the time of the adoption of this Code, and that no additional structures or additions to the structures existing at the time of the adoption of this Code shall be constructed on the same zoning lot. Further, no such lawful nonconforming use of land shall be moved or relocated in whole or in part to any other portion of the zoning lot on which it is located than that portion occupied at the time of the adoption of this Code. If any lawful nonconforming use of land ceases for any reason for a period of more than 180 consecutive days, any subsequent use of such land shall conform to the terms of this Code.

(b) *Nonconforming uses of structures.*

(1) Any use of a structure with a replacement cost of $1,000.00 or more which would not be permitted under the terms of this Code but was lawfully existing at the time of adoption of this Code shall hereafter be considered a lawful nonconforming use of that structure. As such, it may be continued so long as it remains otherwise lawful and provided that the structure in which the lawful nonconforming use is located shall not be enlarged, extended, constructed, reconstructed, moved, relocated or structurally altered except in changing the use to a permitted use in the district in which it is located or as otherwise provided for this Code.

(2) However, a lawful nonconforming use may be extended throughout any parts of the structure in which it is located where said structure or parts thereof were manifestly arranged or designed for such use at the time of the adoption of this Code, but no lawful nonconforming use of a structure shall be extended to occupy any land outside such structure. If any lawful nonconforming use of a structure is discontinued for any reason for a period of 12 continuous months or more, such structure shall only thereafter be used in conformity with the terms of this Code.

(c) *Nonconforming uses of land and structures in combination.* Any use of land in combination with a structure which would not be permitted under the terms of this Code but was lawfully existing at the time of the adoption of this Code but was lawfully existing at the time of the adoption of this Code shall hereafter be considered a lawful

nonconforming use of land and structure in combination. As such, it may continue so long as it remains otherwise lawful and provided the use complies with the provisions of this Code.

(d) *Nonconforming characteristics of use.* When an otherwise lawful existing use is permitted generally in any given zoning district but where, due to the adoption of this Code, required off-street parking, paving of parking area, landscaping, screening and similar regulations are not provided, such deficiencies attributable to the use shall be considered lawful, nonconforming characteristics of such use. Said deficiencies shall be brought into conformance when the use or structure is expanded, enlarged or the intensity is increased, even though the use itself is permitted generally.

(UDC 2010, § 22.11)

Sec. 20-32. - Reconstruction of certain lawful nonconforming structures.

(a) If a nonconforming building or structure is damaged or destroyed by fire, explosion, flood, or other means that is not within control of the property owner or tenant to an extent of more than 60 percent of the assessed value of the building or structure, it may not be reestablished except in conformance with the provisions of this Code, and any associated use must also comply with this Code. This provision does not apply to single-family dwellings which may be fully reestablished in any zoning district in compliance with subsection (b) of this section.

(b) If a nonconforming building or structure is damaged or destroyed by any means not within control of the property owner or tenant to an extent of 60 percent or less of the development value, it may be repaired, reconstructed or restored provided that no new nonconformities are created and that the existing degree of nonconformity is not increased. A building permit must be obtained for such rebuilding, restoration, repair or reconstruction within six months of the date of damage or destruction, and the construction must be initiated within one year of issuance of the building permit and diligently pursued. If a building permit is not obtained within six months or the repairs or restoration are not initiated within one year of the issuance of the building permit, and diligently pursued, then the building or structure and use may be reestablished only if it complies with this Code.

(c) In the event that any nonconforming building or structure is damaged or destroyed by a means within the control of the property owner or tenant, the building or structure and use may be restored or repaired only in compliance with all requirements of this Code.

(UDC 2010, § 22.12)

City of Belton

Erosion and Sediment Control Inspection Report Form

Project Name and Location

Date of Inspection

Weather including inches of rain in last 24 hours:	Pollution Control Measures (BMP) Checklist:
	_____ Inlet Barrier (i.e. gravel bags)
	_____ Sediment Barriers (i.e. ditch checks)
	_____ Erosion blankets, hydromulch/seed, etc.
	_____ Stabilized Construction Entrance
	_____ Stream Crossings
	_____ Seed/Sod Areas
	_____ Sediment Basins & Discharge Locations
	_____ Borrow Areas
	_____ General Site Conditions (trash, etc.)

A. Current Construction / Active Areas:

B. Problem Areas / Special Observations (Note problem areas ONLY below):

BMP	Location	Observations, Effectiveness & Corrective Actions Ordered

C. Listing of Areas where construction operations have permanently or temporarily stopped; stabilization measures initiated.

D. Have items noted on last inspection been corrected? Yes No (If No, explain)

Note: Inspection comments above indicate deficiencies only. Deficiencies must be corrected within 7 days, unless otherwise noted. All other BMPs on site are considered to be in good working condition.

Inspector Signature

CITY OF BELTON

PROJECT MANAGEMENT

MANUAL

Revised April 2021

1 INTRODUCTION

This manual presents the series of tasks and activities performed by the Project Manager (PM) from the beginning of project planning to the final stages of project closeout. Additionally, the interactions PM's have with other staff, other municipal agencies, outside agencies, and the public is also emphasized.

In this manual, exact instructions of how to manage a project is contained. Any deviation from the instructions listed must be approved by the Public Works Director.

1.1 *Project Manager*

Management authority and responsibility rests with the PM that must be identified early in the project. The PM is the single point of contact for all project activities from planning through project closeout. This broad authority gives the PM the responsibility for the level of project success. PM activities include the following:

- Responsibility for the project's technical and financial directions and ensuring external and internal customer satisfaction with project results
- Administer professional service with design and construction contracts, including involvement in design contract negotiations
- Establish initial project budgets, cost estimates, cash flow projections, and master schedules
- Develop and provide routine updates of project schedules and budgets
- Monitor project schedules and budgets to ensure financial and schedule milestones are met
- Resolve public questions and concerns about the project
- Coordinate with other municipal agencies and/or private utilities and companies involved in the project
- Oversee easement acquisition/utility relocation and permitting activities
- Prevent or resolve problems occurring during project development and execution
- Participate in the development of bidding documents and the construction contract award process (as applicable)
- Analyze problems occurring during the project and take actions to ensure project goals are met
- Ensure project records and documentation are properly maintained
- Select and assign projects to staff and consultants
- Set schedules for interim project reviews
- Perform as the Quality Assurance Manager for the project
- Contract administration for Architects and/or Engineers (A/Es) and contractors
- Contract negotiation and execution
- Draft project correspondence
- Attend and assist with production of public meetings
- Coordinate and administer the process of utility relocation, regulatory agency permitting, and right-of-way (ROW) acquisition
- Routine project website and schedule updates
- Coordinate and conduct project design review and approval processes
- Coordinate and track progress of project submittals
- Construction observation and Quality Assurance review
- Respond to inquiries from the public, affected property owners, and other agencies

1.2 *Architect and/or Engineer*

The A/E is responsible for designing the project and preparing plans, specifications, and estimates. Engineering staff, especially on smaller design projects where a quick turnaround is required, may perform engineering services in-house. Large projects requiring a full range of professional services (soils, investigation, survey, public involvement, hydraulic analysis, etc.) are typically performed by A/Es who have been awarded a qualification-based professional services contract with the Municipality. Public Works also enters into professional services term contracts with A/E firms wherein specific services are provided such as soils investigation, surveying, civil, structural and electrical design, construction support, and even comprehensive project management services.

1.3 *Project Administrative Support*

Project Administrative Support plays a key role in maintaining the flow of project documents through the Municipal system. They are also a key interface between the PM and the Municipality's Finance Division. Typical duties include the following:

- Overall control of funds and expenditure accountability
- Grant and loan administration
- Processing of payroll, accounts payable, administration of work authorizations, and project costing support
- Preparation of bid tabulations
- Word processing functions including but not limited to final proofing and preparation of project correspondence, project specifications (in-house design), procedure manuals such as this Project Management Manual, Council memorandums, and contracts and contract amendments
- Maintenance of all electronic forms, templates, Standard Special Provisions, and various procedure and criteria manuals

All PMs are strongly encouraged to routinely route all draft correspondence and documents through the Project Administrative Support staff to assure that current templates are being used, formatting is consistent, and that work is verified for correct spelling and grammar before it is mailed out.

1.4 *Right-of-Way Acquisition*

Acquiring right-of-way is one of the more difficult and time-consuming parts of a project. Right-of-way acquisition may include the taking of entire or parts of a parcel, acquiring permanent easements, or temporary easements. Permanent easements are often valued at the same cost of a full take, so the PM must consider if the taking should be a permanent easement or right-of-way. The PM is responsible for acquiring all real property rights for Municipal capital projects and federal-aid projects. The process to attain property for federal projects is different than for municipal projects.

