



TOWN OF KNIGHTDALE
P L A N N I N G D E P A R T M E N T

www.knightdalenc.gov

950 Steeple Square Court
Knightdale, NC 27545
(v) 919.217.2241
(f) 919.217.2249

ORD #14-03-19-001
AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF KNIGHTDALE,
REGARDING PERFORMANCE SECURITIES FOR BMP MAINTENANCE

WHEREAS, the Town of Knightdale has received a petition to amend Section 6.4.F.8 (Performance Security for BMP Maintenance) of the Unified Development Ordinance by eliminating the amount, forfeiture provisions, default, and costs in excess of performance security provisions while emphasizing the owner’s maintenance responsibilities and possible penalties that would result from the failure of perform their maintenance duties; and

WHEREAS, the Town of Knightdale Unified Development Ordinance Section 15.6B establishes uniform procedures for amending the text of the Ordinance; and

WHEREAS, the proposed zoning text amendments are reasonable in that they promote the objective of implementing standards for stormwater management in order to help mitigate against flooding and water quality deterioration. For the same reasons, the proposed changes are also consistent with the Comprehensive Plan’s stated goal of providing balanced and responsible urban design, planning and development and protection of the Town’s natural resources;

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Knightdale, North Carolina:

SECTION 1. That the Unified Development Ordinance of the Town of Knightdale Code be amended to read as follows *{editing notes in bracketed italics}*:

Section 6.4 Post Construction Stormwater Management

...

F. Maintenance

...

8. BMP Maintenance Requirements for Non-Residential Property Associations

As required in Section 6.4F(2), the owner of a stormwater BMP must adhere to the maintenance schedule as dictated in the approved BMP Operations and Maintenance Agreement. Failure of the owner(s) to comply with said schedule shall constitute a violation of this ordinance and shall be subject to the applicable procedures and penalties of Chapter 18.

SECTION 2. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 4. That this ordinance has been adopted following a duly advertised public hearing of the Town Council and following review and recommendation by the Land Use Review Board.

SECTION 5. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Knightdale Town Code.

SECTION 6. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 19th day of March, 2014.

ATTEST:

Suzanne M. Yeatts, Town Clerk

Russell B. Killen, Mayor

APPROVED AS TO FORM:

Clyde Holt, III; Town Attorney