

## ARTICLE X. STORM WATER QUALITY MANAGEMENT PLANS

### **Sec. 14-1001. Adoption of the Storm Water Management Guidance Documents.**

The Storm Water Management Guidance Document for Development Planning and Construction Activities, dated May 28, 1997, and the Storm Water Guidance Document for Assessment of Water Quality Impacts from New Flood Control Projects, prepared by the Storm Water Department, dated May, 1998, true copies of which are on file with the City secretary, are adopted to ensure storm water entering the navigable waters of the United States from the City's municipal separate storm sewer system does not violate the terms of the City's storm water national pollution discharge elimination system permit. The Guidance Documents contain suggested best management practices that owners, developers, and contractors should consider adopting to help control and reduce pollutants that are transported by storm waters and technical guidance related to erosion and sediment controls and other measures to reduce pollutants from new flood control projects.

### **Sec. 14-1002. Definitions.**

For the purposes of this article, the following terms have the meanings ascribed to them in this section, unless the context clearly indicates otherwise.

*Area adjacent to Nueces River water supply* means the land that is within one thousand five hundred (1,500) feet from the edge of the Nueces River or any of its tributaries above the Calallen Saltwater Intrusion Dam.

*BMP* means Best Management Practice.

*Disturbing* means clearing, grading, excavation, or other construction-related activities including the open storage of raw materials, transport and parking of vehicles, etc., on an unpaved area.

*Environmentally sensitive area* means:

Receiving waters.

Stream segment, bay or estuary classified as having an "exceptional aquatic life use by TCEQ under 30 TAC 307.7(b)(3) and 307.10.

Areas identified as providing critical habitat for an endangered, threatened, or protected species. The U.S. Fish and Wildlife Service or Texas Department of Parks and Recreation should be consulted, if necessary.

Wetlands as defined by 33 CFR 328.3(b).

State owned submerged land.

Critical dune areas, as determined by the land commissioner under Texas Natural Resources Code § 63.121.

Area adjacent to the Nueces River Water Supply.

Floodplains, as determined by the Federal Emergency Management Agency.

Floodways, as determined by the Federal Emergency Management Agency.

Velocity zones, as determined by the Federal Emergency Management Agency.

*EPA* means the United States Environmental Protection Agency.

*FEMA* means Federal Emergency Management Agency.

*Harmful liquid* means a liquid that may cause harm to the environment, such as oil, chemicals, and hazardous substances.

*Lot* means a lot as defined by § 3.1.41 of the Zoning Ordinance.

*NPDES* means a National Pollution Discharge Elimination System.

*Permanent stabilization* means that all unpaved areas of the site, not covered by permanent structures, which were disturbed by construction activities, have a uniform perennial vegetative cover with a density of seventy (70) percent or equivalent permanent stabilization has been used, such as coverage with geotextiles and mulch.

*Pollution control plan* means a site plan that contains the following information:

The outline of the site.

A delineation of the area of the site that will be disturbed by construction activities.

The direction of flow of storm water drainage entering and leaving the site. If the drainage pattern will be altered, both the existing drainage patterns and proposed drainage patterns must be shown.

A description and location of any existing drainage structures on the site and any drainage structures that will be constructed on the site.

A description of how any "run-on" storm water will be handled, including sheet flow entering the site from adjoining property.

A description and the location of any environmentally sensitive area that is located on the site or adjoins the site, which will receive storm water directly from the site.

The boundary line between the site and any adjoining state owned submerged land. A preliminary boundary line may be used in a pollution control plan submitted with a preliminary plat. The pollution control plan must be amended prior to filing of a final plat, once a final boundary determination has been approved by the general land office, to reflect any difference between the preliminary boundary line and the approved boundary line.

The location of any FEMA Flood Insurance Rate Map 100 year Floodplain Boundaries, Floodway Boundaries or FEMA Velocity Zone Boundaries that encroach on the site. Preliminary boundaries may be used in the pollution control plan submitted with a preliminary plat. The pollution

control plan must be amended to reflect any difference between the preliminary boundaries and the boundaries shown on the final plat.

A description and the location of all temporary control measures that will be implemented and installed during construction to control erosion, sedimentation, and the discharge of pollution into the City's municipal separate storm sewer system.

The permanent control measures that will be constructed to control erosion, sedimentation, and the discharge of pollutants into the City's municipal separate storm sewer system after completion of construction.