All municipal projects shall follow the state law for acquisition as found in Missouri Revised Statues Chapter 523.

The major components of the acquisition process include:

- Identification of property owners
- Establishment of just compensation and fair market value

- Conduct negotiations with property owners
- If negotiations fail, a letter 60 days prior to condemnation must be sent in accordance with section RSMo 523.250.
- 30 days prior to condemnation, a letter must be sent with a good faith offer from a licensed appraiser in accordance with RSMo 523.253.
- A declaration of need shall be passed by the City Council approving the need to acquire the property RSMo 523.261
- Condemnation through the county courts. This will require a 10-day timeline to serve all the property owners, and then a 45-day timeline for the commissioners to establish the final price.

If the project is a federal aid project, the process shall follow the Local Public Agency (LPA) manual from MoDOT. The person who handles this process must be a responsible person in the eyes of MODOT and the LPA manual. For further guidance, go to modot.org/local-public-agency.

1.5 *Capital Improvements Program Selection Process*

Due to the nature of the organization and the services it provides, no one single criterion will provide the necessary selection process for projects.

The selection process will be used as a framework to determine the best projects with the highest positive impact to the City's future.

1.6 *Capital Improvements Program (CIP)*

CIP is usually based on master plans for each asset group. Since the master plans are approved by City Council, the 5-year CIP is not adopted by City Council. The CIP is a 5-year program of improvements that provides primary scope, schedule, and budget.

The CIP document presents basic project information, including:

- Project title, category, and brief description of its scope
- Total project development costs and year-to-year cash flow requirements
- Funding sources
- Engineering, construction, easements estimates

1.7 *Pre-Design Activities*

The following is a list of items that must be considered prior to design:

- Project consistency with the City of Belton Comprehensive Plan and applicable area plans
- Consistency with the City's approved master plans and studies
- Potential for assessments as a result of the project; if assessments are required, State codes provide for formal procedures as directed in the Local Public Agency (LPA) manual that must be strictly observed.
- Coordination with overlapping projects
- Check the CIP file for other data
- Identify zoning and conditional use requirements
- Identify potential utilities that may be impacted
- Identify other jurisdictional authorities that may require review such as railroads, Missouri Department of Transportation, Department of Natural Resources, United States Army Corp of Engineers

2 PROJECT INITIATION AND TRACKING

2.1 *Contracting for Professional Services*

Public Works routinely conducts a qualification-based competitive Request for Qualifications (RFQ) to select professional A/E services firms to perform complete design services for its projects. Procurement of A/E services is a three-step process: solicitation, and contract negotiation, and contract award.

2.1.1 Professional Services Solicitation

Request for Qualification Preparation

The Public Works Department has on-call engineering service contracts and should utilize these for capital projects unless funding is provided with other state or federal agencies. If the capital project is funded partially by other state or federal agencies, then a Request for Qualification (RFQ) should be prepared. The PM prepares and advertises the following information:

- Project goals and objectives
- A summary of the proposed scope of work and location map
- Project schedule
- A description of the criteria that will be used in evaluating proposals, the maximum scores for the criteria responses, and other guidance on information the proposer should incorporate into their proposal
- A description of the selection process including the possibility of interviews in case the scores on written proposals do not identify a clear winner

Once the PM has compiled the requested information for an RFQ, the PM will use the prepared RFQ that is already approved the legal department. If the project funding is in part or in whole provided by state or federal agencies, all applicable laws and requirements shall be met.

2.1.2 RFQ Advertising and Pre-Proposal Meeting

Once complete, Public Works will advertise the RFQ and coordinate the pre-proposal meeting if applicable. The meeting is typically scheduled at the mid-point of the advertising, and the PM must attend to address any questions or comments raised by prospective candidates. If questions or comments require clarification or amendment, Public Works will issue an addendum illustrating these changes to all RFP holders. The addendum may include an extension of the RFP response period.

2.1.3 Proposal Evaluation/Selection

The PM will organize a committee of three-to-five individuals to review and evaluate submitted proposals. Members of the selection committee are typically Municipal employees, although other agencies may participate. The Public Works Director or City Engineer must approve the proposed selection committee members. Committee members are given copies of the proposals with written scoring instructions and are asked to read and score them based on the RFP criteria. A selection committee meeting is held to compile individual scores and discuss any discrepancies or apparent non-responsiveness of any proposal. The highest-scoring proposal is selected if the compiled scores

indicate a clearly superior response (typically scoring 10 percent or more above the next highest proposal). In instances where scores are close or for projects of significant size, oral presentations may be used for the final selection process.

Once a selection is approved, the selected firm (but no other proposers) can be notified and a schedule set for negotiations and contract award.

2.1.4 Negotiations

To initiate negotiations, the PM should meet with the selected A/E to discuss project scope and schedule. This discussion should provide the consultant with the necessary information to draft a narrative design scope, schedule, and fee proposal. Because the scope will become an attachment to the Professional Services Contract, the scope should as precisely as possible describe the services to be provided for the project. In addition, a detailed scope will permit the PM to rigorously evaluate the fee proposal and make necessary scope adjustments to keep the design agreement within budget constraints.

The PM should review past project cost history to gain a sense of proportion on scope and fees; however, the PM must also consider that each project is unique and will have special requirements. The purpose of the negotiations is not to minimize the cost of the consultant's services, but rather to define a complete scope of services to be provided and a reasonable fee for these services.

Public Works typically compensates consultants on a Payment Request basis. Payment requests will be evaluated for work completed and approved accordingly by the PM.

2.1.5 Council Approval for Contract Award

For contracts requiring Council approval, the PM will prepare a council information form to be considered by the Council. The Project Administrative Support staff prepares the ordinance or resolution with all relevant information included.

2.1.6 Contract Preparation and Execution

Before submittal to the City Clerk, the agreement must be signed by the consultant. Included with the signed agreement must be the required insurance. With this paperwork, the ordinance or resolution can be submitted to the City Clerk.

2.2 *A/E Contract Award*

Upon receipt of the fully executed contract, the PM will draft a Notice to Proceed for signature by the PM. One original fully executed contract will be included in the department's central file.

2.3 *A/E Contract Amendment*

It may become necessary to issue an amendment to an A/E Contract. Depending on the contract language, City Council or City Manager approval may be necessary before it can be executed. The PM should check the contract to determine who can approve the contract amendment

3 PUBLIC INVOLVEMENT

Goal 1: Comprehensive, Appropriate Opportunities for Public Participation

Although some projects will generate only minor interest with the public, a thorough effort must be made to invite all stakeholders to provide input.

Objectives:

- Provide early and continuous participation in the project development process
- Provide timely notice of project milestones and participation opportunities
- Tailor the Public Information Plan (PIP) to encourage participation of all members of the public including those members unable to attend meetings

Goal 2: Effective Communication with the Public

Effective communication regarding project decisions, financial requirements, impacts to property, and other issues of public interest is critical.

- Make presentations simple and easy to understand
- Clearly present the anticipated impacts of the project
- Employ a variety of methods for involvement and communication between the public and the project team
- Listen to those stakeholders; make communication a two-way exchange

Goal 3: Responsiveness to Public Input—Understand and Manage Stakeholder Expectations

Public involvement is more than just communicating to the stakeholders—it is communicating with and managing the process to achieve an outcome that gains acceptance of the completed project. Consensus does not mean that all are satisfied with the project results; it means stakeholders are willing to accept project outcomes as derived through the public involvement process.

Some public involvement is emotional and/or spontaneous, and concerns expressed by the public often cannot be fully addressed at the meeting in which they are presented. Public input (including questions, comments, and requests) should be noted and addressed in an appropriate manner.

3.1 Stakeholders

A stakeholder is a member of the public or an agency that may have an interest in the project. Stakeholders fall into one or more of the following groups:

- Property owners and tenants that are within or adjacent to the project corridor or study area
- Members of the public that will be potentially affected by the construction activities (road closures, detours, speed reduction, etc.)
- Individuals or public interest groups concerned about Public Works actions or approach in dealing with regional issues
- Stakeholders who take an interest in the outcome of the project

3.1.1 Techniques for Identifying Stakeholders

Stakeholder identification is the PM's responsibility and should be undertaken at the beginning of the design study phase. If the project funding justifies a public involvement specialist, then this individual will provide the necessary services. Otherwise, the PM may use available support staff. Stakeholders who are not adequately notified, often challenge the public involvement process and can generate significant delays in project development because a "time out" is required to perform additional public involvement.

