

**VILLAGE OF SOUTH BLOOMING GROVE
LOCAL LAW NO. 2 OF 2013**

**A LOCAL LAW AMENDING CHAPTER 158 OF THE
VILLAGE CODE, ENTITLED “STORMWATER MANAGEMENT” BY ADDING NEW
ARTICLE II, CONCERNING STORMWATER POLLUTION PREVENTION**

Be it enacted by the Village Board of the Village of South Blooming Grove as follows:

SECTION 1. TITLE.

This local law shall be referred to as “A Local Law Amending Chapter 158 of the Code of the Village of South Blooming Grove, Entitled ‘Stormwater Management’”.

SECTION 2. PURPOSE AND LEGISLATIVE INTENT.

This amendment to Chapter 158 of the Village Code is for the purpose of bringing the Village Code into compliance with the stormwater regulations required by the New York State Department of Environmental Conservation.

SECTION 3. AMENDMENT TO CHAPTER 158.

Chapter 158 entitled “Stormwater Management” of the Code of the Village of South Blooming Grove is hereby amended by inserting a new Article, Article II, after current section 158-23, to read as follows:

“Article II Stormwater Pollution Prevention

“§ 158-24. Purpose.

- A. It is the purpose of these regulations to establish minimum acceptable standards for stormwater management within the Village of South Blooming Grove. These minimum acceptable standards must be met and paid for by the person or firm proposing the subdivision, development and/or site plan where the facilities will be used.
- B. The limitations on construction of stormwater management facilities imposed herein specifically do not apply to mapped subdivisions, developments and site lands which have been finally approved by the Village of South Blooming Grove Planning Board or other authorized authority for which a final map has been filed in the office of the Orange County Clerk.

- C. Meet the requirements of minimum measures 4 and 5 of the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit no. GPO-10-002 or as amended or revised.
- D. Require land development activities to conform to the substantive requirements of the NYS Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP-0-10-001 or as amended or revised;
- E. Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and stream bank erosion and maintain the integrity of stream channels;
- F. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality;
- G. Maintain the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable; and
- H. Maintain stormwater runoff rates and volumes, minimize soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety.

§ 158-25. Objectives.

Since improperly managed stormwater runoff can increase the incidence of flooding and erosion which can adversely affect human life, flora and fauna, these regulations have the following objectives:

- A. To protect, maintain and enhance both the immediate and long-term health, safety and general welfare of the citizens of the Village of South Blooming Grove.
- B. To prevent damage from flooding.
- C. To protect, restore and maintain the chemical, physical and biological integrity of community waters.
- D. To encourage protection of natural drainage systems, such as wetlands, and use them in ways that does not impair their beneficial functioning.
- E. To protect, restore and maintain the habitat of fish and wildlife.
- F. To assure the attainment of these objectives by requiring the approval and implementation of SWPPP'S for all activities which may adversely impact surrounding areas.

§ 158-26. Definitions.

Unless specifically defined below, words or phrases shall be interpreted so as to give them the meanings they have in common usage and to give these regulations their most effective application. Words used in the singular shall include the plural, and the plural shall include the singular; words used in the present tense shall include the future tense. The word “shall” connotes mandatory and not discretionary; the word “may” is permissive.

Adverse Impacts - any modifications, alterations or effects on a feature or characteristic of public waters, wetlands or adjacent lands, including their quality, quantity, hydrology, surface area, species composition, living resources, aesthetics or usefulness for human or natural uses which are or may potentially be harmful or injurious to human health, welfare, safety or property, to biological productivity, diversity or stability or which unreasonably interfere with the enjoyment of life or property, including outdoor recreation.

Agricultural Activity - the activity of an active farm including grazing and watering livestock, irrigating crops, harvesting crops, using land for growing agricultural products, and cutting timber for sale, but shall not include the operation of a dude ranch or similar operation, or the construction of new structures associated with agricultural activities.

Applicant - a property owner or agent of a property owner who has filed an application for a land development activity.

Building - any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 100 square feet of area.

Channel – a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

Clearing – any activity that removes the vegetative surface cover.

Dam – Any artificial barrier including any earthen barrier, together with its appurtenant works, which impounds or will impound water

Dedication – the deliberate appropriation of property by its owner for general public use.

Department – the New York State Department of Environmental Conservation.

Design Manual – the *New York State Stormwater Management Design Manual*, most recent version including applicable updates, that serves as the official guide for stormwater management principles, methods and practices.

Detention Structure - a permanent structure for the temporary storage of runoff, designed so as not to create a permanent pool of water, which gradually releases water over twenty-four (24) hours at a rate not exceeding the predevelopment rate of runoff. This structure is used to control the peak discharge rates of stormwater and provide gravity settling of pollutants.

Developer – any person who engages in development either as the owner or the agent of the owner of property.

Development or Development Activity –

- A. Construction, installation, alteration, demolition or removal of a structure, impervious surface or drainage facility.
- B. Clearing, scraping, grubbing or otherwise removing or killing the vegetation of a site; or
- C. Adding, removing, exposing, excavating, leveling, grading, digging, burrowing, dumping, piling, dredging or otherwise significantly disturbing the soil, mud, sand or rock of a site.

Drainage Facility – any component of the drainage system.

Drainage System – the system through which the water flows from the land. In includes stormwater, watercourses, water bodies, groundwater and wetlands.

Erosion – the wearing away or washing away of soil by the action of wind or water.

Erosion Control Manual – the most recent version of the “New York Standards and Specifications for Erosion and Sediment Control” manual, commonly known as the “Blue Book”.

Flood – the temporary rise in the level of any water body, watercourse or wetland which results in the inundation of areas not ordinarily covered by water.

Grading – excavation or fill of material, including the resulting conditions thereof.