*Receiving waters* means Corpus Christi Bay, Nueces Bay, Oso Bay, Laguna Madre, Nueces River, Oso Creek, West Oso Creek, Petronilla Creek, and the Gulf of Mexico. The term includes perennial and intermittent streams that are natural tributaries to those waters, but does not include manmade drainage structures.

*Responsible party* means the owner, occupant, developer, builder, or general contractor who has operational control over the site specification (including the ability to make modifications in specifications), or who has operational control over day to day activities at the site and is able to ensure compliance with plan requirements and permit conditions (e.g., a person who is authorized to direct the conduct of workers at the site). Any person who has filed a notice of intent (NOI) with EPA or TCEQ is presumed to be a responsible party under this article until the person has filed a notice of termination (NOT) with EPA or TCEQ and sent the Director of Developmental Services a copy of the NOT.

*Significant redevelopment* means a change in the use of a tract of land that increases the proportion of impervious surface, a change in the use of a tract of land that will result in an increase of pollutants that may be carried off the property by storm waters, or the alteration or repair of a facility, which requires the facility to be brought into compliance with the current Technical Construction Codes requirements under Section 14-211(c) of the City's Technical Construction Codes.

*Single-lot, single-family residential construction* means the construction of a single-family residential structure and accessory buildings upon a single lot, regardless of size. The construction of each individual residential structure is considered a single-lot, single-family residential construction, even if the responsible party is simultaneously constructing another residential structure on an adjoining lot. For the purposes of this article, a lot may include one or more adjoining platted lots that are treated as a single tract of land.

*Storm water* means storm water runoff, snow melt runoff, and surface runoff and drainage.

*Storm water quality management plan* means a preliminary engineering report and analysis that provides:

A brief description of the project, with maps showing the area covered by the plan.

The land use assumptions used. Generally, the most impactful land use allowed under the current zoning, any changes in the zoning being proposed, or the applicable area development plan should be assumed. However, a less impactful land use may be used if an application is submitted to rezone the tract to a less impactful land use or the highest use allowed under the current zoning is less than the use designated in the area development plan.

Hydraulic calculations based upon established procedures (such as the rational method).

An on-site drainage plan, which details the direction of flow and collection structures, including the size and required capacity of the drainage structures.

The on-site drainage plan should address how "run-on" storm water will be handled, including sheet flow entering the site from adjoining property.

Demonstrations of the conformance with existing master plan drainage and/or the need to master plan amendment for both on-site and off-site improvements. In the absence of a request for rezoning, the most impactful land use allowed under the current or proposed zoning will be assumed.

Delineation of the route of runoff to ultimate outfall. This information will be used to determine the ultimate capacity for water quality treatment at an ultimate outfall station.

Identification of any environmentally sensitive area that is on the site, or that would be sensitive to storm water pollution from the site. Areas of investigation should include, but are not limited to, water supply sources, recreational waters, wetlands, barrier island dunes, and other sensitive ecological systems.

*TCEQ* means the Texas Commission on Environmental Quality.

*TPDES* means a Texas Pollution Discharge Elimination System.

**Sec. 14-1003. Storm water quality management plans required.**

(a) Except as provided in subparagraph (2) of this paragraph, a site specific storm water quality management plan is required for all residential, commercial, and industrial developments of one (1) acre or more.

(1) For the purpose of this section, the area of the development must include all contiguous land owned by the responsible party, regardless of the amount of land that will be affected by the development activity.

(2) A storm water quality management plan is not required when a portion of a previously developed tract of land is redeveloped, unless the redevelopment will result in the conversion of more than one-fourth (1/4) acre from a porous surface to an impervious surface.

(b) The storm water quality management plan must be submitted at the time of submission of a preliminary plat; a final plat was submitted or if a storm water quality management plan was not submitted with the preliminary plat; or a replat of a final plat under the platting ordinance, if a storm water quality management plan was not submitted with the preliminary plat or final plat; or submission of a site plan with an application for a building permit, if a storm water quality management plan was not submitted with the preliminary or final plat.

(c) The storm water quality management plan must identify the location of the ultimate outfall from the City's municipal separate storm sewer system into the receiving water and any environmentally sensitive areas that will receive any pollutants carried by storm water pollution from the site.

(d) The storm water quality management plan must state whether an NPDES or TPDES storm water pollution prevention plan or a pollution plan will be submitted to the Director of Developmental Services under section 14-1005.

