

ORDINANCE NO. 14336

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE,
PART II, CHAPTER 31, SECTION 31-314, PRIVATE
PROPERTY RESPONSIBILITY, TO INCLUDE SUBSECTION
(F) SINGLE FAMILY RESIDENTIAL POND PROGRAM.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA,
TENNESSEE:

SECTION 1. That Chattanooga City Code, Part II, Chapter 31, Section 31-314, Private property responsibility, be amended by deleting same in its entirety and substituting in lieu thereof the following which includes a new subsection (F) Single Family Residential Pond Program:

Sec. 31-314. Private property responsibility.

- A. The owner/operator of any Stormwater Control Measures (SCMs) is responsible for ensuring the proper operation and full functionality per design of each SCM on their property. The owner/operator is solely responsible for the cost of inspecting and maintaining said SCMs.
- B. The owner/operator shall perform quarterly inspections, at a minimum, of all SCMs on the site. At least one of the quarterly inspections performed within a year must be performed by an individual certified in post-construction SCM inspection.
 - i. Inspection reports shall be submitted annually to the Water Quality Manager.
 - ii. Inspection documentation shall be maintained by the owner/operator for a minimum of three (3) years.
- C. The owner/operator shall have comprehensive inspections conducted of all SCMs at least once every five (5) years. Such inspections must be conducted by a licensed professional engineer or landscape architect practicing within their range of competency. A comprehensive inspection report shall at least include:
 - i. SCM type(s);
 - ii. Inspection date;
 - iii. Map showing location of each SCM;
 - iv. SCM owner information (e.g., name, address, phone number, email);

- v. SCM condition and functionality descriptions along with specific maintenance items/violations to be corrected in order to return SCM to designed functionality; and
 - vi. Photographic documentation of SCMs.
- D. The City Engineer, or his/her designee, shall have the authority to inspect private drainage systems, including SCMs, within the City, and to order such corrective action(s) to said systems, as are necessary to properly maintain the major and minor drainage systems within the City.
- E. All new developments, redevelopments, and retrofit sites installing Stormwater Control Measures (SCMs) shall be required to execute an Inspection and Maintenance Agreement for Private Stormwater Management Facilities (the "Agreement"). The Agreement must designate the owner/operator as the responsible party and must grant the City the right to inspect the SCMs. If the owner/operator fails to perform maintenance, after being given appropriate written notice, the Agreement shall grant authority to the City to perform the required maintenance and bill the owner/operator double the amount of the City's cost of maintenance and enforcement.
- i. Before the Agreement is approved by the City, the owner/operator must demonstrate that a stormwater inspection and maintenance contract has been secured with a certified company. Contracts must be for at least two (2) years. The contract shall contain a detailed scope of the inspection and maintenance to be performed for each SCM, as stated in the Agreement.
- F. Single Family Residential Pond Program.
- i. The City may perform functional maintenance for privately owned single family residential stormwater ponds or other SCMs.
 - ii. Functional maintenance shall be defined as significant activities needed to repair/maintain the designed flood control and/or water quality treatment. The Water Quality Manager shall be ultimately responsible for making functional maintenance determinations on a case-by-case basis.
 - iii. The property owner must submit an application for their SCMs to be considered in the SFR Pond Program.
 - iv. In order for the SCM to be accepted into the program; a Temporary Construction Easement Agreement and an Inspection and Maintenance Agreement (IMA) must be legally recorded for the property.
 - v. The private property owner shall remain responsible for all routine and general maintenance as stated in the IMA to ensure the SCM provides the designed flood control and/or water quality treatment.


SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two
(2) weeks from and after its passage.

Passed on second and final reading: March 10, 2026



CHAIRPERSON

APPROVED: DISAPPROVED:



MAYOR

/mem