Impervious Cover – those surfaces, improvements and structures that cannot effectively infiltrate rainfall, snow melt and water (e.g., building rooftops, pavement, sidewalks, driveways, etc).

Impervious Surface – a surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes semi-impervious areas such as compacted clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots and other similar structures.

Industrial Stormwater Permit – a State Pollutant Discharge Elimination system permit issued to a commercial industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies pollution control strategies.

Infiltration – the process of percolating stormwater into the subsoil.

Infiltration Basin – a permanent structure designed to recharge stormwater runoff to groundwater.

Jurisdictional Wetland – an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Land Development Activity – construction activity including clearing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than one acre, or activities disturbing less than one acre of total land area that is part of a larger common plan of development or sale, even though multiple separate and distinct land development activities may take place at different times on different schedules.

Maintenance Agreement – a legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

Natural Systems – systems which predominately consist of or use those communities of plants, animals, bacteria and other flora and fauna which occur indigenously on the land, in the soil or in the water.

Nonpoint Source Pollution – pollution from any source other than from any discernible, confined, and discrete conveyances, and shall include, but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Owner – the person in whom is vested the fee ownership, dominion or title of property, i.e., the proprietor. This term may also include a tenant, if chargeable under his lease for the maintenance of the property, and any agent of the owner or tenant, including a developer.

Person – any and all persons, natural or artificial, and includes any individual, firm, corporation, government agency, business trust, partnership, association, two (2) or more persons having a joint or common interest or any other legal entity.

Phasing – clearing a parcel of land in distinct pieces or parts, with the stabilization of each piece completed before the clearing of the next.

Pollutant of Concern – sediment or a water quality measurement that addresses sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the land development activity.

Project – land development activity.

Recharge – the replenishment of underground water reserves.

Receiving Bodies of Water – any water bodies, watercourses or wetlands into which surface waters flow either naturally, in man-made ditches or in closed conduit systems.

Retention Structure – a permanent structure which provides for the storage of runoff by means of a permanent pool of water without release except by means of evaporation, infiltration or attenuated release when runoff volume exceeds the permanent storage capacity.

Sediment – the fine particulate material, whether mineral or organic, that is in suspension or has settled in a water body.

Sediment Control – measures that prevent eroded sediment from leaving the site.

Sediment Facility – any structure or area which is designed to hold runoff water until suspended particles have settled.

Sensitive Areas – cold water fisheries, shellfish beds, swimming beaches, groundwater recharge areas, water supply reservoirs, habitats for threatened, endangered or special concern species.

Site – any tract, lot or parcel of land, or combination of tracts, lots or parcels of land, which are in one (1) ownership or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision or project.

SPDES General Permit for construction Activities GP 0-10-001 A permit under the New York State Pollutant Discharge Elimination system (SPDES) issued to developers of construction activities to regulate disturbance of one or more acres of land.

SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems GP 0-10-002– a permit under the New York State Pollutant discharge Elimination system (SPDES) issued to municipalities to regulate discharges from municipal separate storm sewers for compliance with EPA established water quality standards and/or to specify stormwater control standards.

Stabilization – the use of practices that prevent exposed soil from eroding.

Stop Work Order – an order issued which requires that all construction activity on a site be stopped.

Stormwater – rainwater, surface runoff, snowmelt and drainage.

Stormwater Hotspot – a land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical stormwater runoff, based on monitoring studies.

Stormwater Management – the use of structural or non-structural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment.

Stormwater Management Facility – one or a series of stormwater management practices installed, stabilized and operating for the purpose of controlling stormwater runoff.

Stormwater Management Officer – The Building Inspector or an employee or officer designated by the Village Board to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.

Stormwater Management Plan – the detailed analysis of stormwater and drainage as described in and required by these regulations.

Stormwater Management Practices – measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.

Stormwater Pollution Prevention Plan (SWPPP) – a plan for controlling stormwater runoff and pollutants from a site during and after construction activities.

Stormwater Runoff – flow on the surface of the ground, resulting from precipitation.

Structure – which is built or constructed, an edifice or building or any piece of work artificially built or composed of parts joined together in some definite manner, but shall not include fences or signs.

Surface Waters of the State of New York – lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction.

Storm sewers and waste treatment systems, including treatment ponds or lagoons which also meet the criteria of this definition are not waters of the state. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the state (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

Vegetation – all plant growth, including trees, shrubs, herbs, vines, ferns, mosses and grasses.

Water Body – any natural or artificial pond, lake, reservoir or other area which ordinarily or intermittently contains water and which has a discernible shoreline.

Watercourse – a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

Watershed – a drainage area or basin contributing to the flow of water in a receiving body of water.

Waters or Public Waters – any and all water on or beneath the surface of the ground. It includes the water in any watercourse, water body or drainage system. It also includes diffused surface water and water standing, percolating or flowing beneath the surface of the ground.

Waterway – a channel that directs surface runoff to a watercourse or to the public storm drain.

Wetlands – any area meeting the requirements of the “Federal Manual for Identifying and Delineating Jurisdictional Wetlands” (latest edition), and/or any area identified by the New York State Department of Environmental Conservation (NYSDEC) as being a state-protected wetland.

§ 158-27 Applicability.

- A. Unless exempted pursuant to subsection B or waived pursuant to Subsection C a stormwater management plan must be submitted and approved before:
 - (1) A plat is recorded or land is subdivided;
 - (2) An existing drainage system is altered, rerouted, deepened, widened, enlarged, decreased or obstructed; or
 - (3) The issuance of a building permit;
 - (4) Site plan or special use permit granted by Planning Board;
 - (5) Approval of a plan which proposes construction of a Village or private road.
 - (6) The issuance of a clearing or grading permit.

