

Environmental Protection Agency  
National Pollutant Discharge  
Elimination System

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

**Annual Report**  
Appendix Q

**Town of Lake Park**  
Co-Permittee

August 1998

**EPA/NPDES**

APPENDIX Q-A

NPDES Municipal Ordinance

(f) *Removal of placard or notice.* No person shall deface or remove the placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such, except as provided in section 7-106(e).

(Ord. 11-1991, § 1, 8-20-91)

**Secs. 7-107–7-130. Reserved.**

## ARTICLE IX. STORMWATER DRAINAGE

### DIVISION 1. GENERAL PROVISIONS

#### **Sec. 7-131. Purpose and intent.**

The purpose of this article is to promote the health, safety and general welfare of the inhabitants of the Town of Lake Park. This article is intended to regulate the discharge of stormwater and other unpolluted water into the stormwater drainage system and to improve the quality of existing and future discharge of stormwater drainage in the town. It is the intent of this article to comply with The Federal Clean Water Act (33 U.S.C. 1251 et seq.), as implemented by regulations of the U.S. Environmental Protection Agency adopted November 16, 1990 (40 CFR part 122).

(Ord. No. 16-1993, § I, 6-2-93)

#### **Sec. 7-132. Definitions.**

*Authorized official.* Any employee or agent of the town authorized in writing by the director to administer or enforce the provisions of this article.

*Director.* The Town of Lake Park Building Department Director (building official).

*Discharge.* Any direct or indirect entry of any solid, liquid or gaseous matter.

*Person.* Any natural individual, corporation, partnership, institution or other entity.

*Runoff.* That part of rainfall that is not absorbed by the soil but is drained off in rills or streams.

*Site of industrial activity.* Any area or facility used for manufacturing, processing or raw material storage as defined under 40 CFR Section 122.26(A)(14) of regulations of the U.S. Environmental Protection Agency, as amended.

*Stormwater.* Any stormwater runoff, and surface water runoff and drainage.

*Stormwater system.* Any system of conveyances used for collecting, storing or transporting stormwater; but not including any facilities intended to be used in accordance with applicable law for collecting and transporting sanitary or other wastewater.

(Ord. No. 16-1993, § I, 6-2-93)

DIVISION 2. GENERAL PROHIBITIONS

**Sec. 7-133. Prohibited discharge.**

(a) Under no condition shall the discharge of any domestic, sanitary, industrial, commercial waste or polluted water of any kind be permitted to be discharged into the stormwater drainage system, natural outlet or area under the jurisdiction of the town.

(b) No person shall discharge or cause to be discharged any stormwater, surface water, ground water, roof run-off, subsurface drainage, contaminated or uncontaminated cooling water or industrial process waters into any sanitary sewer within the town.

(Ord. No. 16-1993, § I, 6-2-93)

**Sec. 7-134. Damaging or tampering with the stormwater drainage system.**

(a) No person shall willfully, negligently or maliciously, break, damage, alter, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the stormwater drainage system.

(b) No person shall uncover, make any connections or openings into, use, alter or disturb any part of the stormwater drainage system or appurtenance thereof without first obtaining a written permit from the town building department and any other regulating authority having jurisdiction.

(Ord. No. 16-1993, § I, 6-2-93)

**Sec. 7-135. Unlawful connections.**

No person may maintain, use or establish any direct or indirect connection to the stormwater drainage system that results in any discharge in violation of this article. This prohibition is retroactive and applies to connections made prior to adoption of this article including any connection made pursuant to a permit, or other authorization, or otherwise permissible under laws or practices applicable or prevailing at the time the connection was made.

(Ord. No. 16-1993, § I, 6-2-93)

**Sec. 7-136. Authorized exceptions.**

Unless determined by the director to be in conflict with the requirements or intent of this article or otherwise not acceptable, the following discharges are exempt from section 7-133:

- (1) Flows from fire fighting operations or fire department training;
- (2) Water line flushing and other contributions from potable water sources;
- (3) Landscape irrigation and lawn watering;
- (4) Other irrigation water;
- (5) Diverted stream flows;
- (6) Rising groundwaters;

- (7) Direct infiltration to the stormwater drainage system;
  - (8) Uncontaminated pumped groundwater;
  - (9) Foundation and footing drains;
  - (10) Water from crawl space pumps;
  - (11) Air conditioning condensation;
  - (12) Natural springs;
  - (13) Individual residential car washings using approved cleansing substances;
  - (14) Flows from riparian habitats and wetlands; and
  - (15) Dechlorinated swimming pool contribution.
- (Ord. No. 16-1993, § I, 6-2-93)

### DIVISION 3. STORMWATER DRAINAGE PERMITS AND DESIGN

#### **Sec. 7-137. NPDES permits.**

Any person who holds a National Pollutant Discharge Elimination System (NPDES) permit shall provide a copy of such permit to the director no later than sixty (60) calendar days after the effective date of this article or sixty (60) calendar days after issuance of such permit. (Ord. No. 16-1993, § I, 6-2-93)

#### **Sec. 7-138. Written permit required for use of the storm drainage system.**

(a) No person shall uncover, make any connection or openings into, use, alter or disturb any part of the stormwater drainage system or appurtenance thereof without first obtaining a written permit from the town building department and any other regulating authority having jurisdiction.

(b) The permit application shall be supplemented with any plans, specifications and other information considered pertinent in the judgment of the town building official. The permit fee shall be as established by the town building department. (Ord. No. 16-1993, § I, 6-2-93)

#### **Sec. 7-139. Stormwater drainage system design.**

All stormwater drainage systems for existing and new development shall meet the design criteria and standards of the South Florida Water Management District as well as any other regulating authority having jurisdiction. The town may periodically require existing systems to make modifications in design and construction in compliance with updated criteria and standards. New systems shall be designed to meet criteria and standards in force at the time of permitting. All such systems whether existing or new development, including re-development,

shall be designed by a professional engineer registered to work in the state. Any plans submitted on behalf of such systems shall display the signature and seal of the design engineer. (Ord. No. 16-1993, § I, 6-2-93)

**Sec. 7-140. Maintenance and operation.**

The town department of public works shall be responsible for the maintenance and operation of the town-owned stormwater drainage system and appurtenances. Property owners are responsible for the maintenance and operation of the drainage systems located within the boundaries of their property.

(Ord. No. 16-1993, § I, 6-2-93)

DIVISION 4. ACCIDENTAL DISCHARGE AND/OR DUMPING

**Sec. 7-141. General prohibitions.**

Except as set forth under section 7-136, authorized exceptions of this article, or as in accordance with a valid NPDES permit, any discharge to the stormwater drainage system that is not composed entirely of stormwater is prohibited.

(Ord. No. 16-1993, § I, 6-2-93)

**Sec. 7-142. Notification of accidental discharges and/or dumping.**

Any person having knowledge of any accidental or unlawful discharge into the stormwater drainage system in violation of this article, shall immediately notify the town building department by telephone or in person. If the notifying person is directly or indirectly responsible for such discharge, such person shall also take immediate action to ensure the containment and cleanup of discharge. Said notification shall not relieve any responsible person of any expense, loss, damage or other liability to the town, the town storm drainage system, wild life or any other damage to persons or property resulting from such discharge, nor shall said notification relieve the responsible person of any fines, civil penalties or other liability which may be imposed by this article, other applicable law or other agency having jurisdiction.

(Ord. No. 16-1993, § I, 6-2-93)

**Sec. 7-143. Written report required.**

Within five (5) days following an accidental discharge and/or dumping, the responsible person shall submit to the town building official a written report describing the cause, corrective actions taken and measures to prevent future occurrences.