Stakeholders are identified through a variety of activities. They are listed below:

- Mailing lists developed from tax records and other sources
- Citizen newsletters and appearances
- "Word-of-mouth" from other stakeholders
- Sign-in sheets at meetings and telephone/email contacts
- Published notices for the project including paid advertising in newspapers, television, and/or radio or news coverage
- Discussion with public agencies having jurisdiction over elements of the project.

3.2 *Public Information Tools and the Project Manager's Responsibilities*

The PM has a variety of tools available for public involvement. As discussed above, the PM may be able to justify a public involvement consultant; however, these tasks are often left to the PM and support staff. Regardless, the PM should continuously monitor the public involvement process to ensure that it is effective.

3.2.1 Newsletters

Typically, a project information newsletter is a single-sheet document, with text on both sides. The newsletter is periodically published during the project to provide written updates on project milestones, upcoming meetings, and other related news. Minimum elements of a newsletter are as follows:

- Project title and description
- Location map
- PM and design consultant names, contact phone numbers, fax numbers, mailing addresses, and email addresses
- Summary of project status
- Description of next project milestone (and preferably the entire project timeline)
- Date, time, and location of next public meeting, if applicable

Newsletters have evolved into multi-media documents that include text, maps, photography, and other digital graphics.

Newsletters can be distributed by mail-outs, door hangers, handouts at meetings, and "postings" on a project website.

3.2.2 Letters

Letters differ from newsletters in that they are:

- Printed on City letterhead
- Directed to specific individuals such as the property owner of record
- Address a specific issue such as an easement request
- Often require a reply from the addressee

Letters should be prepared using proper business communication style and format. The purpose of the letter should be clearly stated as early as possible in the letter, preferably in the first sentence. If a response is requested, a self-addressed, stamped envelope should be included as well as a response form that simplifies the recipient's required action such as checking one of a series of boxes followed by statements.

3.2.3 Council Presentations

The Council meets on the second and fourth Tuesday evenings of each month. These meetings offer several advantages to the PM.

- Council has large meeting locations well known in the community.
- Chairs, tables, podium, screens, and audiovisual equipment are usually available although this should be confirmed.
- The broad agenda of Council meetings may attract more people that would come to a meeting specifically for the project.

However, Council meetings have some potential disadvantages.

- The PM does not chair the meeting and thus has limited control.
- Agendas at Council are often full, thus limiting the amount of time available to present the project.
- PMs must recognize that they are guests on the agenda and should respect the timelines established by the Council and be prepared to keep their presentation within the time frame established on the agenda.

3.2.4 Neighborhood Meeting/Open House

Neighborhood meetings and open houses are organized and hosted by the PM. Thus, they focus exclusively on project-related business. It is advised that these meetings be held in a neutral public place such as a school, local business, or church including the Belton Community Center.

Neighborhood Meetings

Neighborhood meetings have an agenda, an expected goal for the meeting, and a more formal presentation of the project. The PM or public involvement specialist moderates, typically from the front of the room, with the public seated as a single audience.

Advantages of neighborhood meetings include the following:

- The PM has better control over the flow of information.
- A meeting transcript can be produced that includes a list of attendees.

- The public can interact more completely with itself and the project team. The PM can get a better sense of public consensus (or lack thereof) on specific issues and alternatives.

Disadvantages include the following:

- Information is presented in a serial (rather than parallel) fashion; thus, attention wanders, time runs short, etc.
- A single audience member can disrupt the entire meeting and potentially have a negative effect on the outcome.

Open House

Open Houses do not have agendas, but rather have “stations” at which project team members present and discuss specific project elements such as one of the design alternatives, ROW impacts, or construction-phase traffic control. Meeting attendees circulate from station to station, interacting with team members more directly. In addition, attendees can ignore the stations in which they have no interest. The advantages of an Open House include the following:

- Visitors can focus on the parts of the projects that interest them.
- The multiple stations tend to break the attendees up into smaller groups facilitating more one-on-one communication.
- A greater amount of time can be spent on individual project issues as requested by attendees.

Disadvantages include the following:

- Attendees may not visit a particular station and therefore miss important project information.
- Attendees may have difficulty integrating all the project elements and “seeing the big picture”
- It may be difficult for the PM to develop a general sense of the attendees’ opinions on project issues and alternatives.

3.2.5 Public Hearings

Public Hearings are formal meetings required by ordinance or statute. Specific meeting notice must be given, and project information must be presented, and public testimony heard and recorded.

The PM may encounter Public Hearing requirements when faced with site plan review by the PL rezoning actions or condemnation actions to support ROW acquisition.

Public Hearings will follow the rules and requirements for a hearing referenced in the Missouri Statutes and can be obtained from the City Planner during a pre-application conference.

3.2.6 Coordination with Council and Commissions

Other City Council and commissions before which the PM may be required to appear include the Planning and Zoning Commission, Belton School District, and Belton Parks and Recreation Department.

3.3 *Matrix of Typical Public Involvement Programs (PIP)*

During project planning, the PM will develop a PIP that articulates the project approach. The following elements should be included in the PIP:

- A summary of the proposed program including a schedule that is integrated into the overall project schedule
- A list of resources needed to implement the PIP
- A list of project staff and their responsibilities (identify the public involvement specialist if one is used).

The PM will need to reassess this plan at project milestones to validate its adequacy in addressing public concerns and issues. Where it is determined that additional public involvement is required, the PM should implement the appropriate activities.

The following tables present typical PIPs for various projects. These programs should be considered as guidelines. The PM must remain sensitive to public participation and feedback throughout the project and manage project execution to address concerns and issues that might arise.

Table 4.3.1 Planning Phase Public Involvement Matrix

Public Activity	Possible Public Involvement Strategy
Scoping/Data Collection	Newsletter/PL/Council
Alternatives Analysis	Newsletter/Open House
Draft Report	Newsletter/PL/Council
Final Report	Newsletter/Open House/Council (only if major changes)

Table 4.3.2 Design Phase Public Information Matrix

Project Type	Infrastructure Rehabilitation (Overlay)	Infrastructure Reconstruction (Minor)	Infrastructure Reconstruction (Major)	New Infrastructure or Major Upgrade
Project Startup	Door Hanger w/ Letter	Newsletter	Newsletter	Newsletter
Design Study			Council	Council
50% Design			Council/Open House	Open House/Council
100% Design		Newsletter	Open House	Open House
Pre-Construction	Door Hanger	Door Hanger	Door Hanger	Door Hanger/Council Report

4 DESIGN

4.1 *Project Manager's Role in the Design Process*

Whether a project is to be designed by a professional services consultant or by in-house design staff, the PM's role remains essentially the same.

- Ensure that the project schedule is accurately developed and updated monthly.
- Ensure that the project budget is developed and kept current.
- Identify the project scope and direct the designer toward development of design documents that will satisfy the purpose and need for the project.
- Communicate issues concerning schedule, budget, and scope to all project participants; when needed, initiate corrective action
- Guide the implementation of the Public Information Plan with the goal that all stakeholders are well-informed and satisfied that their concerns are a valid part of the design process.
- Assure timely and thorough review of the design documents including clarification of unclear comments and adjudication of conflicting comments when received.
- Monitor funding requirements and coordinate with the Project Administrative Support Staff to ensure that adequate funding is authorized and available on a timely basis.
- Administer the design consultant contract.
- Ensure that all utilities are informed about the project, that utility conflicts are identified during design reviews, and the relocation designs and agreements are executed without delaying the project.
- Ensure the design incorporates identification of ROW requirements, so that ROW needs are met in a timely manner.
- Ensure all required regulatory agencies are informed about the project and that required permits are obtained.

4.2 *Design Standards and References*

The following is a listing of the most commonly used references and standards for most design projects. All specifications and standards must be included where appropriate. These standards are intended to be updated periodically.

4.2.1 P&E Design Standards

All City projects will follow the following standards:

- City of Belton Design and Construction Manual
- American Water Works Association (AWWA) and/or American Public Works Association (APWA)
- Missouri Department of Transportation (MoDOT)

The following organizations shall also be used as supplements and are referenced in the above standards:

- Institute of Transportation Engineers (ITE)
- Manual on Uniform Traffic Control Devices (MUTCD)
- Missouri Department of Natural Resources (MDNR)

- American Association of State Highway and Transportation Officials (AASHTO).
- All other applicable Federal, and State laws

4.3 *Available Resources for Project Data Collection*

Section 3.1.3 lists available resources for project data collection that may be performed during project initiation. If these resources were not consulted during project initiation, the A/E will typically complete this process as one of their first tasks.