- B. Exemptions. The following development activities are exempt from the stormwater management plan requirements:
 - (1) Developments which do not disturb more than then thousand (10,000) square feet.
 - (2) Agricultural land-management activities.
 - (3) Any maintenance, alteration, use or improvement to an existing structure not changing or affecting quality, rate or location of surface water discharge.
 - (4) Residential developments consisting of single-family dwellings, which disturbs less than one acre and not requiring construction of any new public or private road.
 - (5) Silvicultural activity.

- (6) Routine maintenance activities that disturb less than one acre and are performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility.
- (7) Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer or Village's Consultant.
- (8) Land development activities for which a building permit has been approved on or before the effective date of this law.
- (9) Cemetery graves.
- (10) Installation of fence, sign, telephone, and electric poles and other kinds of posts or poles.
- (11) Emergency activity immediately necessary to protect life, property or natural resources.
- (12) Activities of an individual engaging in home gardening by growing flowers, vegetable and other plants primarily for use by that person and his or her family.
- (13) Landscaping and horticultural activities in connection with an existing structure.

§ 158-28. Contents of the stormwater management plan.

- A. It is the responsibility of an applicant to include in the stormwater management plan sufficient information for the Village Engineer or his designated representative to evaluate the environmental characteristics of the affected areas, the potential and predicted impacts of the proposed activity on public waters and public and private adjacent lands and the effectiveness and acceptability of those measures proposed by the applicant for reducing adverse impacts. The stormwater management plan shall contain all material necessary to communicate the information required by this section.
 - (1) All calculations, assumptions, criteria and references used in the design of new facilities, examination of existing facilities and comparison of pre-to post development discharges shall be included with the plan. Data must be provided which documents that new development does not adversely impact adjacent properties.
 - (2) All stormwater management data must be prepared and sealed by individuals registered in New York State to perform such duties.
- B. The stormwater management plan shall contain the name, address and telephone number of the owner and the developer. In addition, the legal description of the property shall be provided, and its location with reference to such landmarks as major water bodies,

adjoining roads, railroads, subdivisions or other municipalities shall be clearly identified by a map.

C. The existing environmental and hydrologic conditions of the site and of receiving waters and wetlands shall be described in detail, including the following:

- (1) A plan showing the predevelopment conditions of the site at a scale of at least one (1) inch equals fifty (50) feet and a map at a scale of at least one (1) inch equals five hundred (500) feet which shows all contributory drainage areas to the study point.
- (2) The flow rate of stormwater runoff under existing conditions.
- (3) A description of all watercourses, water bodies and wetlands on or adjacent to the site or into which the stormwater flows. Information regarding the existing water quality, if any, and the receiving water quality classification as determined by the NYSDEC shall be included.
- (4) Groundwater levels from readily available data sources.
- (5) The location of floodplains.
- (6) Land cover.
- (7) Topography at two-foot contour intervals.
- (8) Soils, including erodibility, percolation rate, depth to groundwater and depth to bedrock, etc.

D. Proposed alterations of the site shall be described in detail and shown on plans at a scale of at least one (1) inch equals fifty (50) feet, including:

- (1) Changes in topography, with all grading shown with two-foot contour intervals or less.
- (2) Limits of proposed disturbed area.
- (3) Proposed ground coverage, i.e. pavement, gravel, houses, buildings, lawns, etc. and their areas.
- (4) Construction phasing plan describing the intended sequence of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance. Consistent with the New York Standards and Specifications for Erosion and Sediment Control (Erosion Control Manual), not more than five (5) acres shall be disturbed at any one time unless pursuant to an approved SWPPP.

- (5) Description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in stormwater runoff;
- (6) Description of construction and waste materials expected to be stored on-site with updates as appropriate, and a description of controls to reduce pollutants from these materials including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response;
- (7) Temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project from initial land clearing and grubbing to project close-out;
- (8) A site map/construction drawing(s) specifying the location(s), size(s) and length(s) of each erosion and sediment control practice;
- (9) Dimensions, material specifications and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins;
- (10) Temporary practices that will be converted to permanent control measures;
- (11) Implementation schedule for tagging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice should remain in place;
- (12) Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice;
- (13) Name(s) of the receiving water(s);
- (14) Delineation of SWPPP implementation responsibilities for each part of the site;
- (15) Description of structural practices designed to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutant from exposed areas of the site to the degree attainable; and
- (16) Any existing data that describes the stormwater runoff at the site.

E. All components of the drainage system and any measures for the detention, retention or infiltration of water or for the protection of water quality shall be described in detail, including:

- (1) The channel, direction, flow rate and quality of stormwater that will be conveyed from and/or through the site, with a comparison to the existing conditions. (In no case will any facility or construction be allowed that raises the existing water

surface elevation on upstream or downstream properties, unless specifically agreed to by those property owners.)

- (2) Detention, retention and/or infiltration structures, including plans for the discharge of contained waters, maintenance plans and predictions of water quality in those areas.
- (3) A tabulation of water quality volumes and storage, discharge curves with corresponding water surface elevations, inflow hydrographs, outflow hydrographs and dewatering/infiltration times will be required to be submitted with all detention, retention and infiltration facilities.
- (4) All plans, with defined sub-catchment areas, and profiles of the proposed drainage facilities, including the size and type of material.
- (5) Erosion control plans for all development activities.
- (6) All calculations and design information in accordance with the design section of these regulations.
- (7) General specifications for the construction of all components of the drainage system.
- (8) Any other information which the Village Engineer or his designated representative believes is reasonably necessary for evaluation of the plans.

§ 158-29. Design standards.