(e) The storm water quality management plan must be sealed and signed by a registered professional engineer licensed to practice engineering in the State of Texas.

**Sec. 14-1004. Special land use requirements.**

(a) A storm water quality management plan and any plans submitted for a building permit for the development of property that will be used for one of the following uses must identify the appropriate best management practices, published in the City of Corpus Christi's Storm Water Management Guidance Document for Development Planning and Construction Activities (Guidance Document) that the responsible party will adopt to prevent pollutants associated with the use from being discharged into the City's municipal separate storm sewer system. However, a responsible party is not required to identify any specific best management practice.

(1) Fueling stations - "Fueling Station Practices" in Section 4.9.5 of the Guidance Document.

(2) Vehicle/equipment washing and steam cleaning facilities - "Vehicle/Equipment Washing and Steam Cleaning Practices" in Section 4.9.6 of the Guidance Document.

(3) Facilities engaged in harmful liquid materials loading and unloading - "Harmful Liquid Material Loading and Unloading Practices" in Section 4.9.7 of the Guidance Document.

(4) Facilities engages in harmful liquids storage in aboveground tanks - "Harmful Liquid Storage in Above-Ground Tank Practices" in Section 4.9.8 of the Guidance Document.

(5) Facilities engaged in container storage of harmful liquids (such as oil, chemicals, and hazardous wastes) - "Container Storage of Harmful Liquids, Food Wastes, Hazardous Wastes Practices" in Section 4.9.9 of the Guidance Document.

(6) Facilities engaged in outdoor storage of raw materials that are subject to leaching and transport by erosion and sedimentation, such as gravel, sand,

topsoil, compost, sawdust, wood chips, building materials, including lumber, which are subject to leaching; and concrete and metal products, which are subject to chemical erosion, corrosion, and leaching - "Outdoor Storage Practices" in Section 4.9.11 of the Guidance Document.

(b) The owner of a site within the City that is currently being used for one of the activities described in subsection (a) of this section is not required to physically alter the existing facility to comply with this section, unless alterations or repairs to the facility require the facility to be brought into compliance with the current Technical Construction Codes requirements under Section 14-211(c) of the City's Technical Construction Codes.

(c) The storm water quality management plan and any building plans submitted with an application for a building permit for a site that is in the area adjacent to the Nueces County water supply must identify the measures that will ensure the development conforms with current measures required to safeguard the quality of water within the Nueces River and the health of those consuming water from the Nueces River.

**Sec. 14-1005. Planning requirements for site development during construction.**

(a) Development of sites one (1) acre or more.

(1) An NPDES or TPDES storm water pollution prevention plan is currently required by EPA or TCEQ for all construction projects where one (1) or more acres will be disturbed during development. Developments of sites that disturb one (1) acre or more within the City of Corpus Christi's jurisdiction must prepare an NPDES or TPDES storm water pollution prevention plan that satisfies EPA or TCEQ regulations and the NPDES or TPDES Construction General Permit.

a. A copy of the NPDES or TPDES storm water pollution prevention plan must be provided to the City's Director of Developmental Services.

b. A copy of any notice of intent ("NOI") provided to EPA or TCEQ must be provided to the Director of Developmental Services. Approval of the elements of the NPDES or TPDES storm water pollution prevention plan is not required by the Director of Developmental Services. However, the Director of Developmental Services or building official may require correction of any deficiencies in the NPDES or TPDES storm water pollution prevention plan, and may require additional measures in order to meet the requirements of section 14-1006, pollution control measures.

c. A copy of any notice of termination ("NOT") submitted to EPA or TCEQ must be provided to the Director of Developmental Services.

(2) If the site is one (1) acre or more, but less than one (1) acre and more than one-quarter (1/4) acre will be disturbed, an NPDES or TPDES storm water pollution prevention plan is not required, but a pollution control plan, as defined in section 14-1002, is required, unless the site is a single-lot, single-family residential construction that is not part of a larger development that requires an NPDES or TPDES permit.

(b) Development of sites less than one (1) acre and more than one-quarter (1/4) acre.

(1) A pollution control plan, as defined in section 14-1002, is required for commercial construction, industrial construction, multi-family residential construction, and development of a residential subdivision within the City of Corpus Christi's jurisdictional area where less than one (1) acre but more than one-quarter (1/4) acre will be developed. The area of the development will be based upon the platted lot area or, if not platted, upon the area of the tract owned by the developer, including all contiguous property owned by the same person. Disturbance of a partial area of a tract is not a condition that will cause a change of the category in development size.