Following is a list of potential available resources that need to be researched by the A/E in the early stages of design development:

- County Tax and Parcel Maps
- Consult with P&E Departments to examine files containing any previously performed geotechnical investigation in the project area
- Collect all available utility record drawings to identify existing utilities in the project area
- Collect any record drawings that may exist to determine if there are documented improvements in the project area. Public Works can provide copies of record drawings, if they exist, on request
- Check with the City of Belton's floodplain administrator and/or FEMA/SEMA to determine if the project is located in, or affected by, a dedicated floodplain or designated wetlands
- Arrange for inspection of area storm drains with Street Maintenance
- Check with Engineering and/or the Police Department to see if traffic counts and accident records have been collected in the project area
- Check with the P&E Departments to determine whether any traffic modeling for the project area has been performed
- For projects within subdivisions, it is appropriate to check for subdivision covenants that may include specific conditions affecting plans and specifications.

4.4 *Elements of a Typical Project Design*

4.4.1 Design Study Memo (DSM)

The DSM contains a collection of all data required for further design development. Additionally, the final DSM will either validate the need of the project or, in some cases, will result in the no-build alternative.

The DSM is first submitted as a "draft" for review by the project stakeholders. The PMs will use their own discretion based on the scope and depth of the project in developing the draft DSM review distribution list. At this stage, it is recommended that all potentially affected or interested stakeholders review and comment on the DSM as this is the appropriate time to address primary issues affecting the project design outcome.

The draft DSM review concludes with the PM providing direction to the consultant as to the extent the reviewers' comments to be incorporated into the Memo and subsequent design phases. The final DSM is then prepared with a recommended alternative and resolution of primary project issues documented in print.

A typical DSM will contain the following elements:

- Schedule and timelines
- Agency coordination / permit requirements
- Phasing
- Assessment issues
- ROW requirements (see Chapter 7, Bidding)
- Recommended alternatives
- Traffic/Water/Sanitary Sewer study
- Geotechnical analysis
- Utility conflict report (see Chapter 5, Utility Coordination)
- Design survey
- Cost estimate
- Conceptual drawings
- Assessment of existing infrastructure condition
- Hydraulic analysis if necessary

4.4.2 Preliminary/Field Check Plans (30%) Submittal

On large projects where the Preliminary/Field Check Plans (30%) are submitted for review subsequent to development of the final Design Study Memo, the depth of the review is at the discretion of the PM.

The minimum requirements for Preliminary/Field Check Plans (30%) include the following:

- Project design layout
- Plan and Profile base sheets
- General details
- Specifications outline
- Updated construction estimate

4.4.3 Right-of-Way Plans (50%)

Right of way plans are developed with the development of the detail plans. Together, these two activities are defined as "final design". They occur after the preliminary plan for an improvement is approved. Right of way plans define and dimension areas necessary to construct and maintain the main roadway and necessary outer roadways, entrances, and crossroads. The right of way and easement limits will include areas necessary for utility adjustments and maintenance activities. Right of way dimensions are sufficiently detailed to write deeds to describe the required right of way and easement limits.

Title information for ownership is usually obtained after preliminary plan approval but may be required prior to completion of preliminary plans to aid in determining alignment and locations options. Sufficient lead time must be allowed to obtain this information. The plans will show the following information for each property:

1. Name of the property owner
2. All land survey lines and property lines
3. Parcel number
4. Area of each type of right of way (controlled, normal access, etc.) to be acquired

5. Area and type of permanent easements
6. Area of temporary easements

4.4.4 Office Check Plans (90%) Submittal

Office Check Plans (plans, specifications and estimate) review sets should be widely distributed to all potentially impacted utilities including responsible City Department/Divisions, regulatory agencies, and interested municipal, state and federal departments, agencies and commissions. The Project Administrative Support Staff maintains a Distribution List that is useful for ensuring all of the appropriate recipients are included in the preliminary design distribution. The selection of reviewers is determined on a case-by-case basis depending on the complexity, location, and other factors surrounding the project. The detailed construction estimate is not widely distributed, but is distributed to other staff (e.g., design supervisor, inspector) for internal review.

The PM collects all review comments and meets with the designer to provide direction on the extent that the review comments are to be considered in the final design. At this meeting, the PM provides to the designer written authority to pursue final design. Most contracts require the design consultant to provide written confirmation as to how each of the comments received will be handled.

Before it is widely distributed, the PM should perform a cursory review of the office check plan submittal to determine that the A/E has in fact submitted a 90 percent design. If the submittal is determined to be deficient, it should be returned to the A/E for completion before it is widely distributed for review. When applicable, an office check plan (90%) submittal should include the following:

- Title sheet and legend
- Typical sections
- Plan and Profile sheets for entire project showing existing utilities, surface features, curbs, medians, trails and walkways, elevations, etc.
- Layout tables
- Complete details
- Specifications and special provisions
- ROW and easement parcel maps
- Signalization
- Illumination
- Signing and striping
- Retaining walls, bridges, and all structural features
- Utility relocations / improvements
- Traffic control
- Landscaping
- Drainage
- Driveways
- Detailed construction estimate and material quantity calculations

4.4.5 Final Plans, Specifications, and Estimate - P&E (100%) Submittal

The Final Plans, Specifications, and Estimate submittal is essentially a complete set of plans, specifications, and estimate package with all design work completed and all prior design review comments incorporated into the documents as previously directed. The final design review often involves only the PM and assigned project inspector. If a project has a high level of involvement by a particular agency, such as design of a new water or sewer facility, the PM will want to forward plans

to all applicable agencies. As with all phases of design review, the PM determines distribution on a project-by-project basis.

A well-prepared final design submittal will not generate a large number of comments. The final review process is intended to confirm that the design documents have been prepared as directed, to allow for required modifications due to last minute changes, and to ensure that the documents are 100 percent complete to the satisfaction of the project team. The final design review is also a good time for the project team to become thoroughly familiar with the final design documents before the advertising and construction phases begin.

The final design submittal should include the following:

- Completed design drawings
- Specifications with all bid documents inserted
- All required permits
- All necessary easement and ROW documents on file
- Detailed engineer's estimate

The PM will direct the consultant on how to proceed with the review comments generated. The next step is to prepare an Advertisement to Bid for review by all necessary staff.

4.5 *Permitting and Agency Approvals*

The A/E is responsible for identifying required permits and agency approvals. The A/E is responsible for coordinating the submission of design documents (plans and specifications) to applicable external agencies and is responsible for incorporating review comments and feedback from those external agencies into the design documents. The PM is responsible for monitoring permitting activities and assuring that necessary permits/approvals are obtained in a timely manner and with reasonable conditions for construction.

4.5.1 Listing of Regulatory Agency Permit Requirements

General Permit and Land Disturbance Permit: Missouri Department of Natural Resources, 500 NE Colbern Road, Lee's Summit, MO 64086

Farmland Protection Clearance: United States Department of Agriculture – Natural Resources Conservation Services, 3915 Oakland Avenue, St. Joseph, MO 64506

Historic Preservation Clearance: Department of Natural Resources Historic Preservation Program, PO Box 176, Jefferson City, MO 65102-0176

Letter with US GS Map: United States Fish and Wildlife Services, 101 Park DE Ville Drive #A, Columbia, MO 65203-0057

Letter with US GS Map: Missouri Department of Conservation PO BOX 180, Jefferson City, MO 65102

National Permit NWP14: Regulatory Specialist, United States Corps of Engineers, 700 Federal Building, Kansas City, MO 64106-2896

Railroad Letter: Director, Track and Bridge Construction, Kansas City Southern, PO Box 219335, Kansas City, MO 64121-9335

Smoky Hill Railroad: Matt Friel, 502 E. Walnut Street, Belton, MO 64012

Web Permit: Air Traffic Division, Airspace Branch, ACE-520A, DOT, Regional Headquarters Building, Federal Aviation Administration, 901 Locust Street, Kansas City, MO 64106; website http://oeaaa.faa.gov

National Pollutant Discharge Elimination System Permit: Environmental Protection Agency, www.epa.gov/npdes or http://cfpub.epa.gov

Municipal projects are covered by a general permit administered by the U.S. Environmental Protection Agency (EPA) that requires a permit to be filed on all projects equal to or greater than one acre that discharges to waters of the U.S. The PM should make sure that the contract Special Provisions contain instructions to the contractor to comply with the requirements of this permit.

MoDOT ROW Permits: Required whenever a municipal project affects State-owned ROW. Missouri Department of Transportation, Traffic Specialist, 600 NE Colbern Road, Lee's Summit, MO 64086

Flood Hazard Permits: Work within a designated floodplain. (Public Works and Federal/State Emergency Management Agencies [FEMA/SEMA]) Floodplain Management Officer - SEMA, PO Box 116, Jefferson City, MO 65102

Be sure to schedule timely pre-application reviews with permitting agencies to prevent delays and "unforeseen surprises" for larger projects that may require expedited permit reviews.

4.5.2 Development Services Plan Review

Plan reviews by certain divisions of Development Services are necessary under many project conditions. Typically these reviews are conducted concurrently with other agency reviews as part of the preliminary design (75%) review process. However, due to the significant delays that can result from failing to obtain these reviews, it is important to mention them specifically during a discussion on plan review and permitting.

Building Safety Electrical Review: All plans containing design for anything electrical (illuminations, traffic signals, heat trace, load centers) must be reviewed and approved by the Building Official at completion of final design.

Building Safety approval is crucial. On completion of all electric facilities, but prior to energizing, the contractor must obtain inspection approval that signals to the electrical utility that a municipal electrical inspector has approved the facility installation. The electric utility will not energize any electrical facility without notification by the Inspector. Building Safety Policy requires that before an electrical inspector will be assigned to inspect a new facility. Building Safety must have a record of having reviewed and approved the final design. If the electrical inspector has no record of plan review, the contractor will not be able to schedule an electrical inspection resulting in delays in obtaining a utility release.

Plans to be approved by Building Safety should be submitted for review and comment at completion of Preliminary Design (75%) and again at completion of Final Design. If no corrections are required to the final design, the Building Official will place a signed plan approval stamp on the final review plans and return them to the PM. The PM should ensure that any plans containing electrical facilities have been reviewed and approved by the Building Official prior to the project being advertised or bid.

Building Safety Review for Building Permit: A comprehensive review of all structure and public facility designs must be conducted and a building permit issued before work can begin on any such projects. This does not apply to typical road and drainage projects but is a critical element of all building designs.

Fire Department Review: Plans should be submitted to the Fire Marshall for review and comment pertaining to emergency access, fire safety, and fire hydrant placement.

4.6 *Planning Commission Review*

Belton Municipal Code grants authority to the Planning Commission (PL) to make binding recommendations regarding site-planning design for any public facility. Many P&E's projects fit into the definition of public facility that is defined as "any building in which government operations or activities occupy more than 4,000 square feet, any dedicated park exceeding 1.5 acres in area, any street or collector or greater capacity and any snow disposal site." (The designation "snow disposal site" has recently been interpreted to include sedimentation basins).

Early in the design process while the draft Design Study Memo is still in progress, the PM should contact the City Planner to communicate the project, discuss schedule and submittal requirements, and identify any particular challenges that may be anticipated in obtaining Planning Commission approval and final recommendations.

Although not required, an informal review of the draft Design Study Memo by PL is often requested by P&E for public facility projects of large scope or complexity. PL staff comments gathered at this early stage of design development will often give designers a head start on producing acceptable site and landscaping plans during the formal reviews.

4.6.1 Public Facility Review Process

The formal review process is summarized below; however, the PM is cautioned to consult closely with the City Planner to ensure that current schedule and submittal requirements are in compliance with PL policy. A project schedule should allow five (5) to six (6) months to complete the review process described below with most projects allowing a two (2) to three (3) month schedule.

- PL Review
  - Submit six (6) copies of plans (preliminary design or 75%) minimum of two (2) weeks before the PL meeting
  - PL staff will distribute the plans for agency review and comment.
  - Plans will be on the consent agenda with the case to be decided at the meeting. Typically, there is no presentation by the PM.
  - PL will make their recommendations for the project.
- Final Sign Off
  - Submit six (6) copies of the revised site and landscape plans and copy of the final PL recommendation
  - All conditions of final approval must be met.
  - Staff will stamp plans and initial conditions of approval.

4.7 *Managing the Design Consultant's Services and Performance*

The PM is the single point of contact and manages the consultant’s scope, schedule, and budget. The PM is ultimately responsible for administration and oversight of the consultant's work. It is important to keep in perspective that the consultant works for the PM, and they are a resource for getting a project designed and built. To properly manage resources, the PM must monitor and document the consultant's activities. The following are key areas of emphasis in regular tracking and documenting the consultant’s activities:

- Regular communications
- Changes to the scope and basis of contract
- Progress payments
- Budget tracking
- Schedule tracking
- Project status reporting
- Professional Services Contract closeout
- Appraisal of the consultant’s performance

5 UTILITY COORDINATION

5.1 *Overview*

Utility coordination requires a considerable expenditure of time on behalf of the PM during project design and construction. Diligent utility coordination starting very early in the design process is critical in avoiding design delays. Additionally, utility relocations can be expensive, so the PM must ensure that the cost of utility relocations is factored into the project budget early on and that the budget is updated regularly as cost estimate data improves.

Utility coordination begins with the identification of known and potential impacts to area utilities that the project will encounter. Next, the utility relocation design, usually performed by the owning utility, must be completed along with the drafting and authorization of a utility relocation agreement before bidding the project. During construction, careful coordination between the general contractor and the owning utility's contractor is necessary, and a considerable amount of effort by the PM and Inspector is involved.

5.2 *Utility Identification*

The PM and A/E are responsible for performing initial identification of existing utilities in the project area during the data collection phase. All known utility owners in the project area should be contacted and copies of available utility as-built drawings obtained. Furthermore, it is highly recommended that underground utility locates be performed throughout the project area. Underground utility markings and aboveground utility features are then located in the ground survey so they can be shown in plan and profile as the design develops. Additionally, in-house Water Services and Transportation Division staff may possess knowledge of utilities in the project area and should be consulted for possible conflicts.

For all but the simplest projects, an assessment is prepared and included in the Design Study Memo that identifies all known utilities and lists all known and potential utility conflicts as well as providing a conceptual estimate of relocation costs. On complex projects, the A/E and PM may want to meet with the utility owner to begin the coordination effort and if necessary develop a Utility Conflict Report at or near 75% submittal.

Sometimes the utility owner will want to upgrade or expand their system in the project area. It is advantageous for all parties to construct these betterments before or concurrent with the project. Betterments, when desired by the utility owner, can be accommodated by allowing the work to be coordinated with the project. However, all betterments must be designed and constructed at the utility owner's expense.

5.2.1 Utilities Within the Municipality of Belton

Depending on the specific project location, any of the following utilities may be potentially located within a project.

- Evergy – Electric
- Spire Energy - Gas
- AT&T
- Time-Warner cable
- Belton School District: fiber optic
- Public Water Supply District (PWSD)

- Kansas City Water
- Little Blue Valley Sewer District (LBVSD)
- City of Kansas City, Missouri - Sanitary Sewer
- Osage Electric
- PB Pipeline

5.3 *City Code and Policy Affecting Utility Relocation*

Belton City Code provides specific rules affecting utility distribution facilities and their treatment when conflicts occur because of improvements. The PM needs to become familiar with the details of these codes so that accurate direction is provided to the A/E and owning utility company during the relocation design process.

5.4 *Design Review by Utilities*

All affected utilities, including responsible City of Belton services, should initially review the preliminary design. Similarly, all subsequent design submittals should be submitted to the utility owners with a request for comments. Obtaining comments from utilities known to be in the area at each design phase is necessary even if no impacts are identified in order to detect unanticipated impacts that all too often surprise the project team late in the design process.

5.5 *Utility Relocation Design*

If the coordination effort has been successfully executed, conceptual relocation needs will be established by the time the preliminary (75%) design drawings are submitted for review. The timely completion of relocation design by the utility owner requires diligent and consistent coordination by the PM and the A/E. The utility engineer assigned to design the relocation of the project may have many other tasks at hand and may not be able to give the project adequate priority without frequent communications.

It is important to include adequate information for bidders about all utility relocations (and betterments) that are to be performed by the utility owner during construction. If the utility relocation is complex, informational utility relocation plan sheets should be included in the drawings. In all cases, specific coordination requirements must be spelled out in detail in the special provisions.

5.6 *Utility Agreements*

Each utility owner will have their own forms and procedures for agreement and authorization. As long as the project is funded locally, Public Works finds it is satisfactory to utilize the owning utility's format for relocation agreements if needed. The City Attorney should review and approve all utility agreements.

5.7 *Construction Coordination of Utility Relocations*

The PM should request attendance by representatives of all impacted utilities at the preconstruction meeting. The utility's contractor's work must be carefully coordinated so as not to cause any delays to the Public Works contractor. Such delays are a common source of claims by Public Works contractors. During the Pre-Construction Meeting, special provisions regarding utility relocation coordination should be reviewed with all parties present. The PM should review the general contractor's schedule submittal to ensure that all utility relocations are accommodated.

Ongoing communications between Public Works project staff, the general contractor, and the owning utility company's representative will be the norm as construction and relocation planning is executed. The PM should review daily inspection reports to ensure that the utility and general contractor's efforts are well documented. The details of these reports may be instrumental later on in the handling of contractor delay claims and utility company requests for reimbursement.

