

CERTIFICATION OF CLERK

I, Brenda K. Wolf, the duly appointed, qualified, and City Clerk of Manhattan, Kansas, do hereby certify that the foregoing Ordinance was duly adopted at a meeting of the City of Manhattan, Kansas, held on the 7th day of October, 2025, and that said Ordinance has been compared by me with the original thereof on file and of record in my office, is a true copy of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Manhattan, Kansas, 8th day of October, 2025.



Brenda K. Wolf

Brenda K. Wolf, CMC, City Clerk

ORDINANCE NO. 7774

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANHATTAN, KANSAS, ESTABLISHING A PROCESS BY WHICH A DEVELOPMENT MAY PAY A FEE IN LIEU OF A REQUIREMENT TO PROVIDE ONSITE TREATMENT OF STORMWATER RUNOFF CAUSED BY THE DEVELOPMENT.

WHEREAS, Sec. 32-193 of the Code of Ordinances of the City of Manhattan, Kansas authorizes, and the City's Infrastructure Design and Construction Standards require, Post-Construction Stormwater Best Management Practices (PCBMPs) for developments within the City; and,

WHEREAS, these requirements provide for City compliance with state and federal regulations under the Clean Water Act to reduce or prevent the discharge of prohibited materials into the stormwater management system or to surface waters; and,

WHEREAS, the Governing Body desires to create a process whereby a development may fulfill their obligations to address post-construction stormwater treatment by paying a fee in order to participate in an approved, alternative offsite pollution-reduction program, in lieu of providing required onsite PCBMPs, when the circumstances of the development make the payment of such fee preferable to providing onsite treatment.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS:

Section 1. That Sec. 32-189 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby amended to add the following definition, inserted alphabetically among the existing definitions:

Post-Construction Best Management Practices (PCBMPs) means any BMPs, both structural and non-structural, that are installed to prevent or minimize adverse water quality impacts associated with 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, that discharge into the MS4.

Section 2. That Sec. 32-191 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby amended to add subsection (e) as follows:

(e) *Interference with BMPs.* It shall be unlawful for any person to damage, destroy, or interfere with any implemented BMP, including but not limited to any PCBMPs or any BMP installed on a construction site, subdivision development, or utility construction site.

Section 3. That Sec. 32-193 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby amended to read as follows:

Sec. 32-193. – Post-construction best management practices.

- (a) Where required by the city’s infrastructure design and construction standards and/or by other state or federal regulation, the director of public works may impose post-construction stormwater best management practices (PCBMPs) to reduce or prevent the discharge of prohibited materials into the stormwater management system or surface waters.
- (b) As an alternative to subsection (a), above, in compliance with state and federal regulations, the director of public works may impose a fee in lieu of required on-site PCBMPs, and such fee will support an approved, alternative offsite stormwater treatment program.
- (c) It shall be unlawful for any person required to comply with PCBMPs under subsection (a) to fail to comply with PCBMPs, or for any person required to pay an offsite program fee under subsection (b) to fail to pay such fee.

Section 4. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS, THIS 7TH DAY OF OCTOBER, 2025.

CITY OF MANHATTAN, KANSAS

Karen McCulloh
Karen McCulloh, Mayor

ATTEST:

Chelsea Johnson
Chelsea Johnson, Assistant City Clerk



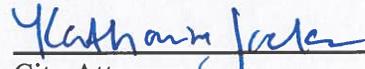
(PUBLISHED IN *THE MANHATTAN MERCURY* ON OCTOBER 11, 2025)

ORDINANCE NO. 7774 SUMMARY

On October 7, 2025, the City of Manhattan, Kansas adopted the following ordinance:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANHATTAN, KANSAS, ESTABLISHING A PROCESS BY WHICH A DEVELOPMENT MAY PAY A FEE IN LIEU OF A REQUIREMENT TO PROVIDE ONSITE TREATMENT OF STORMWATER RUNOFF CAUSED BY THE DEVELOPMENT.

The Ordinance amends sections of the Code of Ordinances of the City of Manhattan to allow developments, as an alternative to providing treatment of stormwater runoff onsite within the development, to pay a fee to support offsite treatment of stormwater runoff within the city's regional watershed. The complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City Hall, 1101 Poyntz Ave., Manhattan, KS 66502, Monday – Thursday, 8 a.m. – 5 p.m., and Friday, 8 a.m. – 12 p.m., and is available for at least one week following the publication date of this summary at www.cityofmhc.com. This Summary certified to be legally accurate and sufficient by City Attorney Katharine Jackson.



City Attorney
Date certified: 10/7/25