



# VILLAGE OF CORRALES

## ORDINANCE NO. 11-009

**AN ORDINANCE AMENDING SECTION 18-161(a) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES, BEING A PART OF SECTION 1 OF ORDINANCE NO. 06-03, ADOPTED OCTOBER 24, 2006, AS AMENDED BY ORDINANCE NO. 09-004, ADOPTED MAY 19, 2009, AND BY ORDINANCE NO. 09-017, ADOPTED DECEMBER 1, 2009; PROVIDING THAT THE PROVISIONS OF CHAPTER 18, ARTICLE V (TERRAINS AND STORM WATER MANAGEMENT) SHALL APPLY TO DEVELOPMENT AND REDEVELOPMENT PROJECTS EAST OF THE CORRALES MAIN CANAL THAT DISTURB A TOTAL AREA GREATER THAN OR EQUAL TO ONE ACRE.**

**WHEREAS**, the Village Council, the governing body (“Governing Body”) of the Village of Corrales (the “Village”) by Ordinance No. 06-03, adopted October 24, 2006, and as subsequently amended, provided stormwater management standards and requirements for development and redevelopment projects located west of the Corrales Main Canal, where potential problems related to stormwater runoff and sedimentation are generally greater than they are east of the Corrales Main Canal; and

**WHEREAS**, pursuant to the National Pollutant Discharge Elimination System (“NPDES”) stormwater program established and promulgated by the U.S. Environmental Protection Agency (“EPA”), the General Permit for Discharges from Small Municipal Separate Storm Sewer Systems, Permit No. NMR040000, issued by the EPA on May 31, 2007 (the “General Permit”) and the Stormwater Phase II Final Rule issued by the EPA on December 8, 1999, the Village is deemed to be a part of an “urbanized area” and to be the operator of a small “municipal separate storm sewer system” (an “SMS4”) consisting of those roads, streets, drainage systems, catch basins, ditches, man-made channels and storm drains owned by the Village that are designed or used for collecting or conveying stormwater and that discharge to, or could discharge to, the waters of the United States; and

**WHEREAS**, the Rio Grande which constitutes the eastern boundary of the Village is included among the waters of the United States; and

**WHEREAS**, pursuant to the General Permit and the Stormwater Phase II Final Rule, it is incumbent upon the Village to take appropriate action to develop, implement and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale totaling greater than or equal to one acre, if they discharge into an SMS4 system, regardless of location in the Village; and

**WHEREAS**, the Governing Body finds that the provisions of the Village's Terrains and Stormwater Management ordinances codified as Chapter 18, Article V, of the Code of Ordinances of the Village are suitable and appropriate to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale totaling greater than or equal to one acre, whether such projects are located east or west of the Main Canal.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Village of Corrales, New Mexico, that Subsection 18-161(a) of the Code of Ordinances of the Village, being a part of Section 1 of Ordinance No. 06-03, adopted October 24, 2006, as amended by Ordinance No. 09-004, adopted May 19, 2009, and by Ordinance No. 09-017, adopted December 1, 2009, is amended to read as follows:

(a) The requirements of this article shall apply to all lands within the Village that are located west of the Corrales Main Canal. The requirements of this article shall also apply to new development and redevelopment projects that disturb greater than or equal to one acre, including projects disturbing less than one acre that are part of a larger common plan of development that in total will disturb an area greater than or equal to one acre, regardless of location in the Village.

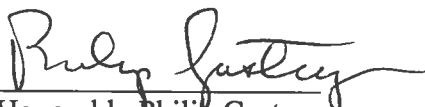
SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

COMPILING CLAUSE: This Ordinance shall be incorporated in and compiled as a part of the Code of Ordinances of the Village of Corrales as provided herein.

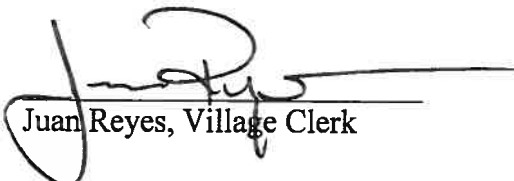
EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

**PASSED, APPROVED AND ADOPTED** by the Governing Body of the Village of Corrales, New Mexico, this 10<sup>th</sup> day of May, 2011.

APPROVED:

  
The Honorable Philip Gasteyer  
Mayor, Village of Corrales

ATTEST:

  
Juan Reyes, Village Clerk