6 RIGHT-OF-WAY & EASEMENT ACQUISITION

6.1 *Overview*

The State of Missouri provides the City of Belton authority to acquire real property for public purposes and establishes mandatory procedures for acquiring real property.

Public Works is responsible for acquisition of real property such as fee title, easements, and permits for most municipal projects.

It is extremely critical to the timely and successful completion of ROW acquisition that the PM maintains close communication with the ROW consultant throughout the ongoing acquisition effort. It is typical of ROW consultant to require on-call support from the PM and design consultant in the form of meetings with property owners, clarification of design details, and design revisions to accommodate unanticipated technicalities. Arguably, no other single aspect of project design development has more potential to cause delay to timely delivery of bid-ready project documents than ROW acquisition.

There are several kinds of property rights that may need to be acquired for a project.

- Temporary construction easement (TCE)
- Drainage easement
- Utility easement
- Public use easement
- Landscape easement
- Full ROW (fee) take

6.2 *Identification of Property Rights to be Acquired*

It is the design consultant's or staff engineer's responsibility to identify and present preliminary information regarding type, quantity, and location of ROW acquisition needs for a project. The PM should include ROW consultant in the review distribution of the draft design study memo and all subsequent reviews unless the project is known to have no ROW involvement. If the project has complex or numerous ROW acquisition requirements, the PM is advised to meet with the ROW services staff at the onset and regularly throughout the design process to communicate acquisition schedule needs, design alternatives, and potential problems affecting the pending ROW acquisition effort.

The PM must remember to evaluate the utility relocation design for ROW acquisition needs and communicate them to ROW services as early in the design process as possible. Normally, utility relocations are designed by the utility. Without continuous oversight by the PM, the relocation design may not identify utility easement acquisition requirements until very little time remains in the overall design schedule.

After the final Design Study Memo has been approved and during preparation of the preliminary design plans, the design consultant will submit ROW plans, parcel plats, and legal descriptions for all affected ROW within the project limits to the PM. The PM should submit it to ROW consultant with the ROW maps, parcel plats, and legal descriptions attached. This will authorize the ROW consultant to begin the acquisition process.

6.3 *Identification of Property Owners*

The ROW consultant, A/E, and staff completes this process using the services of a title company, property assessment records, directories, and site visits.

6.4 *Notice of Intended Acquisition*

Staff can make initial informal contact with affected property owners to request donation of the property rights necessary for completion of the project. If staff is unable to obtain successful donation of all required property rights, staff will recommend to Council at this stage to approve an ordinance authorizing negotiations to acquire by purchase the necessary property rights, and if such negotiations are unsuccessful, authorizing the initiation of condemnation proceedings to acquire the necessary property rights. If the project schedule is tight, staff may need to move forward with the ordinance at the beginning of the acquisition process. Projects that are funded in part or in whole by state or federal grants may require staff to vary slightly from the process used in non-grant projects.

Chapter 523 of the Missouri Revised Statutes governs the condemnation proceeding process in Missouri. Staff should consult with the City Attorney to ensure that all statutory requirements contained in Chapter 523 are satisfied in the event condemnation proceedings are initiated to acquire any necessary property rights. Under the statute, the condemnation process commences upon the first written notice of intended acquisition that is sent to all affected property owners **after** the ordinance authorizing negotiations to acquire the necessary property rights is passed. As such, care should be taken by staff and the City Attorney to ensure full compliance with Missouri condemnation law from the very beginning of the process (passage of the ordinance authorizing acquisition and/or condemnation) through the final acquisition of the necessary property rights.

6.5 *Establishment of Just Compensation / Fair Market Value*

The condemnation statute requires that an appraisal or determination of value be provided to the property owner if the necessary property rights are unable to be obtained by donation and condemnation proceedings are initiated. As noted above, projects funded in whole or in party by state or federal grants may have additional appraisal requirements.

6.6 *Acquisition*

The PM begins expeditious good faith negotiations with affected property owners by first requesting a donation. If the request for a donation is denied, then the PM presents an offer of just compensation, which includes fair market value of the rights acquired, any damages to the remainder, and/or any costs to cure.

Property possession takes place only after the owners have been paid and property acquisition has been concluded by one of the following means:

- *Donation:* Property agrees *to donate due to the benefits they received from the project or to reduce the costs of the project to the City.*
- *Negotiated Agreement*: Based on the approved value estimate or Review Appraiser's Determination of Just Compensation. The PM conducts negotiations, and the Mayor's designee, typically the Public Works Director or PM if so designated, approves the agreement. Payment is made either through a title company or the City's Finance Department.

- *Administrative Settlement*: Any settlement made that differs from the approved value estimate or Review Appraiser's Determination of Just Compensation. Administrative Settlements may be made when normal efforts to acquire have failed and it is determined that a negotiated settlement is reasonable, prudent, and in the best public interest. The PM advises when an Administrative Settlement is being considered. The Mayor's designee, typically the Public Works Director, must approve Administrative Settlements. Payment is made either through a title company or the City's Finance Department.
- *Condemnation Action*: The PM must acquire Council approval of eminent domain. The PM is responsible for scheduling the request for eminent domain authority approval on the Council meeting agenda and coordinating with the PM and the design consultant on the recommendation.

6.7 *Completing the Acquisition Process*

Although the PM relies on ROW consultant to secure the necessary ROW for a project, it cannot be overstated that the PM's involvement throughout the acquisition process is critical to successful completion of the design. This applies not only in terms of timely completion, but also to ensure that the secured permits and easements accommodate the work and that all affected property owners have had their concerns resolved.

Before printing the bid documents, the PM should obtain copies of all acquired permits, easements, and property owner agreements for incorporation into the bid documents. The PM often will include specific terms in the permit or easement document such as paving a driveway or enhancing private property with landscaping as part of a negotiated settlement. By including copies of all permits and easements in the bid documents, it becomes the responsibility of the construction contractor to accommodate any special agreements made by the PM during negotiations. The PM and inspector should be familiar with the permits, easements and associated agreements, as well as including a discussion of the easements and terms with the contractor at the pre-construction conference.

7 BIDDING

7.1 *General*

Solicitation and award of bids for construction projects is governed by the City of Belton's Purchasing Policy. For most projects, a contract document and specification book along with a formal "Invitation to Bid" must be issued either electronically or hard copy. The general steps required for this process are discussed below, however; times may vary depending on project scope and type.

Table 8.1-1

Activity	Time
Final Contract Review	1 Week
Bid Advertisement	3 Weeks
Bid Opening (Engineers Review)	1 Week
Council	3 Weeks
Notice of Intent to Award & Contract Execution	1 Week
Total Time Period	9 Weeks

7.1.1 Waiver of Formal Bidding Procedures

In rare circumstances, it may be an advantage to waive the formal bidding procedures in order to quickly award the contract (e.g., emergency repair, avoid mobilization costs, etc.). Formal bidding procedures include advertising time and the time to obtain Council approval. Public Works staff follows the City's Purchasing Policy.

7.1.2 Invitation to Bid

At the completion of the review process, Project Administrative Support staff will prepare a dated and signed copy of the Invitation to Bid. The Invitation to Bid includes dates for the pre-bid conference, the bid opening, and the post-bid conference. The document is then transmitted to the designer to be included in the original contract specifications. The designer, or approved document management company, produces the specified number of plans and specifications for distribution to bidders. While the copies of the plans and specifications are being printed, Project Administrative Support staff arranges for publication of the Invitation to Bid. The ad must be published at least once via an online bidding company or in a general circulation newspaper typically 21 days before the date set for opening bids.

7.2 *Procedures*

During this phase, bidders obtain the documents and begin preparations of their bids. A pre-bid conference if necessary is conducted by the PM. This is also the time when any errors, omissions, or inconsistencies in the contract documents are noted by the designer and made a part of the bid documents by an Addendum. The pre-bid phase generally lasts one to three weeks.

7.2.1 Pre-Bid Conference

The Pre-Bid Conference is generally held midpoint after the Invitation to Bid is published and before the bids are opened. It is conducted by the PM and attended by the designer and all other parties involved with the construction of the project including the plan holders, representatives of Municipal and State agencies, and representatives of utility companies. The PM will confirm that each of the above who are not plan holders know the time and date for the pre-bid conference. The conference is held to make sure the bidders understand the project scope and to answer any questions potential bidders have about the project and the bid documents. Pre-bids are mandatory by the general contractors bidding on the project.

