



Private Stormwater Quality Facilities Submittal Requirements

Private Stormwater Quality Facility Maintenance Agreements

Development projects that meet stormwater treatment requirements of Milwaukie Municipal Code Section 13.14.025 must provide an Operations & Maintenance (O & M) Plan and Form for onsite stormwater systems, including stormwater management facilities and conveyance features. The O & M Form must be recorded with Clackamas County before final acceptance and occupancy is issued.

Guidelines

Stormwater runoff from private facilities must meet minimum thresholds set for in the City of Milwaukie's NPDES Stormwater Permit. For more information, please visit: www.milwaukieoregon.gov/publicworks/npdes-ms4-stormwater-permit.

The City of Milwaukie has adopted the most current version of the City of Portland's Stormwater Management Manual, which provides guidelines for stormwater management and facilities maintenance, and can be found at <https://www.portlandoregon.gov/bes/64040>.

Submittal Requirements

The property owner shall be responsible for performing all maintenance for the Private Stormwater Quality Facility and shall submit to the Public Works Department for review at time of plan submittal:

- An Operations and Maintenance (O & M) Plan; and
- A Private Stormwater Quality Facilities Operations and Maintenance (O & M) Form.

Once reviewed and approved by the Public Works Department, both documents will be returned to the owner for recording with Clackamas County Department of Assessment and Taxation.

1. Operations and Maintenance Plan

Please refer to the current Stormwater Management Manual for all requirements. Stormwater facilities designed under the Simplified and Presumptive Approaches may submit a standard O & M Plan (found in Chapter 3 of the Stormwater Management Manual) for each facility type on the property. Stormwater facilities designed under the Performance Approach must submit a site-specific plan.

The O & M Plan shall include:

- Property boundaries and a north arrow.
- The locations of all stormwater facilities and conveyance features in relation to labeled streets, buildings, or other permanent features.
- The locations of utilities including water, sanitary, and storm sewers.
- Facility dimensions and setback distances from property lines and structures;
- All stormwater piping associated with the facility including pipe sizes.
- Flow arrows illustrating the direction of flow and the order in which stormwater passes through the system if there is a sequence of facilities ("treatment train").
- A cross section for each facility with general dimensions and subsurface elements such as liners, layers of soil and aggregate, and pipes.

- Identify any offsite discharge locations. Include a label indicating the location, ownership, and type of the system to which the discharge drains.
- Additional information may be required on the drawings during permit review, depending on individual site conditions.

2. O & M Form Instructions

In addition to the O & M Plan, submittal of a signed and notarized O & M Form is required for all projects. Both the O & M Form and O & M Plan(s) will be recorded and filed with Clackamas County Assessment & Taxation.

- A. Site Legal Description—The site legal description shall include all tax lots (parcels) served by the stormwater management facility. The information must be accurate and correctly filled out on the Form prior to submittal to Clackamas County for recording.
- B. Site Plan—The site plan shall show all facility locations in relation to labeled streets, buildings, or other permanent features on the site. Please include schematic utilities (including existing and proposed water, wastewater, or storm sewers), property lines, key site dimensions and a North arrow. The site plan shall illustrate in the order in which stormwater passes through each facility (i.e. treatment train) for each unique drainage basin, with notes and arrows illustrating sources of runoff, direction of flow through facilities, and location and type of discharge points.
- C. Responsible Party for Maintenance—Operation and maintenance of stormwater facilities is a required condition of building permit approval and is binding on all current and future owners of the property. Failure to comply with the O & M Plan can trigger an enforcement action, including penalties.

3. Recording and Submittal Information

The O & M Form and O & M Plan(s) shall be recorded with Clackamas County.

Clackamas County Recording
1710 Red Soils Ct #110
Oregon City OR 97045
<http://www.clackamas.us/recording/>

The recorded O & M Form and O & M Plan(s) shall be submitted to:

City of Milwaukie, Public Works
6101 SE Johnson Creek Blvd
Milwaukie OR 97206

A copy of the final documents shall be sent to the property owner.

4. Inspection & Maintenance

- A. Maintenance schedules shall be followed in detail using the guidelines within the O&M plan(s) submitted for each facility on the property.

Property owners must perform routine inspections of stormwater facilities and submit an Inspection & Maintenance Report to the Public Works Stormwater Division by **December 31st of each year** following occupancy. The City may choose to perform an inspection as deemed necessary.

Submit form to: City of Milwaukie Public Works
Stormwater Division
6101 SE Johnson Creek Blvd
Milwaukie OR 97206

- B. A maintenance inspection log shall be maintained. The log shall provide a record of all site maintenance-related activities, including the time and dates of facility inspections and specific maintenance details. The log shall be available to City inspection staff upon request. A sample Operations and Maintenance Log is associated with each standard O&M plan for all types of stormwater facilities within Chapter 3 of the Stormwater Management Manual.
- C. If the property owner does not properly maintain the facilities or report maintenance activities annually, the City will send notice of noncompliance to the property owner requesting documentation. If no response is received, the City retains the right to enter the premises and perform inspections, maintenance, or repairs, and shall charge any costs back to the property owner including legal fees and/or fines.