To ensure attainment of the objectives of these regulations and to ensure that performance standards will be met, the design, construction and maintenance of drainage systems shall be consistent with the following standards:

- A. In the interest of reducing the total area of impervious surface, preserving existing features, which are critical to stormwater management, and reducing the concentration of stormwater flow, maximum use shall be made of existing on-site natural and man-made stormwater management facilities.
- B. Innovative stormwater management facilities may be proposed (e.g., rooftop storage, underground storage structures and infiltration systems), provided that they are accompanied by detailed engineering plans and demonstrate performance capabilities that are acceptable to the Village Engineer or his designated representative.
- C. Stormwater management facilities shall be provided so the peak discharge of the calculated post-development runoff to an adjacent property, watercourse or water body does not exceed the peak discharge of the pre-development runoff. Point discharge of stormwater runoff to an adjacent property, watercourse or water body will not be

allowed in the post-development design if one did not exist in the predevelopment condition. Point discharge is required to be returned to sheet flow or an easement will be required to be obtained from the adjoining property owner if this condition cannot be met. Calculating and supporting documentation and designs will be required regarding point discharges being returned to sheet flows.

- D. Runoff calculations for the pre-development and post development comparison shall consider the 90% storm event one year, ten year, twenty-five for pipe sizing, and one-hundred-year storm frequencies.
- E. For pre-development computations, all runoff co-efficients within the study area shall be based on actual land use conditions.
- F. Stormwater Management Practices in compliance with NYSDEC standards and guidelines and other approved alternatives shall be used to retain and detain the increased and accelerated runoff and reduce pollutants in runoff which the development generates. Water shall be released from these areas at a rate equal to or less than the pre-development conditions of the storm event. Measures shall be taken to protect the outfall area from erosion. Water quality volume shall be addressed by any proposed post-development design.
- G. Retention/detention basins shall be designed to safely discharge the peak discharge from the post-development one-hundred-year storm frequency event through an emergency spillway in a manner which will not damage the integrity of the basin or cause damage to adjoining properties.
- H. Retention/detention basins shall be landscaped in accordance with current engineering practices and in accordance with the New York guidelines for Erosion and Sediment Control.
- I. Retention/detention basin which may be used to collect sediment during construction operations must have all sediment removed at any time that it is at sixty percent (60%) of its original capacity. Upon completion of all construction, any sediment in the basin must be removed and the basin shall be reshaped to the design dimensions and stabilized. A maintenance schedule must be provided that indicates how often the basin is to be cleaned thereafter and who is responsible for maintaining it.
- J. Retention/detention basins which are designed with a dam shall incorporate the following minimum standards.
 - (1) The maximum water depth shall not exceed ten (10) feet unless approved by waiver of the Village Board.
 - (2) The minimum top width of dams shall be ten (10) feet.

- (3) The side slopes of earth fill dams shall not be steeper than three (3) feet horizontal to one (1) foot vertical on the downstream side of the embankment.
- (4) Basins designed with permanent opened water shall be fenced. .
- (5) A cutoff trench of impervious material shall be provided under all dams.
- (6) All pipes and culverts through dams shall have properly spaced cutoff collars or factory welded antiseep collars.
- (7) A minimum of one (1) foot freeboard, computed from the maximum water surface elevation during the one-hundred-year storm event, shall be provided in all basins.
- (8) The minimum floor elevation of all structures that would be affected by a basin or other water impoundments or open conveyance systems where ponding may occur shall be two (2) feet above the one-hundred-year water surface elevation.

K. Runoff calculations for stormwater management facilities shall be based upon the following methods:

- (1) SCS – TR-20 (latest revision) is the recommended and preferred method for the study of watersheds with a drainage area greater than one hundred (100) acres. SCS – TR20 or SCS – TR-55 Tabular Hydrograph Method (latest revision) may be used for the study of watersheds with a drainage area greater than two hundred (200) acres.
- (2) SCS – TR-55 Graphical Peak Method (latest revision) may be used in lieu of the Tabular Hydrograph Method for sizing conveyance systems or checking peak flows only. It shall not be used for basin routing or subarea routing as it does not provide an adequate hydrograph.
- (3) Other standard engineering models with approval of the Village Engineer or his designated representative.
- (4) Stormwater runoff shall be based on the following twenty-four-hour storm events with a Type III distribution:

Storm Event	Inches of Rainfall
1-year	2.9
10-year	5.5
25-year	6.5

Source: SCS Technical Release 55

- (5) Use of other criteria, assumptions, references, calculation methods and computer programs may be utilized, provided that detailed design information and programming, with references, are submitted to and found acceptable by the Village Engineer or his designated representative prior to submission of the stormwater management plan.
- (6) Pipe size calculation shall be based on 25 year return frequencies storm events
- L. The design plan and construction schedule shall incorporate measures to minimize soil erosion and sedimentation.
- M. Consideration shall be given to the relationship of the subject property to the drainage pattern of the watershed.
- N. Stormwater shall not be transferred from one watershed to another unless:
 - (1) The watersheds are sub-watersheds of a common watershed which join together within the perimeter of the property.
 - (2) The effect of the transfer does not alter the peak discharge onto adjacent lands, watercourse or water bodies at any point.
 - (3) Easements from the affected landowners are provided.
- O. Technical References

For the purpose of this local law, the following documents shall serve as the official guides and specifications for stormwater management. Stormwater management practices that are designed and constructed in accordance with these technical documents shall be presumed to meet the standards imposed by this law:

- (1) The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation ,April 2008 most current version or its successor, hereafter referred to as the Design Manual).
- (2) New York Standards and specifications for Erosion and Sediment control, (Empire State Chapter of the Soil and Water Conservation Society, August 2005 most current version or its successor, hereafter referred to as the Erosion Control Manual).