(Ord. No. 16-1993, § I, 6-2-93)

**Sec. 7-144. Notice to employees.**

Permitted users of the town stormwater drainage system, shall permanently post, in a prominent location, on the property or premises a notice advising employees of the notification

required by section 7-142. Furthermore, all employers shall insure that every employee is advised of said notification procedure.

(Ord. No. 16-1993, § I, 6-2-93)

#### DIVISION 5. ENFORCEMENT

##### **Sec. 7-145. Administrative order.**

The director may issue an order to any person to immediately cease any discharge, or connection to the stormwater drainage system, determined by the director to be in violation of this article.

(Ord. No. 16-1993, § I, 6-2-93)

##### **Sec. 7-146. Notice of violation.**

(a) Any person found to be violating any provision of this article shall be served by the town with written notice stating the nature of the violation and providing a reasonable time for the correction thereof. The offender shall, within the time period stated in the notice, correct and permanently cease all violations.

(b) Any person violating any provisions of this article shall become liable to the town for any expense, loss or damage occasioned the town by reason of that violation.

(Ord. No. 16-1993, § I, 6-2-93)

##### **Sec. 7-147. Penalty.**

This article may be enforced pursuant to code enforcement or alternate code enforcement procedures of the town. Any person who is found to have violated an order of the town or who willfully or negligently fails to comply with any provision of this article may be fined up to five hundred dollars (\$500.00) per day for each offense. Each day a violation shall occur or continue after notification shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the town may recover all reasonable attorney's fees, court costs and other expenses of litigation. Payment of any penalties or costs to the town shall not relieve the responsible person of any fines or penalties levied by any other authority having jurisdiction.

(Ord. No. 16-1993, § I, 6-2-93)

#### DIVISION 6. INSPECTIONS AND MONITORING

##### **Sec. 7-148. Inspections.**

(a) The building official shall cause the storm drainage system to be inspected not less than once each year for illicit connections.

(b) The building official or his designee shall receive all complaints and cause same to be investigated for any possible violation of this article or pollution.

(c) Whenever necessary to make an inspection to enforce any of the provisions of this article, or regulation or permit issued hereunder, or whenever an authorized official has

reasonable cause to believe there exists any condition constituting a violation of any of the provisions of this article, or regulation or permit issued hereunder, any authorized official may enter any property, building or facility at any reasonable time to inspect the same or to perform any duty related to the enforcement of the provisions of this article.

(d) If such property, building or facility is occupied, such authorized official shall first present proper credentials and request permission to enter, if such building or facility is unoccupied, such authorized official shall make a reasonable effort to locate the owner or other person having charge or control of the property, building or facility for permission to enter. Any request for permission to enter shall state the owner or person in control has the right to refuse entry and that in the event that entry is refused, the authorized official may enter to make inspection only upon issuance of an administrative search warrant issued by a duly authorized magistrate. If the owner or person in control refuses permission to enter after such request has been made, the authorized official is hereby authorized to seek assistance from any court of competent jurisdiction in obtaining entry.

(e) Routine or area-wide inspections shall be based upon such reasonable selection processes as may be necessary to carry out the purposes of this article, including but not limited to, random sampling and sampling in areas with evidence to stormwater contamination, non-stormwater discharges or similar factors.

(Ord. No. 16-1993, § I, 6-2-93)

**Sec. 7-149. Authority for monitoring sampling.**

Any authorized official may establish on any property such devices as are necessary to conduct sampling or metering of discharges to the stormwater drainage system. During any inspections made to enforce the provisions of this article, or regulations or permits issued hereunder, any authorized official may take any samples deemed necessary.

(Ord. No. 16-1993, § I, 6-2-93)

**Sec. 7-150. Requirements for monitoring.**

The building official or his designee may require any person engaging in any activity or owning any property, building or facility to undertake such reasonable monitoring of any discharges to the stormwater drainage system and to furnish periodic reports.

(Ord. No. 16-1993, § I, 6-2-93)