(2) Submission of a site specific pollution control plan is not required for a single-lot, single-family residential construction, unless it is part of a larger development that requires an NPDES or TPDES permit.

(3) The pollution control plan must include any measures as required to comply with pollution control measures specified in section 14-1006. A pollution control plan must be submitted to the building official for review before issuance of a building permit or approval to begin development.

(4) Implementation of the pollution control measures detailed in the plan is required. (Inspection of the status of the pollution control measures will be performed by City personnel during normal construction inspections and at other times when construction activities may be conducted.)

(5) A certificate of occupancy will not be issued until the Building Official is satisfied that all temporary and permanent measures specified by the plan are complete.

(6) The Director of Developmental Services will not accept any improvements required under Section V of the Platting Ordinance until the Director of Developmental Services is satisfied that all temporary and permanent measures specified by the plan are complete, unless the responsible party has entered into a maintenance agreement with the City, as provided in section 14-1006(f).

(7) A pollution control plan is not required when a portion of a previously developed tract of land is redeveloped, unless the redevelopment will result in the conversion of more than one-quarter (1/4) acre from a porous surface to an impervious surface.

(c) Development of sites one-quarter (1/4) acre or less and single-lot, single-family residential construction. A site specific pollution control plan is not required for the development of sites which are one-quarter (1/4) acre in size or less, nor for single-lot, single-family residential construction. However, the responsible party shall comply with the pollution control measures in section 14-1006.

(1) In order to obtain a building permit, a responsible party shall provide a written acknowledgement that the responsible party is aware of the pollution control measures of the City of Corpus Christi and that the responsible party will comply with these measures during the development of the property.

(2) In order to obtain a certificate of occupancy, a responsible party must certify that all necessary temporary or permanent pollution control measures specified

in section 14-1006, pollution control measures, are in place. If adequate pollution control measures are not in place, the building official is authorized to withhold the certificate of occupancy.

(3) Prior to requesting acceptance of any improvements required by Section V of the Platting Ordinance, a responsible party must certify that all necessary permanent pollution control measures specified in section 14-1006, pollution control measures, other than the required stabilization, are in place. If adequate pollution control measures are not in place, the Director of Developmental Services will not accept any improvement required by Section V of the Platting Ordinance, unless the responsible party has entered into a maintenance agreement with the City, as provided in section 14-1006(f).

(d) For the purposes of this section, the entire plat or site will be considered to be the area being disturbed unless the site plan specifically designates which areas will be disturbed and which areas will not be disturbed. The responsible party shall take appropriate measures to ensure no construction related activities disturb any area that is not designated as disturbed on the plat or site plan.

#### **Sec. 14-1006. Pollution control measures.**

The responsible party of any construction site within the City of Corpus Christi shall implement measures necessary to control erosion, sedimentation, debris, and storm water pollution. The responsible party is responsible for the maintenance and performance of the temporary pollution control measures until permanent measures are in place. The pollution controls are designed to be selected by the developer based on the most cost effective and appropriate means to provide the required controls. In instances where a specific pollution problem is not present, controls are not required. Suggested best management practices are detailed in Section 4 of the Storm Water Management Guidance Document for Development Planning and Construction Activities.

(a) Temporary pollution control measures (during-construction). This paragraph provides examples of temporary pollution control measures that can be used to control erosion and sedimentation.

(1) Structural control of soil erosion.

a. Silt fences should be utilized, where necessary, to retain the sediments from disturbed areas within the site and decrease the velocity of sheet flows. [BMP 4.2.1.1 Filter Fabric Fence]

b. Straw bales should be utilized, where necessary, to retain sediments from disturbed areas within the site and decrease the velocity of sheet flows. Straw bales are particularly useful in paved areas where silt fences cannot be erected. [BMP 4.2.2.1 Straw Bale Fence]

c. Stabilized construction entrances should be designed to reduce the amount of soil tracked off the construction site by vehicles leaving the site. A stabilized construction entrance should be utilized, if necessary, to control tracking. The responsible party

should ensure that vehicles entering and leaving the construction site use the stabilized construction entrance. The owner or operator of a vehicle entering or leaving a construction site may not track soil off the construction site unless the operator uses the stabilized construction entrance. [BMP 4.7.1 Stabilized Access Roads and Parking Areas]

d. Vegetative buffer strips, of appropriate size should be maintained, where necessary and practical, to aid in reducing the velocity of storm water and in trapping sediments in the storm water leaving the site. A vegetative buffer will usually suffice as a structural control until final stabilization is accomplished. [BMP 4.2.5 Vegetative Buffer Strips]

e. Inlet protection barriers must be installed around all inlets until the area immediately surrounding the inlet is paved or stabilized. [BMP 4.5.1.1 Inlet Protection Barriers]

