

**BENTON COUNTY ORDINANCE NO. 382**  
**AN ORDINANCE FOR CONTROL AND MANAGEMENT OF STORMWATER  
FOR SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)**

WHEREAS, the Minnesota Pollution Control Agency issued a "GENERAL PERMIT AUTHORIZATION TO DISCHARGE STORM WATER ASSOCIATED WITH MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4) UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM/STATE DISPOSAL SYSTEM" dated March 10, 2003 and issued as Permit No. MN R 040000; and,

WHEREAS, Benton County has been identified as an operator of Municipal Separate Storm Sewer Systems (MS4); and,

WHEREAS, Permit No. MN R 040000 requires the adoption of an ordinance to comply with requirements of said permit, for the purpose of control, management and enforcement of said permit,

NOW, THEREFORE, pursuant to the authority vested by Minnesota Statutes Chapters 115, 103E and 145A, **THE BENTON COUNTY BOARD ORDAINS:**

- I) This ordinance shall demonstrate Benton County's commitment to be in compliance with the permit and commitment to the protection of waters.
- II) Definitions: For the purpose of this ordinance, the following terms shall have the meaning given in this section.

Illicit Discharge: Any discharge to a municipal separate storm sewer that is not composed entirely of storm water, except discharges pursuant to a NPDES permit and discharges resulting from fire fighting activities.

Benton County Municipal Separate Storm Sewer System: The Municipal Separate Sewer System that is identified on the official Benton County MS4 map, which is incorporated herein and made a part of this ordinance, along with any periodic amendments to such map as are filed with the County Auditor.

Municipal Separate Storm Sewer: A conveyance or system of conveyances (Including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) that are owned and operated by a county, town, city or other public body having jurisdiction over disposal of sewage, industrial wastes, storm water or other wastes, which is designed or used for collecting or conveying storm water, and which is not a combined sewer or a Publicly-Owned Treatment Works.

Person: Any municipality, governmental subdivision, public or private corporation, individual, partnership or other entity, including any officer or governing or managing body of any municipality, governmental subdivision, public or private corporation or other entity.

III. Prohibited Activities

- A) No illicit discharges into the Benton County Municipal Separate Storm Sewer System shall be permitted. It shall be a violation of this ordinance for any person to cause an illicit discharge in the Benton County Municipal Separate Storm Sewer System.

*BC Administration*

- B) No person shall engage in construction activities, including clearing, grading or excavating, that may adversely affect any MS4 by causing erosion or introducing sediment, water runoff or water into a MS4, without obtaining appropriate permits from the Minnesota Pollution Control Agency prior to conducting the construction activity.

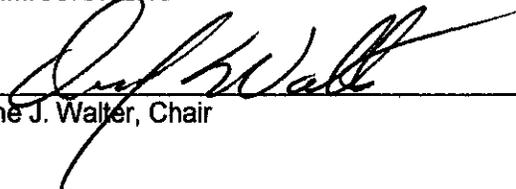
IV. Enforcement

Violations of this ordinance shall be a misdemeanor. Each day that a violation is permitted to exist shall constitute a separate offense.

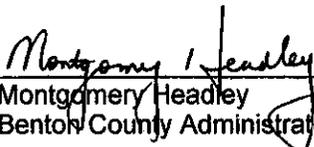
In the event of a violation or a threatened violation of this ordinance, the county attorney, in addition to other remedies, may institute appropriate proceedings to prevent, restrain, correct or abate such violations or threatened violations.

Approved and adopted this 15th day of March, 2005.

