



City of San Marcos Structural Control Inspection Program:

Policies and Procedures

Updated: September 2020



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Background

On June 16, 2020, San Marcos City Council amended Section 86.531 of the City Code which originally created requirements for annual inspections structural controls. Structural controls are Best Management Practices (BMPs) that have been installed to store and treat stormwater runoff. Examples of these facilities include detention ponds (including underground detention) wet basins, bio-filtration ponds (sand filters, rain gardens, etc....), permeable pavements, vegetated filter strips and in-ground separators (hydrodynamic). Each of these facilities requires periodic maintenance to ensure that they remain operating as they were designed.

To ensure that periodic maintenance is occurring City Code requires that owners of structural controls must hire a licensed Texas engineer (PE) from a pre-approved list with the City to inspect each facility (at least) once every three years following a passing inspection. The inspections must certify that each facility is being maintained and is operational for each specified year.

Inspection Requirements

Section 86.531(d) of City code requires owners of structural controls to conduct an inspection of each control on their property every three years (following a passing inspection). This inspection must be conducted by a licensed Texas engineer. The engineer performing and certifying the inspection report must be chosen from a list of pre-certified engineers which is provided by the City of San Marcos. Ordinance Section 86.531(d) can be found here: <http://www.sanmarcostx.gov/stormcontrol>

Pre-certified Engineers List

A list of prequalified engineers who may perform structural control inspections inside San Marcos city limits is kept on the City of San Marcos Stormwater Management webpage. The webpage can be accessed at <https://sanmarcostx.gov/3225/Structural-Control-Inspection-Program>

Pre-certifying Engineers

The City of San Marcos Stormwater Management department is responsible for pre-qualifying engineers for the structural control inspections program. Engineers who would like to be added on the “pre-certified list” must submit an application to the Stormwater Management department for review. The application can be found in Appendix B of this document. Each application will be reviewed by the Stormwater Management staff. Approval or denial of the application will be based on the criteria outlined on the Municipal Separate Storm Sewer System (MS4) Post Construction BMP Inspection Pre-certification Checklist found in Appendix A of this document.

Applicants will be notified by email as to whether they have met the requirements to be added to the pre-certified engineers list.



Inspection Process

Owners of structural controls will receive a certified letter indicating that they are subject to the inspection requirements. The letter instructs owners to contact an engineer on the pre-certified list to perform the inspection. Once the engineer has been chosen, the engineer may contact Stormwater Management for plans associated with the property as it pertains to the design criteria of the structural control(s).

Some properties may have a Maintenance Covenant. Maintenance Covenants are maintenance guidelines that are specific to each structural control. Engineers may contact Stormwater Management for Maintenance Covenants only if they have started working with that specific property owner. If an engineer would like a Maintenance Covenant or set of plans for a property that they are not inspecting, they can file a Public Information Request with the City Clerk.

Random Inspections

Stormwater Management will collect and maintain the inventory of all certified inspection reports for structural controls. Each year, 2% of the inspection reports will be randomly selected to have an inspection performed by city staff (for quality control). These inspections will be conducted to ensure that engineers are performing inspections correctly and accurately.

Removing an Engineer from the Pre-certified List

An engineer may be removed from the list of pre-certified engineers for the following reasons:

- If the inspector is falsifying inspection reports.
- If two (2) or more complaints were filed against them by a property owner.
- If the City of San Marcos fails two (2) random inspections within a one (1) year period.
- If the inspector uses City information to financially benefit from projects not related to the Stormwater Management Department.

Appeals Procedure

An applicant who fails to pre-qualify or is removed from the pre-certified list can appeal this decision to the Executive Director of Public Services. All appeals must be in writing and submitted to the director within seven calendar days of the receipt of notification that applicant was denied approval. All decisions made by the Executive Director shall be final.