P. Technical Standards

- (1) For all swales and gutters, the “n” factors used to determine capacity and velocity shall be based on accepted engineering practices.
- (2) Corrugated metal pipe will not be allowed to be used in any drainage system or facility without the approval of the Village Superintendent of Highways and the Village Engineer or his designated representative. If allowed, corrugated metal pipe shall be fully asphalt coated with paved inverts and the “n” factor shall be twenty-two thousandths (0.022) for annular pipe and seventeen thousandths (0.017) for helical pipe.
- (3) The “n” factor for concrete pipe shall be thirteen thousandths (0.013).
- (4) The “n” factor for polyethylene pipe shall be ten thousandths (0.010) for smooth interior pipe and nineteen thousandths (0.019) for corrugated interior pipe.
- (5) Manufacturer’s specifications may be submitted to the Village Engineer or his designated representative for acceptance if other types of pipes or sizes of pipes indicate that another value of “n” should be used.
- (6) Catch basins shall be designed with a sump of sixteen (16) inches.
- (7) Catch basin inlet capacity shall be based on design data provided by the manufacturer.
- (8) Any existing drainage structures within two hundred (200) feet of the subdivision /site shall be included in the stormwater management plan. Structures that convey streams shall be checked to determine if they have the capacity to carry the fifty-year-storm flows, and all other structures shall be checked for capacity to carry the twenty-five-year storm flows.
- (9) A tabulation of flows through all drainage systems shall be submitted with the plans.
- (10) Culvert design shall consider inlet/outlet control at each structure or hydraulic losses shall be calculated through the system. These calculations are to be submitted as part of the plans. At a minimum, when pipe sizes change, the tops of the pipes shall match in elevation.
- (11) All culverts having diameters of twenty-four (24) inches to forty-eight (48) inches shall have a removable inlet grating of five-eighths (5/8) inch diameter (minimum) reinforcing bars spaced approximately six (6) inches on center. All design calculations are to reflect this inlet control condition.

- Q. Catch basins shall be located in the swale along open section roadways. The calculated depth of flow in the swale shall not exceed one-half (1/2) of the total depth of the swale before placing a catch basin. The catch basin shall be capable of accepting one hundred percent (100%) of the flow in the swale. On closed section roadways, catch basins shall be located along the curb line and are not permitted along the curb radius at intersections. For the purpose of catch basin placement, the depth of flow along the curb and across intersections shall not exceed two (2) inches.
- R. Manholes and catch basins shall not be spaced more than three hundred (300) feet apart. Structures shall be placed at all points of changes in horizontal or vertical direction.
- S. Curves in pipes will only be allowed where manufacturer's information clearly demonstrates that the integrity of the pipe system will not be compromised by such curving. As a general rule, only pipes of twenty-four (24) inches or larger in diameter may be curved.
- T. Stormwater collection systems shall have a minimum diameter of fifteen (15) inches and shall be designed to have a minimum velocity of three (3) feet per second. However, at the terminus of the system, the flow velocity at the discharge point shall not exceed four (4) feet per second prior to the flow entering a natural watercourse, water body or adjacent property.
- U. The maximum swale, gutter or curb velocity of stormwater runoff shall be maintained at levels which result in a stable condition both during and after construction. Swales shall be designed and stabilized in accordance with New York Standards and specification for Erosion and Sediment Control current version or its successor. A minimum of six (6) inches of freeboard shall be provided above the flow depth in the swale. Swales shall be designed to allow for infiltration of stormwater runoff and removal of pollutants from the runoff whenever possible. This can be accomplished by keeping the swale at as flat a slope as possible, stabilizing the swale with a water-tolerant erosion-resistant grass that will not be mowed close to the ground, increasing the percolation ability of the swale by tilling the soil before establishing vegetative cover and installing check dams with rip rap on the downstream side to prevent scouring.
- V. Drainage facilities not located within public rights-of-way shall be located within easements.
- W. When plan applications are submitted in sections, each section shall control stormwater runoff and sedimentation as though it were a separate entity. If temporary facilities are required for construction of a section, they shall meet all of the requirements of these regulations. A construction or phasing schedule shall be submitted with each plan and shall demonstrate the methods to be used to minimize stormwater runoff and soil erosion and sedimentation.
- X. Stormwater management facilities shall not be constructed within or discharge directly to wetland areas, wetland buffer areas or existing water bodies unless either:

- (1) The appropriate permits from applicable regulatory agencies have been obtained;
or
 - (2) A letter from said agencies has been obtained stating that a permit is not required for the proposed work. Copies of the permits or letters shall be submitted to the Village Planning Board for review by the Village Engineer or his designated representative prior to the final approval of the plan.
- Y. Individual lots, buildings and dwellings shall be provided with drainage facilities to assure proper runoff from roofs, driveways, paved areas and footing drains. Footing drains shall discharge to free flowing outlets. The installation of such facilities shall be in accordance with these regulations and the Village of South Blooming Grove Street Specifications (*Editor's Note: See Ch. 161, Street Specifications*) and are required prior to the issuance of a certificate of occupancy.
- Z. Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of the state of New York.
- AA. Stormwater discharges should be consistent with the thermal criteria found in Part 704 of the Water Quality Regulations, Title 6, Chapter X, New York State Codes, Rules and Regulations.

§ 158-30. Performance standards.

Stormwater management plans must demonstrate that the proposed development or activity has been planned and designed and will be constructed and maintained to meet each of the following standards:

- A. Ensure that after development, runoff from the site equals or reduces the rate of flow and quality of runoff that would have occurred following the same rainfall under existing conditions.
- B. Maintain the existing hydrologic characteristics of the watershed.
- C. Protect the quality of ground-and surface waters.
- D. Protect groundwater levels.
- E. Protect the beneficial functioning of wetlands as areas for the natural storage of surface waters and the chemical reduction and assimilation of pollutants.
- F. Prevent increased flooding and damage that results from improper location, construction and design of structures in areas which are presently subject to an unacceptable danger of flooding.