BENTON COUNTY BOARD OF  
COMMISSIONERS

  
\_\_\_\_\_  
Duane J. Walter, Chair

ATTEST:

  
\_\_\_\_\_  
Montgomery Headley  
Benton County Administrator

MARILYN J. NOVAK  
COUNTY RECORDER

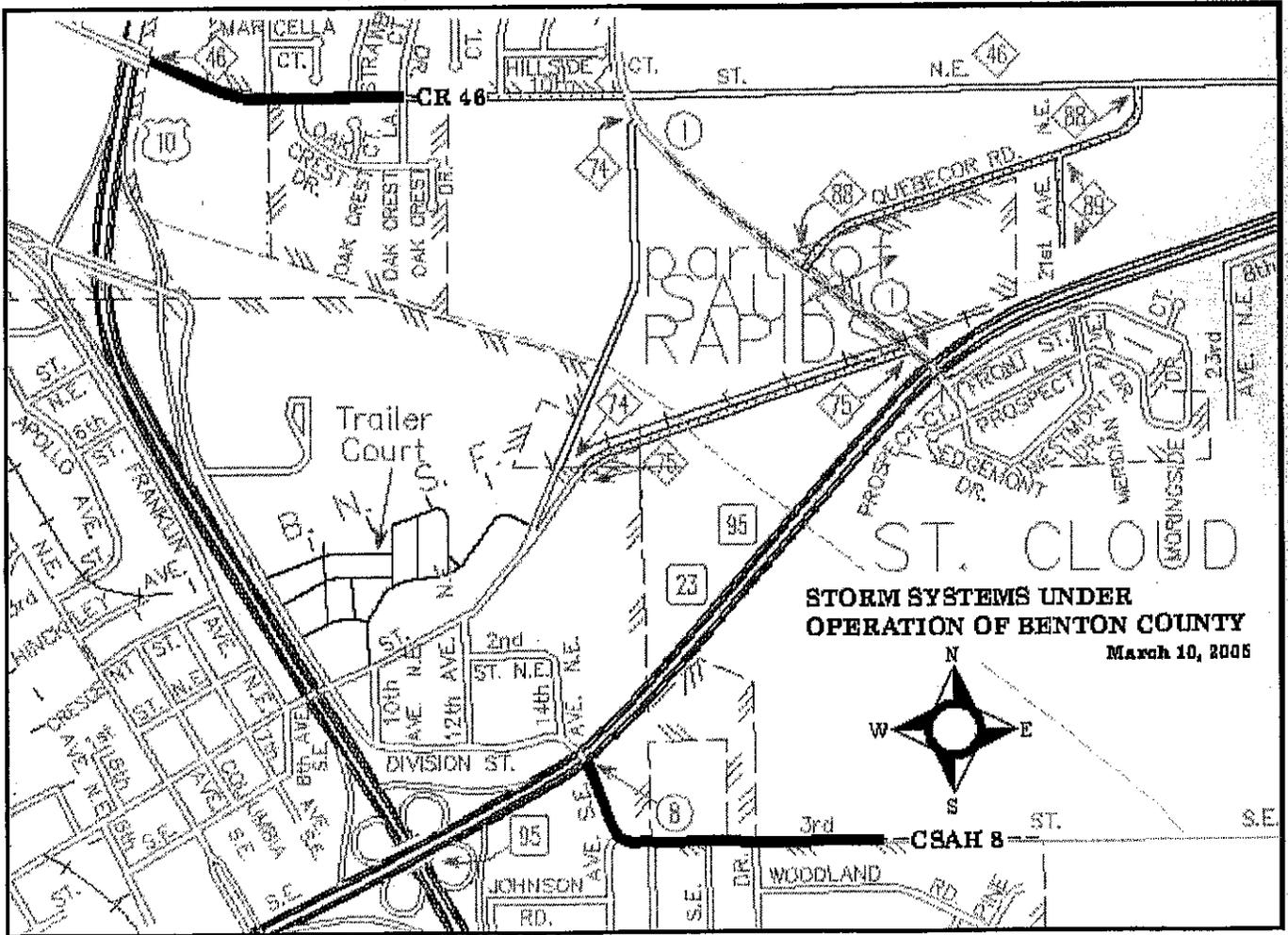
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OFFICE OF  
BENTON COUNTY RECORDER  
BENTON COUNTY, MN  
CERTIFIED TO BE FILED  
AND/OR RECORDED ON

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**STORM SYSTEMS UNDER  
OPERATION OF BENTON COUNTY**  
March 10, 2005