7.2.2 Errors / Changes in the Bid Documents

During their review of the bidding documents, potential bidders may have questions concerning the project or discover errors or inconsistencies in the documents. Bidders' questions must be directed to the PM. Any required design revisions, clarifications, or corrections must be conveyed to the bidders by issuance of an addendum to the construction bid documents. The contract documents typically list a time frame in which questions from bidders will no longer be accepted.

7.2.3 Addendum

The addendum is prepared by the designer and delivered to the PM. The PM verifies that all changes, additions, deletions, or clarifications to the bidding documents are clearly explained and, if necessary, detailed with drawings. Project Administrative Support staff will then provide the addendum to all appropriate parties that must be executed by the bidder and returned as part of the bid documents.

7.2.4 Bid Opening

Bid opening will be conducted by the PM at the scheduled time and date. Typically, the PM and designer or consultant along with other interested parties attend the opening. The engineer's construction cost estimate is announced following the opening of the submitted bids.

NOTE: Before bid opening, a copy of the engineer's estimate should be delivered to Project Administrative Support staff so they may begin advance preparation of the bid tabulation.

7.2.5 Review of Bids

Following the bid opening, PM or staff engineer will check all bids for errors, inconsistencies, and unbalanced bids. There is also the potential that due to irregularities, unbalanced bidding, or generally high bids that exceed project funds, all bids will be rejected. At this point, the project may be re-bid or canceled.

The PM will submit copies of the bids and the engineer's estimate to the Project Administrative Support staff so the detailed bid tabulation can be completed.

7.2.6 Recommendation of Award/Rejection

After review of the bids and after checking all references and the bidder's related projects, and upon finding no discrepancies, the PM will prepare a City Council Agenda Form to recommend award of a contract to be approved by the Council. The recommendation of award includes the funding account

distribution number, contract amount, and funding source that are obtained from the Project Administrative Support staff.

Before sending the recommendation of award to Council, the PM should attach a copy of the bid tabulation and recommendation memo.

All rejected bidders not meeting bid criteria will be notified by phone, email, or written letter as determined by the PM.

7.3 *Contract Execution*

On acceptance of the recommendation of award, the PM will prepare the construction contract and a Notice of Award for the successful contractor. Immediately following, the PM will send the Notice of Award and three (3) copies of the contract to the contractor for execution. The contractor is given 10 working days after receipt of the Notice of Award to furnish signed contracts and all required bonding and insurance certification. Public Works has 10 working days to obtain approved signatures and to submit a Notice of Award along with a fully-executed contract to the contractor.

7.3.1 Contract Agreement

The following are the necessary attachments to the contract as it is routed for signature and approval:

Construction Contract, New

- Contract transmittal (PM)
- Council Memorandum (PM)
- Recommendation of Award (PM)
- Bid Tabulations (PM)
- Contract with all appendices and insurance certification (PM)

8 CONSTRUCTION

8.1 *Overview of Construction Administration Procedures*

Public Works has full responsibility for its own construction administration and inspection of CIP projects. The PM is responsible for the project and supervises the inspector who monitors the day-to-day construction progress of the job.

Within the organization of the project team, the inspector is responsible for:

- Being the eyes and ears of the PM at the project site
- Ensuring that the work is performed in compliance with the plans and specifications and with sensitivity to project budget
- Keeping the PM informed of construction conditions and anticipated changes in the work
- Keeping current job records
- Ensuring that convenience and safety to the public is maintained
- Investigating and resolving citizens' concerns and complaints

Effective construction project administration requires that the entire project team become very familiar with the current design. In particular, the General Conditions contain detailed instructions to the contractor on procedures for bidding and award, interpretation of scope, control of the work, legal relationships, handling disputes, measurement and payment, and schedule. Additionally, the Special Provisions typically contain modifications to design of which the project team should be aware. The PM should also be familiar with any and all City codes and standard specifications in order to gain a comprehensive understanding of their role in properly administering the construction process.

After hours issues are to be addressed with the on-call staff who respond to evaluate and either resolve or contact the right resources that can resolve the issue.

8.2 *Preconstruction*

Preconstruction can be described as the time between the contractor's receipt of the executed contract and the contractor's receipt of a signed Notice to Proceed. The General Conditions detail various administrative procedures and submittals to be completed at this time. The primary component of the preconstruction phase is the preconstruction meeting.

8.2.1 Preconstruction Meeting

A Preconstruction Meeting, commonly referred to as project kickoff, is required to be held after the contractor has received the signed contract and before construction starts. The intent of the conference is to:

- Highlight the responsibilities and authority of each individual involved with the contract and discuss employee code of conduct
- Give all involved parties an opportunity to discuss the project particularly if the project affects utilities
- Inform the contractor of Public Works management structure and administrative requirements
- Collect contractor's written submittals as defined by design documents such as the names and 24-hour phone numbers of key personnel and identification of employees that are authorized to sign change orders, pay estimates, etc.

- Provide all parties involved with the construction an opportunity to identify any potential problem areas such as easement conditions, material delivery, sensitive utility situations, or public convenience problems
- Remind the contractor of the need to submit schedule and product submittals within the time specified
- Discuss safety concerns making it clear the contract places responsibility for safety of workmen and the public in the hands of the contractor
- Answer questions or clarify the intent of specification wording or notes on the drawings
- Stress importance of maintaining up-to-date record drawings
- Stress importance of notices to staff and the Public for pending road closures, driveway access, etc.
- Discuss timeline of construction and completion date
- Provide the contractor with the appropriate number of stamped approved sets of contract drawings
- Stress site cleanup at the end of the workday and overall project cleanup
- Stress the storm water pollution prevention plan (SWPPP) and installation and maintenance of erosion control measures

The PM will schedule the Preconstruction Meeting coordinating the date and time with the PM and the contractor. When the meeting time has been established, a Notice of Preconstruction Meeting Letter is sent to the contractor with a Preconstruction Meeting Agenda attached.

Preconstruction meeting attendees include the contractor, PM, design engineer, inspector, and representatives of other public agencies and utilities directly affected by the work. The Preconstruction Meeting Letter should be emailed to all potentially interested parties as soon as the time and date for the meeting has been established. The PM will bring sufficient copies of the Preconstruction Meeting Agenda to the meeting for all anticipated attendees, a Preconstruction Meeting Sign-in Sheet, and appropriate number of sets of approved drawings and specifications for the contractor as required by the contract documents.

Note: All contractors must obtain a City of Belton Business License before a notice of award is approved.

8.3 *Notice to Proceed*

The Notice to Proceed (NTP) should be issued at an agreed upon date with the contractor. All paperwork must be completed including bonds and insurance before the NTP. The NTP should be issued no later than 10 days of contract award unless the Special Provisions change the time frame. The NTP includes the effective date, contract completion date, and the name of the individual charged with responsibility for the project on behalf of the City, the PM.

The NTP is normally issued at the Preconstruction Conference although in some cases the NTP is issued as a NTP and Winter Shutdown for contracts awarded during adverse weather conditions. In these cases, the Pre-Construction Meeting will be held before construction actually commences and a Notice to Resume Work will be issued at the appropriate time.

Before any work can proceed, the contractor must submit the Traffic Control Plan to the Engineering Division of Public Works. Engineering must approve the contractor's traffic control plan. The Engineering Division will have five (5) working days to review and accept or reject the plan. Successive submittals will also be reviewed within five (5) working days. Before the contractor can begin work, a ROW excavation permit from the Engineering Division should be obtained.

8.4 *Preconstruction Walk-Through*

Before commencing work, the contractor should be offered the opportunity to walk through and inspect the condition of the project. In most cases depending on the contract, the contractor shall be required to photograph and/or videotape pre-existing conditions of the jobsite.

8.5 *Public Relations / Notice of Intent to Construct*

Construction proceeds more smoothly when the public has received advance notification of impending construction particularly in the neighborhoods impacted by the construction. Elected officials, emergency support agencies, public transportation agencies, trash services, and the Belton School District also appreciate knowing in advance when a particular roadway will be disrupted. The Public Information Plan will be followed to communicate information with the public.

Door hangers containing a Notice of Construction flyer will be distributed to residences and businesses directly fronting the project site. The intent of this notification is to explain the scope of the project, provide affected residents with the estimated construction schedule, identification of the contractor with daytime phone and 24-hour emergency phone numbers, and the names and contact information for project. Thanking the residents/business owners for their patience during the construction period and inviting comments and questions is a nice concluding touch. If provided for in the contract, the Notice of Construction door hangers may be handled by the contractor. If not, the inspector typically performs this task.