(2) Waste controls. Waste disposal must be accompanied in a manner so that no solid wastes, including building materials, hazardous substances, oil, or packaging leave the site, except for disposal at an appropriate, approved solid waste management facility, in conformance with the Texas Solid Waste Disposal Act. To the extent practicable, no solid waste, including building materials, hazardous substances, or oil may be allowed to enter the City's municipal separate storm sewer system, the City's streets, or the navigable waters of the United States. Building materials include, but are not limited to, uncovered stockpiles of soil, sand, dry cement, lumber, bricks, or other products used in construction. The prime contractor, who is issued the building permit, is responsible for the conduct of all subcontractors with regards to disposal of wastes generated by the construction activities at the site.

(3) Dust control. Dust control should be provided at whatever frequency required.

(4) Hazardous material storage. Chemicals, paints, solvents, fertilizers, and other toxic materials must be stored in waterproof containers. Except during applications, the contents must be kept in trucks or in storage facilities. Runoff containing such materials shall be collected, removed from the site, and disposed of at an approved solid waste or chemical disposal facility.

(5) Concrete trucks. The responsible party may not allow the owner or operator of a concrete truck to wash out or discharge surplus concrete or drum wash water at a construction site, unless the surplus concrete or drum wash water in concrete trucks is discharged at a facility on the construction site that will retain all concrete wash waters or leachates, including any wash waters or leachates mixed with storm water. Concrete wash waters and leachates may not be allowed to enter the municipal

separate storm sewer system, City streets, the waters of the United States, or ground waters.

(6) The responsible party may adopt alternative procedures, such as regularly scheduled street cleaning in the immediate vicinity of the construction site, instead of adopting temporary structural controls for erosion under subsection (a)(1) of this section. If alternative procedures will be used, the responsible party shall include those provisions in its NPDES or TPDES storm water pollution prevention plan, pollution control plan, or the plans submitted for a building permit, if an NPDES or TPDES storm water pollution prevention plan or pollution control plan is not required.

(b) Permanent pollution control measures (post-construction).

(1) Permanent stabilization must be applied to all unpaved areas that have reached final grade or those areas that will not be disturbed within the next forty-five (45) days. Permanent stabilization consists of sodding, seeding, or mulching with a seed bearing hay that will provide for new growth within a three-month period. New vegetative ground cover must be maintained by watering, re-grading, reseeding, sodding, as necessary, until seventy (70) percent growth coverage is obtained. [See Guidance Document BMP 4.2.4.1 Seeding with Mulching]

a. Acceptance of improvement by the City can occur before the permanent stabilization coverage requirement is met, if the developer agrees to maintain the stabilization until coverage is achieved and all other permanent measures are complete.

b. Once permanent stabilization has been achieved, the responsible party may notify the Director of Developmental Services that permanent stabilization has been achieved.

c. After inspection of the site by a City inspector, the Director of Developmental Services will send the responsible party written confirmation that permanent stabilization has been achieved.

(2) Erosion control structures must be provided where necessary to control erosive velocities in unlined channels or swales leaving the site. [See Guidance Document BMP 4.1.3.1 Pipe Slope Drain and BMP 4.1.4.1 Paved Flume]

(3) Sediment traps must be provided on the site, as necessary, to control sedimentation from concentrated storm water discharges into an environmentally sensitive area. Individual assessments must be made on a site specific basis. However, a rock rubble low berm must be installed around an outfall that discharges directly into an environmentally sensitive area, unless this requirement is waived by the Director of Developmental Services because the responsible party has installed another type of sediment trap that provides equal or better protection. [See Guidance

Document BMP 4.3.2.1 Stone Outlet Sediment Trap and BMP 4.3.2.2 Excavated Earth Outlet Sediment Trap]

(4) Stenciling, metal plates anchored in concrete inlets, precast manhole covers, wording stamped in concrete, or other acceptable form of signing must be provided on top of any storm sewer inlets. [See Guidance Document BMP 4.9.15 Inlet Stenciling]

(c) Scheduling of control measures. Pollution control measures must be implemented in a sequence that will provide maximum storm water pollution control based on the following principles:

(1) Down slope and side slopes perimeter controls must be installed before land disturbing activity occurs.