Failure to maintain the facility is a violation of MMC Section 13.14.025.J.3-5 and subject to penalties up to \$1,000 per day/per occurrence.



OPERATIONS & MAINTENANCE FORM

Private Stormwater Quality Facilities

(for official county use only)

SITE INFORMATION

Site Address:	Permit #:
Map & Tax Lot(s):	Permit Submittal Date:
Legal Description:	

RESPONSIBLE PARTIES

O&M PREPARER:				
Name:	Company:			
Mailing Address:	Zip:			
Phone(s):	Email:			
PROPERTY OWNER:				
Name:	Company:			
Mailing address:	Zip:			
Phone(s):	Email:			
RESPONSIBLE PARTY FOR MAINTENANCE (check one):				
<input type="checkbox"/> Homeowners Assoc.	<input type="checkbox"/> Property Mgmt. Co.	<input type="checkbox"/> Property Owner	<input type="checkbox"/> Tenant	<input type="checkbox"/> Other: _____
Contact Name:	Company:			
Mailing address:	Zip:			
Phone(s):	Email:			

MAINTENANCE PRACTICES AND SCHEDULE

These operation and maintenance practices are required in accordance with Milwaukie Municipal Code 13.14.025 and the current Stormwater Management Manual on the date of permit submittal. Please refer to the submitted O&M plan(s) for information on setting maintenance intervals.

For the **Simplified Approach** and **Presumptive Approach**, please attached the Standards O & M Plan for **each** facility type from the Stormwater Management Manual, Chapter 3.1.1.

For the **Performance Approach**, please attached the approved, site specific O & M Plan per the Stormwater Management Manual, Chapter 3.1.2.

Please answer all questions on both sides of this sheet (attach additional sheets if necessary). Incomplete forms will result in denial and/or delay of application processing.

Include a map of locations of all treatment facilities and their drainage (treatment) areas on the property.

SITE PLAN

Provide a site plan sketch in the area provided below, or attach a scaled site plan to this submittal that includes all the information required as indicated in the Submittal Requirements. Maintaining the stormwater management facility or facilities listed above shown on the following (or attached) site plan is a required condition of building permit approval for the identified property.

Property owners are required to operate and maintain facilities in accordance with the O&M Plan filed with this form. This requirement is binding on all current and future owners of the property. Failure to comply with the O&M Plan can trigger an enforcement action, including penalties. The O&M Plan may be modified by written consent of current owners and written approval of the Public Works Department.

Step 1: Complete the following table.

Stormwater Facility	Stormwater Facility Size (sf)	Drainage is from Roof or Lot?	Impervious Area Treated (sf)	Discharge Point
Totals				

Step 2: Required Site Plan

(Insert or draw here, or attach separate sheet)

SIGNATURE AND ACKNOWLEDGEMENT

By signing below, the owner accepts and agrees to the terms and conditions contained in this O&M Form and in any document executed by filer and recorded with it. The owner further acknowledges that this documentation has been prepared on their behalf and that they are responsible for the quality and completeness of the O&M Plan. Any failure to comply with the terms of these plans may result in enforcement actions by City of Milwaukie requiring the property owner to restore the stormwater facilities to a functional state as approved under original requirements. The owner acknowledges by signature, granting City of Milwaukie staff the right to enter private property in order to inspect the facility & require maintenance, if necessary.

The owner also accepts that the City requires property owners to submit and record with the County, complete and accurate O&M Plan(s) and Form enforceable under MMC 13.14.025 and that substantial changes to the O&M Plan(s) or Form requires City approval prior to County recording. A revised O&M must state that it supersedes a previous O&M (with cited county document number; See page 1).

THIS PAGE MUST BE SIGNED IN THE PRESENCE OF A NOTARY.

Property Owner or Authorized Representative (1) Signature

Property Owner or Authorized Representative (2) Signature

NOTARY SIGNATURE AND STAMP

INDIVIDUAL Acknowledgement

OR CORPORATE Acknowledgement

This acknowledgement is intended for property owned by individuals or trusts.

This acknowledgement is intended for corporation, government agencies, school districts, or other formal entities

STATE of OREGON county of: _____

STATE of OREGON county of: _____

This instrument was acknowledged
before me on: (date) _____

This instrument was acknowledged
before me on: (date) _____

By: (owner 1) _____

By: (representative) _____

By: (owner 2) _____

As: (Title) _____

Of: (Corporation) _____

Notary Signature _____

Notary Signature _____

My Commission Expires _____

My Commission Expires _____

Notary Seal:

Notary Seal:

