

ORDINANCE NO. 1145

AN ORDINANCE TO AMEND TITLE 14, CHAPTER V, SECTION 14-128 AND SECTION 14-130 OF THE ATHENS CITY CODE.

WHEREAS, the City of Athens is required to comply with the Tennessee Department of Environment and Conservation (TDEC) National Pollutant Discharge Elimination System (NPDES) Small Municipal Separate Storm Sewer System (MS4) General Permit; and

WHEREAS, TDEC has clarified its requirements concerning manufactured treatment devices (MTDs) and total suspended solids (TSS) removal standards, including recognition of certification programs and the prohibition of sequential “treatment-train” designs for hydrodynamic separator devices; and

WHEREAS, it is necessary to amend the City Code to maintain compliance with state regulations and ensure the City’s stormwater management program reflects current standards;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ATHENS AS FOLLOWS:

SECTION 1.

That Title 14, Chapter V, Section 14-128 of the Athens City Code is hereby amended to include the following two definitions, and that the definitions be renumbered accordingly:

14-128 Definitions

- (26) New Jersey Department of Environmental Protection (NJDEP) - is the state agency responsible for managing New Jersey’s natural resources. Its Division of Water Quality tests and certifies proprietary manufactured treatment devices (MTDs) used for stormwater quality treatment and is recognized nationally for its testing standards certified MTD list.
- (52) Washington State Department of Ecology (WSDOE) - is the state agency responsible for managing Washington State’s natural resources. It is responsible for the Technology Assessment Protocol – Ecology, or TAPE, that tests and certifies proprietary manufactured treatment devices (MTDs) used for stormwater quality treatment, and is recognized nationally for its testing standards and certified MTD list.

SECTION 2.

That Title 14, Chapter V, Section 14-130(4) of the Athens City Code is hereby amended to read as follows:

14-130 Permanent Stormwater Management: Design and Construction Inspection

- (4) Total suspended solids (TSS) removal rate shall be the City’s recognized metric for the reduction of pollutants in stormwater effluent. Design TSS removal rates for approved MTDs shall be established by a 3rd party certification program recognized by the City. The two certification programs currently recognized by the City include NJDEP and WSDOE; additionally, use of sequential MTDs, e.g. a treatment train of two or more HDS units, in an attempt to cumulatively meet the 80% TSS requirements are not recognized as achieving such and shall not be permissible in permanent SCM design(s).

SECTION 3.

That this Ordinance shall take effect from and after its adoption, the public welfare requiring it.

First Reading: September 16, 2025 Passed
Public Hearing Notice: September 27, 2025
Date of Public Hearing: October 21, 2025
Second Reading: October 21, 2025

ATTEST:

Larry Eaton, Mayor

Randall Dowling, City Manager

APPROVED AS TO FORM:

Christopher Caldwell, City Attorney