- G. Minimize injury to flora and fauna and adverse impacts to fish and wildlife habitat.
- H. Otherwise further the objectives of these regulations.

§ 158-31. Easements and dedications.

- A. The applicant shall reserve easements or drainage rights-of-way within the subdivision or over the site, as the case may be, where stormwater or surface water drainage facilities are existing or proposed, whether manmade or natural. The easements shall conform as closely as possible to the lines of such course and shall also meet the following criteria:
 - (1) Easements shall have a minimum width of twenty (20) feet and shall be adequately designed to provide area for the collection and discharge of water, the maintenance and repair of the facility and the passage of equipment for such work.
 - (2) In the case of streams or open channel drainage, the easement shall encompass the one-hundred-year storm event or the flood of record, plus one (1) foot freeboard above that elevation. Calculations acceptable to the Village Engineer or his designated representative supporting those elevations shall be submitted with the plans.
 - (3) When a proposed drainage system carries water onto adjacent lands where no discharge point existed in the pre-developed condition, stormwater will be returned to a sheet flow condition prior to exit from the site or an easement must be obtained from the downstream property owners(s).
 - (4) The plans shall clearly indicate who has the right of access and the responsibility of maintenance for all facilities.
- B. Where a new stormwater management or drainage facility is proposed to be dedicated to the Village of South Blooming Grove or a duly established drainage or improvement district of the Village and is outside a proposed, dedicated public street right of way, the facility shall be either (1) located on property proposed to be deeded in fee to the Village or (2) located in an easement area which is outside the applicable minimum yard setback areas for each lot on which the facility is situated.

§ 158-32. Maintenance.

- A. It is the financial responsibility of the owner and subsequent landowners to maintain the proposed stormwater management system as it was designed and constructed. Good maintenance involves periodic cleaning and dredging of pipes and basins and mowing and maintaining proper land cover. A stormwater management plan cannot be approved by the Village Planning Board unless the applicant can show that a financial mechanism will be established which ensures that the owner and subsequent landowners have the financial ability to maintain the stormwater management system in accordance with a

maintenance schedule approved by the Board. Should the owner propose to transfer the ownership and management responsibility to a homeowners' association, the subdivision or site plan covenants must indicate how the association will bear the financial burden of maintaining the stormwater management facilities and collect the necessary funds. Additionally, the homeowner's association must be registered pursuant to Section 352-E of the New York State General Business Law

- B. The Planning Board, at its discretion, may require that a maintenance security be posted to meet this obligation. The amount of the security shall be equal to the estimated cost of maintain the system for a period of five (5) years.
- C. The systems maintained by the owner or homeowners association shall have adequate easements to permit the Village Engineer or his designated representative to inspect and, if necessary, for the Village of South Blooming Grove, or its agents to enter upon the property and to take corrective measures should the owner fail to properly maintain the system. Before taking corrective action, the Village Board shall give the owner written notice of the nature of the existing defects. If the owner fails within thirty (30) days from the date of notice to commence corrective action or to appeal the matter to the Board of Zoning Appeals, the Village Board may take necessary corrective action, the cost of which shall become a lien on the real property until paid. In the case of a homeowners association, such lien may be placed on the real property of each of the members of the homeowner's association until payment is made. This remedy shall not be deemed to be exclusive and the Village shall retain all other enforcement rights.
- C. Improvements may be dedicated in connection with the formation of a drainage district with approval by the Village Board in accordance with the procedures set forth in Article 12 or 12A of the Village Law. It shall be the owner's sole responsibility to submit to the Village a satisfactory map, plan and report prepared by a licensed professional engineer and a petition for the establishment of a drainage district satisfying the requirements of Article 12.

§ 158-33. Performance security.

- A. Improvements and related measures. The estimated costs of the following improvements and related measures, where applicable, which are associated with the stormwater management plan are required to be included in the amount of the performance security:
 - (1) Storm drainage systems, including but not limited to catch basins, manholes, pipes, swales, basins, infiltration systems.
 - (2) Erosion and sediment control, including grading and stabilization, for both temporary and permanent restoration.
 - (3) As-built or record drawings.

- (4) Any other items which may be deemed to be required by the Village Engineer or his designated representative. The applicant's engineer is to prepare the estimate and submit it to the Village Engineer or his designated representative for review and recommendation to the Village Board.
- B. Performance security. A performance security shall be delivered to the Village Clerk to guarantee to the Village that the developer will faithfully cause to be constructed and completed within a reasonable time the required public improvements. Before the Planning Board grants final approval of the subdivision plat or site plan, the applicant shall follow the procedure set forth below: (1) In an amount set by the Village Board, the applicant shall either file with the Village Clerk, a certified check to cover the full cost of the required improvements or an adequate and acceptable security issued by a bank or surety company approved by the Village Board to cover the full cost of the required improvements, or any combination thereof. Any such security shall comply with the requirements of § 277 of the Village Law and, further, shall be satisfactory to the Village Board and the Village Attorney or Attorney for the Village as to form, sufficiency, manner of execution and surety. A period of three (3) years shall be set forth in the document of surety within which required improvements must be completed. However, the term of such performance security may be required to be extended and the amount of the security increased by the Village Board if improvements are not completed within the original term of the security.
- (2) The required improvements shall not be considered to be completed until the installation of the improvements have been accepted by the Village Engineer or his designated representative and any appropriate department head and as-built or record drawings satisfactory to the Village Engineer or his designated representative have been submitted. The security or certified check for all required improvements specified in subsection A(1) above shall not be released until such as-built plans are submitted. The Village shall release the security upon certification of the Village Engineer or his designated representative and the Village Attorney or Attorney for the Village that all requirements of the security have been satisfied.
- (3) The applicant shall complete all required improvements or post the required performance security, either or both to the satisfaction of the Village Board, before any building permits shall be issued.
- (4) If the Village Engineer or his designated representative shall decide at any time during the term of performance that the required improvements and related measures have been installed as provided in this section and by the Village Engineer to a sufficient extent and in sufficient amount to warrant reduction in the face amount of said security, or if the Village Engineer shall determine that the character and extent of such development requires additional improvements previously waived for a period stated at the time of fixing the original terms of such security, the Village Board upon recommendation of the Village Engineer, as the case may be, may modify its requirements for any or all such

improvements, and the face value of such performance security shall thereupon be reduced or increased by an appropriate amount so that the new face value will cover the cost in full of the amended list of improvements required by the Planning Board and any security deposited may be reduced or increased proportionately.