(2) The responsible party shall not disturb the site until the responsible party is ready for construction to proceed.

(3) Efforts to provide cover or stabilize disturbed areas must occur as soon as possible.

(4) Construction of infiltration measures must be delayed until the end of the construction project when upstream drainage areas have been stabilized.

(5) Temporary perimeter controls may not be removed until all upstream areas are finally stabilized.

(d) Inspection of pollution control measures. The responsible party shall inspect all pollution control measures every seven (7) days and within twenty-four (24) hours following a rainfall of 0.5 inches or greater, at the site, and maintain a record of each inspection, which shall be made available for inspection by a representative of the City during normal business hours.

(e) Maintenance of pollution control measures.

(1) The responsible party shall maintain and ensure adequate performance of the temporary pollution control measures until permanent pollution control measures are in place.

(2) Whenever the temporary or permanent pollution control measures do not to keep soil, sediment, and debris on the construction site, such as excessive tracking of dirt offsite by vehicles and runoff of sediments from the site over sidewalks and into the streets and gutters, etc., the responsible party shall removed the soil, sediment, and debris from streets, sidewalks, and inlets, as necessary, return the soil and sediment to the areas to be stabilized, and properly dispose of the debris.

(3) The owner or person in control of site is responsible for the maintenance of any permanent pollutions control measure located on the site, unless the owner has dedicated the permanent pollution control measure to the City and has provided the City with any easements

necessary to allow access to the permanent pollution control measure and to conduct of any required maintenance activities.

(f) Maintenance agreements between a responsible party and City.

(1) If all permanent pollution control measures, other than the required stabilization, are complete, a responsible party may provide a maintenance agreement for the required stabilization. This agreement may allow the responsible party to receive acceptance of improvements by the City and allow the filing of the final plats.

(2) The maintenance agreement must be submitted with the engineer's certification of infrastructure completion. The Director of ~~engineering~~ Developmental Services will execute the agreement at the time of acceptance of the public improvement, subject to any terms and conditions set out in the agreement.

(3) If a change in ownership occurs during the period when temporary measures are still in place, the maintenance agreement between the City and the responsible party, who entered into the agreement, will remain in force until:

a. Such time as either all permanent pollution control measures are in place (stabilization at seventy (70) percent coverage).

b. A new responsible party has entered into an agreement with the City to assume the prior responsible party's responsibilities under the agreement with the City.

c. A new owner acquires the tract with notice of the requirements of the maintenance agreement and agrees to assume the liabilities and responsibilities under the agreement of the responsible party, who entered into the agreement with the City, at which time the new owner becomes responsible for the maintenance of the portion of the site to which the new owner has title.

(4) The original responsible party, who entered into the maintenance agreement with the City, remains responsible for the balance of the site under the terms of the original agreement for maintenance.

(5) Once the responsible party has satisfied all terms and conditions of the maintenance agreement, including permanent stabilization, the responsible party shall notify the Director of Developmental Services.

(6) After inspection of the site by a City inspector, the Director of Developmental Services will send the responsible party written conformation that the responsible party has complied with the agreement and the agreement is terminated.

**Sec. 14-1007. Appeals to City Manager.**

A person adversely affected by a decision of the Director of Developmental Services or the Building Official under this article, may appeal the decision to the City Manager, or

the City Manager's designee, within fifteen (15) days from the date the Director of Developmental Services or the Building Official notifies the person of the decision in writing. An appeal must be submitted in writing and must be addressed to the City Manager. The appeal must set out specifically why the decision of the Director of Developmental Services or the Building Official should be considered for relief. The City Manager, or the City Manager's designee, should act promptly on any appeals under this article.

**Sec. 14-1008. Prosecution for violations of this article.**

(a) A violation of any provision of this article is a Class C misdemeanor. A conviction is punishable by a fine as provided in section 1-6 of this Code. Each day a violation continues constitutes a separate offense. Each violation of a separate provision in this article constitutes a separate offense. A culpable mental state is not required to prove an offense under this ordinance.

(b) Failure to appear in response to a citation issued for violation of this chapter is a separate violation of this article.