

Environmental Protection Agency
National Pollutant Discharge
Elimination System

**Palm Beach County MS4
Permit No. FLS000018**

The Town of Highland Beach
First Annual Report
Appendix L
February 1, 1997 to January 1, 1998

Submitted by
Northern Palm Beach County Improvement District
As Lead Permittee

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Attachment

NPDES Municipal Ordinance

Chapter 31

**STORMWATER/NATIONAL POLLUTION ELIMINATION
SYSTEM REQUIREMENTS***

- Art. I. Illicit Discharges, §§ 31-1–31-20**
Art. II. Spills and Dumping, §§ 31-21–33-30
Art. III. Enforcement, §§ 31-31–31-35

***Editor's note**—Ord. No. 628, adopted May 4, 1993, amended the Code by the addition of Ch. 31, and at the discretion of the editor, section numbering of these provisions has been adjusted to conform with the Code format.

Cross references—Planning and development, Ch. 20; floodplains, § 20-301 et seq.; sewers, Ch. 22.

ARTICLE I. ILLICIT DISCHARGES**Sec. 31-1. General prohibitions.**

Except as set forth under section 31-3 of this chapter or as in accordance with a valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.

(Ord. No. 628, § 1.1, 5-4-93)

Sec. 31-2. Specific prohibitions.

Any discharge to the stormwater system containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal, or other laws, rules, regulations, orders or permits, is prohibited.

(Ord. No. 628, § 1.2, 5-4-93)

Sec. 31-3. Authorized exceptions.

Unless the town manager or the manager's designee determines that it is not properly managed or otherwise is not acceptable, the following discharges are exempt from the general prohibition set forth under section 31-1 of this chapter: flows from fire fighting, water line flushing and other contributions from potable water sources, landscape irrigation and lawn watering, irrigation water, diverted stream flows, rising groundwaters, direct infiltration to the stormwater system, uncontaminated pump groundwater, foundation and footing drains, water from crawl space pumps, air conditioning condensation, springs, individual residential car washings, flows from riparian habitats and wetlands, and dechlorinated swimming pool contributions.

(Ord. No. 628, § 1.3, 5-4-93)

Sec. 31-4. Illicit connections.

No person may maintain, use or establish any direct or indirect connection to the stormwater system that results in any discharge in violation of this chapter. This prohibition is retroactive and applies to connections made in the past, regardless of whether

made under laws or practices applicable or prevailing at the time the connection was made.

(Ord. No. 628, § 1.4, 5-4-93)

Sec. 31-5. Administrative order.

The town manager may issue an order to any person to immediately cease any discharge, or any connection to the stormwater system, determined by the town manager to be in violation of any provision of this chapter, or in violation of any regulation or permit issued hereunder.

(Ord. No. 628, § 1.5, 5-4-93)

Secs. 31-6–31-20. Reserved.

ARTICLE II. SPILLS AND DUMPING

Sec. 31-21. General prohibitions.

Except as set forth under section 31-23 of this chapter or as in accordance with a valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.

(Ord. No. 628, § 2.1, 5-4-93)

Sec. 31-22. Specific prohibitions.

Any discharge to the stormwater system containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal, or other laws, rules, regulations, orders or permits, is prohibited.

(Ord. No. 628, § 2.2, 5-4-93)

Sec. 31-23. Notification of spills.

As soon as any person has knowledge of any discharge to the stormwater system in violation of this chapter, such person shall immediately notify the town manager by telephoning (407) 278-4548, and if such person is directly or indirectly responsible for such discharge, then such person shall also take immediate action to ensure the containment and cleanup of such discharge and

shall confirm such telephone notification in writing to the town manager at 3614 South Ocean Boulevard, Highland Beach, FL 33487, within three (3) calendar days.

Ord. No. 628, § 2.3, 5-4-93)

Sec. 31-24. Administrative order.

The town manager may issue an order to any person to immediately cease any discharge, or connection to the stormwater system, determined by the town manager to be in violation of any provision of this chapter, or in violation of any regulation or permit issued hereunder.

Ord. No. 628, § 2.4, 5-4-93)

Secs. 31-25–31-30. Reserved.

ARTICLE III. ENFORCEMENT

Sec. 31-31. Civil penalties.

Any violation of any provision of this chapter, or of any regulation or order issued hereunder, shall be subject to a civil penalty up to a maximum of twenty-five thousand dollars (\$25,000.00) per day for each violation.

Ord. No. 628, § 3.1, 5-4-93)

Sec. 31-32. Criminal penalties.

Any intentional or willful violation of any provision of this chapter, or of any regulation or order issued hereunder, shall be subject to a criminal penalty up to a maximum of fifty thousand dollars (\$50,000.00) per day, or imprisonment of up to one year, or both, for each violation.

Ord. No. 628, § 3.2, 5-4-93)

Sec. 31-33. Injunctive relief.

Any violation of any provision of this chapter, or of any regulation or order issued hereunder, shall be subject to injunctive

relief if necessary to protect the public health, safety or general welfare.

(Ord. No. 628, § 3.3, 5-4-93)

Sec. 31-34. Continuing violation.

A person shall be deemed guilty of a separate violation for each and every day during any continuing violation of any provision of this chapter, or of any regulation or permit issued hereunder.

(Ord. No. 628, § 3.4, 5-4-93)

Sec. 31-35. Enforcement actions.

The town manager may take all actions necessary, including the issuance of notices of violation and the filing of court actions, to require and enforce compliance with the provisions of this chapter and with any regulation or permit issued hereunder.

(Ord. No. 628, § 3.5, 5-4-93)