§ 158-34 Procedures and fees.

- A. Any person planning a development as defined in these regulations, unless exempted, shall submit a stormwater management plan to the Village Planning Board or Stormwater Officer, as appropriate. Developers and consultants are urged to discuss stormwater management approaches for specific projects with the Planning Board prior to submittal of preliminary plans.
- B. The application fee, in accordance with Chapter **104**, Fees, of the Code of the Village of South Blooming Grove is to be paid at the time the stormwater management plan or application for waiver is submitted.
- C. Charges for technical review of the stormwater management plan may be charged against the escrow established for professional consultant reviews in accordance with Chapter , Fees, of the Code of the Village of South Blooming Grove; all charges must be paid by the applicant prior to final approval of the plan.
- D. Within the same time frame as is applicable to the approval of accompanying subdivision plats or site plans, as the case may be, following submission of the completed stormwater management plan, the Village Planning Board shall approve, with or without specified conditions or modifications, or reject the plan and notify the applicant accordingly. The Village Engineer or his designated representative shall provide a written evaluation of the applicant's submission. If the Planning Board has not rendered a decision within the time frames specified above following completed plan submittal, it shall inform the applicant of the status of the review process and the anticipated completion date. If the plan is rejected or modified, the Planning Board shall state the reasons.
- E. The stormwater management plan must meet all of the requirements as specified in these regulations in order to be approved.
- F. The stormwater management plan will not be approved unless adequate provisions have been made for inspection of the property before any development activity begins. The applicant shall arrange with the Village Engineer or his designated representative for scheduling the following inspections:
 - (1) Initial inspection prior to approval of the stormwater management plan (this inspection is at the discretion of the Village Engineer or his designated representative).

- (2) Construction inspection to be made during construction of underground drainage structures and during construction of any basin dams.
- (3) Erosion Control inspection: to ensure erosion control practices are in accord with the Plan;
- (4) As-built inspection to be made when all work has been completed. Although inspections will be made by the Village Engineer or his designated representative or his designate, it is the responsibility of the applicant to provide certification to the Village, in writing, with the as-built plans, that all work has been completed in accordance with these regulations. The applicant will be notified, in writing, of any deficiencies noted at the site. These items shall be promptly corrected by the applicant or the applicant will be subject to the penalty provisions of these regulations.

G. Prior to the signing of any plat or plan or the issuance of any special permit referenced in Section 158- above containing stormwater management facilities proposed to be dedicated to the Village or a Village improvement district, the applicant shall deliver in form acceptable to the Village Attorney or attorney for the Village an irrevocable offer of dedication, acceptable for recording, describing the proposed easement or deed area of the facilities by metes and bounds, together with such other signed and completed documents, including but not limited to a “Form TP-584” as are required for the recording of the offer of dedication.

H. Maintenance during Construction

- (1) The applicant or developer of the land development activity shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the applicant or developer to achieve compliance with the conditions of this local law. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by fifty (50) percent. (2) The applicant or developer or their representative shall be on site at all times when all erosion and sediment control practices. Inspection reports shall be completed every at a minimum of 7 days. The reports shall be delivered to the Stormwater Management Officer [Jim Osborne Comment: officer needs to be designated by the Village Board] or his designated representative and also copied to the site log book with the SWPPP.

I. Maintenance after Construction

The owner or operator of permanent stormwater management practices installed in accordance with this law shall be operated and maintained to achieve the goals of this law. Proper operation and maintenance also includes as a minimum, the following:

- (1) A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of this law.
- (2) Written procedures for operation and maintenance and training new maintenance personnel.
- (3) Discharges from the Stormwater Management Practices shall not exceed design criteria or cause or contribute to water quality standard violations.

J. Maintenance Agreements

The Village of South Blooming Grove shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The maintenance agreement shall be consistent with the terms and conditions of Schedule B of this local law entitled Sample Stormwater Control Facility Maintenance Agreement. The Village of South Blooming Grove, in lieu of a maintenance agreement, at its sole discretion may accept dedication of any existing or future stormwater management facility, provided such facility meets all the requirements of this local law and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

K. Dedications.

The requirements for dedication of stormwater management and drainage facilities to the Village of South Blooming Grove or a duly established district of the Village include the following:

- (1) A title insurance policy, insuring the Village, in the minimum amount of at least \$35,000.00 Dollars for each deeded or easement area to be dedicated. The title insurance policy must be acceptable to the Village Attorney or Attorney for the Village and must insure that the Village is obtaining title to the deeded areas or easements free and clear of all liens and encumbrances, excepting only such existing utility easements as the Village determines in its sole discretion will not interfere with the inspection, maintenance and repair of the facilities. Applicants may be required to submit title updates prior to acceptance of dedication.
- (2) Full covenant and warranty deed, conveying to the Village title of the area to be dedicated or a perpetual easement for the diversion and discharge of drainage waters and for related drainage purposes, including but not limited to constructing, excavating, laying, installing, reconstructing, operating, maintaining, repairing, replacing, and relocating the facilities which is acceptable to the Village Attorney or Attorney for the Village, together with such other signed and completed documents, including but not limited to a "Form TP-584"

and an "Equalization and Assessment Form" and recording fees as are required for the recording of the instrument.