8.6 *Payment for the Work*

Once the approved contract pay estimate has been signed by the contractor, the City will process the application for payment ASAP not to exceed 30 days. Public Works has developed the following procedures to ensure that progress payments are made within the time constraints afforded by the City of Belton (Belton):

- When possible, the PM should discuss pay item quantities to be submitted with the contractor and inspector before the partial payment request is formally submitted for approval.
- The contractor is instructed to submit the payment estimate to the PM.
- The PM should consult with the inspector regarding the claimed quantities, installed or stockpiled, for payment. If there are disputed pay items, Belton requires written notice within an (8) eight-day time limit to the contractor stating the reasons for rejection. The PM should contact the contractor and attempt to resolve the disputed items immediately when possible. Once all pay items are determined to be acceptable, the payment request is approved and signed by the PM. This payment request is forwarded to the Project Administrative Staff who reviews the pay application and schedule of values and sends to the Finance Department for final payment.
- Certified payrolls for the same period must be attached to the pay request.
- A Pay Application is usually processed once a month.

8.7 *Change Order*

Any change in the scope of work resulting in a change in contract price must be incorporated into the contract through a Contract Change Order. Only the City Manager and/or City Council are authorized to approve change orders per the contract language.

Regardless of whether City Council approval is required, all change orders will require signatures by the contractor and the City Engineer or Public Works Director.

8.8 *Compensation for Additional Work*

Generally, a lump sum award for any work that is additional to the contract should be agreed upon between the contractor and the PM, but this is not always possible because of time constraints or difficulty prior to beginning the work in identifying the full scope of the work.

One exception is when the increased (or decreased) work is of a nature that allows the change to be compensated by simply changing the quantities for existing bid items. Current construction contracts allow for a change in quantity of plus or minus 20% change in quantity before negotiating a revised unit price. This method should be used when it can be done.

When the work is of an urgent nature or is difficult to estimate, the increased work is accomplished using time and materials time and materials procedures.

Time and materials can be an expensive means of accomplishing additional work and should be used only as a last resort. Good record keeping of materials, equipment, and labor involved is critical to minimizing the cost impact of work to be compensated by time and materials. The contractor should be clearly advised in advance of any time and materials work that copies of time cards and invoices for any materials and equipment rentals must be submitted as backup with all requests for payment for such work. The contractor should also be advised as to a maximum dollar amount that is not to be exceeded as part of a time and materials change to the contract. It is best to reach daily agreement with the contractor's superintendent on the work force and hours involved so that any differences can be resolved while the events are fresh in both parties' minds. Accordingly, labor and equipment rates should be agreed on before performing significant quantities of time and materials work.

Change orders can be written to incorporate multiple tasks resulting in changes to contract price regardless of which methods for tracking compensation have been used.

8.9 *Subcontractor / Supplier Claims Against the Contractor*

The project specification book or contract documents shall be referred to when managing contractor payments.

8.10 *Certified Payroll for Prevailing Wage and Disadvantaged/Minority Business Enterprise Forms (D/MBE)*

Certified Payroll submittals are required by the contract only for projects involving prevailing wage. When the contract requires D/MBE goals, the required D/MBE forms should be attached to the pay estimate forms for review by the PM. If the D/MBE forms are not properly completed by the contractor, the pay estimate should be returned as "incomplete."

8.11 *Submittals for Materials and Shop Drawings*

A Submittal List of all materials and shop drawing submittals required by Belton will be outlined in the contract documents. This list is for information purposes only and does not preclude additional submittals required in the special provisions. The contractor is responsible for routing all submittals

to the PM who will forward them to the A/E for review. The submittal is then returned to the PM stamped as either acceptable or rejected by the A/E.

Timelines are a crucial factor in processing submittals. The PM will see that submittal times and schedules are adhered to by the contractor, the designer, and other reviewers. The PM shall record all submittal transactions on a Material/Shop Drawing Submittal Log to ensure tracking of the submittal review process.

8.12 *Design Clarification/Work Order Directive*

The contractor will often raise questions about the plans or field conditions that require consultation with the project designer. The contractor or the PM should document such occurrences by submitting a Design Clarification/Work Order Directive. Adherence to this procedure is of benefit to all parties. The Design Clarification/Work Order Directive serves as an official conduit for the flow of information between the contractor, the PM, and the project designer. Properly used and prepared, the completed Design Clarification/Work Order Directive in the project file will serve to document key dates, the nature of the questions, or proposals and the response provided. Design Clarification/Work Order Directives become an important source document of issues resulting in changes to contract price and even contractor claims. Finally, a review of the Design Clarification/Work Order Directive at project completion will help ensure that changes in the work are properly incorporated into the record drawings.

8.13 *Permission to Enter Property*

Occasions will arise when a contractor needs access to private property for which no right of access by easement or Temporary Construction Permit has been obtained in advance. If the contractor's need for access is to perform work at the City's direction, the property owner's signature must be obtained on a Right of Entry Form. This task is usually handled by the inspector. If the property owner refuses to sign, the contractor will be directed to construct improvements only to the property or easement line. If access to private property is desired by the contractor for the convenience of the contractor, the contractor is still required to obtain written permission of the property owner but without the City's involvement in obtaining written permission(s). Contractor shall obtain the notarized signature of the property owner(s). If a notarized signature is not obtainable, the property owner(s)' signature(s) must be witnessed and signed by one (1) person other than the person representing the contractor.

8.14 *Winter Shutdown*

It is not uncommon for a construction project to require more than a single summer season to reach completion. If needed, the PM will issue a Winter Shutdown letter informing the contractor of the effective date with a copy sent to the PM. After the contractor has secured the site, responsibility for drainage, snow removal, and access to adjacent property becomes the responsibility of Transportation Division. Contract time is suspended during winter shutdown.

In the spring depending upon weather conditions, the PM will issue a Notice to Resume Work Form to the contractor. This form establishes the effective date that contract time begins and the resulting contractual final completion date. Additionally, all affected agencies and citizens affected by the project should be notified that construction in the project area is going to resume.

9 PROJECT CLOSEOUT

9.1 *Overview*

Project closeout procedures apply to all projects regardless of size. The PM and inspector need to become extremely familiar with the detailed closeout contract provisions in the contract conditions as well as any Special Provisions for the particular project.

9.2 *Pre-Final Inspection*

"The contractor, by his own comprehensive inspection, will determine when all work is completed and all other contract requirements are fulfilled." The contractor then notifies the PM to request a Pre-Final Inspection (PFI). Upon receiving the PFI request, but before scheduling the PFI, the inspector will determine that the contractor's request is based on a project site that is indeed substantially complete. Substantial completion is defined as the point at which in the opinion of the engineer (PM) the project is essentially complete and available for the owner's beneficial use unless otherwise defined in the contract documents. If the project has not attained substantial completion, the contractor's request for a PFI should be denied until the contract work is actually completed. A project punch list will then be generated outlining all outstanding items not complete.

If the contractor's request for a PFI is to be granted, the inspection should be arranged by the inspector so that representatives of the contractor, Project Management, and the A/E can attend. Often it will also be necessary to have representatives of the Transportation Division, Water Services, Parks and Recreation, or other agency representatives present for the PFI. During the inspection, the inspector will discuss any identified incomplete work, unacceptable work, or defects requiring correction with the contractor and compile a substantial completion punch list.

Once the substantial completion punch list is complete, a Certificate of Substantial Completion is delivered to the contractor. Once established in writing, the date of substantial completion starts any maintenance period which may be applicable.

9.3 *Final Inspection*

After the contractor has completed all of the items presented on the Substantial Completion Punch list, a final inspection of the project will be requested. The Inspector and PM should attend the final inspection with a contractor representative to verify that all items on the punch list have been completed. If the final inspection reveals uncorrected deficiencies, the PFI procedure is to be repeated at the contractor's expense until an acceptable final completion walk-through has been accomplished.

9.4 *Final Payment*

Upon completion of the contract work, the contractor will prepare and submit a request for final payment to the PM. Before the PM approves the request for final payment, the contractor must also have filed notarized lien waivers and final payrolls. The contractor will also convert their performance bond to a maintenance bond for a 2-year period.

9.5 *Warranty Period*

Maintenance bond per the contract documents will be provided to the PM before release of final payment.

9.6 *Record Drawings and Archives*

The PM must decide before the contract begins who will produce the as-built drawings. The PM is responsible for seeing that the as-built information from the contractor's record drawings is submitted to the design PM and incorporated into the final drawing submittals. The final drawing submittals shall include:

1. GIS shape file of constructed improvements
2. Electronic Plans with PDFs of the plan sheets
3. Two complete full sized plan sets sealed by a Professional Engineer

9.7 *Performance Reviews/Project Summary*

The PM must complete an evaluation of design consultant and construction contractor and filed with the project. The consultant and the contractor should receive a copy of the review. Also, a summary of the project detail should be made in the project file that notes the outcomes of the project.