- (3) Certification by a professional engineer or surveyor that the facilities to be dedicated has been completed in accordance with the approved plans and specifications of the Village and that all construction has been completed in a workmanlike manner.
- (4) As-built or record drawings of the facilities.
- (5) A maintenance security, acceptable to the Village, guaranteeing to the Village that the applicant or developer will maintain the facilities to the Village's standards, normal wear and tear excepted, for a period of at least two (2) years from the date of the acceptance of the dedication. The maintenance security must be in an amount equal to at least ten (10%) percent of the original performance security.
- (6) A maintenance security letter acknowledging the maintenance responsibilities of the applicant or developer, acceptable to the Village.
- (7) If the developer is a corporation or limited liability company, the developer must deliver a corporate resolution certified by an appropriate corporate officer or a unanimous written consent of the board of directors and shareholders of the corporation or members of the limited liability company to the dedication.
- (8) Payment of such fees for Village processing and recording expenses and escrow deposits for reimbursements of professional service costs as the Village Board may establish and amend by resolution from time to time. Notice of Violation

When the Village of South Blooming Grove determines that a land development activity is not being carried out in accordance with the requirements of this local law, it may issue a written notice of violation to the owner of the property. The notice of violation shall contain:

- (1) The name and address of the owner, developer or applicant;
- (2) The address when available or a description of the building, structure or land upon which the violation is occurring;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to bring the land development activity into compliance with this local law and a time schedule for the completion of such remedial action;
- (5) A statement of the penalty or penalties that shall be assessed against the person to whom the notice of violation is directed;

(6) A statement that the determination of violation may be appealed to the Zoning Board of Appeals by filing a written notice of appeal within fifteen (15) days of service of notice of violation.

The notice of violation shall be served upon the person(s) to whom it is directed either personally, in a manner provided for personal services of notices by the court of local jurisdiction, or by mailing a copy of the notice of the violation by certified mail, postage prepaid, return receipt requested to such person at his or her last known address. A notice of violation issued pursuant to this section constitutes a determination from which an administrative appeal may be taken to the Zoning Board of Appeals.

L. Stop Work Orders

The Village of South Blooming Grove may issue a stop work order for violations of this law. Persons receiving a stop work order shall be required to halt all land development activities, except those activities that address the violations leading to the stop work order. The stop work order shall be in effect until the Village of South Blooming Grove confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop work order in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this local law.

§ 158-35 Enforcement

A. Violations

Any land development activity that is commenced or is conducted contrary to this local law, may be restrained by injunction or otherwise corrected or abated in a manner provided by law.

B. [renumbered]

C. [Renumbered}

D This section shall be enforced in accord with the provisions of section 158-13 of this chapter and the following supplemental provisions.

E In addition to or as an alternative to any penalty provided herein or by law, any person violating any provision of this chapter shall be subject to a civil penalty enforceable and collectible by the Village in an amount not exceeding two hundred fifty dollars (\$250) for each day the violation continues until the violation has been corrected or otherwise abated in a manner approved by the stormwater management officer or his designated representative.

F. Withholding of Certificate of Occupancy

If any building or land development activity is installed or conducted in violation of this local law the Stormwater Management Officer may prevent the occupancy of said building or land.

G. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Village of South Blooming Grove may take necessary corrective action, the cost of labor and materials for which shall become a lien upon the property until paid. In the event the land is titled in a homeowner's association which fails to pay for required corrective action, the Village may have a lien placed on the real property of members of the homeowner's association until payment is made.

H. Fees for Services

The Village of South Blooming Grove may require any person undertaking land development activities regulated by this law to pay reasonable costs at prevailing rates for review of SWPPPs, inspections, or Stormwater Management Practices maintenance performed by the Village of South Blooming Grove or performed by a third party for the Village of South Blooming Grove.

§ 158-36 Appeals

Any person aggrieved by the action of any official charged with the enforcement of this Chapter, as the result of the disapproval of a Stormwater Management and Erosion Control Plan, issuance of a written notice of violation, or an alleged failure to properly enforce the Chapter in regard to a specific application, shall have the right to appeal the action to the **Zoning Board of Appeals**. The appeal shall be filed in writing within twenty (20) days of the date of official transmittal of the final decision or determination to the applicant, shall state clearly the grounds on which the appeal is based, and shall be processed in the manner prescribed for hearing administrative appeals under the Village's Zoning Code."

SECTION 4: AMENDMENT TO CHAPTER 158.

Chapter 158 entitled "Stormwater Management" of the Code of the Village of South Blooming Grove is hereby further amended by renumbering current section 158-13(A)(1) and (2) as new section 158-35 (B) and (C); by renumbering current section 158-15 as new section 158-37; by renumbering current section 158-16 as new section 158-38; by renumbering current section 158-17 as new section 158-39; by renumbering current section 158-18 as new section 158-40; and by renumbering current section 158-19 as new section 158-41.

SECTION 5. STATUTORY AUTHORITY.

In accordance with Article 10 of the Municipal Home Rule Law of the State of New York the Village Board of the Village of South Blooming Grove has the authority to enact local laws for the purpose of promoting the health, safety or general welfare of the Village. The Village may include in any such local law provisions for the appointment of any municipal officer or employees to effectuate and administer such local law.

SECTION 6. VALIDITY.

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 7. REPEAL.

All ordinances, local laws, rules and regulations and parts thereof inconsistent with this Local Law are hereby repealed.

SECTION 8. EFFECTIVE DATE.

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.