

PBC – Town of South Palm Beach

NPDES C4Y3 Audit Response

SWMP Element SOPs Required to be Submitted for the Audit

In Y2C3 ARF, see **attached 00_Audit-SOPs**

Inspection Records/Documentation Required to be Submitted for the Audit (AR Section VII):

1. *Part III.A.1 - Structural Controls and Stormwater Collection Systems Operation:*
 - A. Map is in C4Y1 ARF, see **attached 01_Audit-SC Map**
 - B. Inspection and Maintenance Activities: In CRS Log, see **attached 02_2018_2019-Inlet Inspections**. It is noted the Town standard is once a month but 8 were completed for the entire system which is well in excess of requirements.
 - C. Sample Docs: In CRS Log, see **attached 02_2018_2019-Inlet Inspections**. Also see Engineer's Inspection sheet completed 10/9/19, **attached 03_Major Outfalls**. Photos by engineer from 10/9/19 available if needed.
2. *Part III.A.2-Areas of New Development and Significant Redevelopment:* Not Applicable
3. *Part III.A.3 – Roadways: Litter Control, Street sweeping, Equipment Yards, and Maintenance:* Estimate, weekly by Town Staff. Note: only a parking lot, no roads.
4. *Part III.A.4 – Flood Control Projects:* Not Applicable (N/A)
5. *Part III.A.5 – Municipal Waste Treatment, Storage, and Disposal Facilities Not Covered by an NPDES Stormwater Permit:* N/A
6. *Part III.A.6 – Pesticides, Herbicides, and Fertilizer Application:* N/A
7. *Part III.A.7. - Illicit Discharges and Improper Disposal:*

“C” In C3Y2 ARF, see **attached 04_Audit-Legal**

“D”, see **attached 05_Audit-Training**

Note: the Town cannot monitor the private systems that may have outfalls into the Intracoastal Waterway.
8. *Part III.A.8.a. and b. - Industrial and High-Risk Runoff, Identification of Priorities and Procedures for Inspections Risk Facilities.* N/A
9. *Part III.A.9.a - Construction Site Runoff, Site Planning and Non-Structural and Structural BMPs:* N/A
10. *Part III.A.9.b - Construction Site Runoff, Inspection and Enforcement:* N/A
11. *Part III.A.9.c - Construction Site Runoff, Site Operator Training:* See **attached 05_Audit-Training**

Pipes/Culverts and Inlets/Manholes – Structural Control Inspection Standard Operational/Maintenance/Documentation Protocol

There are 36 linear feet/of pipe/culvert that are part of our MS4. The location is shown on the following map.

There is 1 inlet/catch basin that is part of our MS4. The location is also shown on the following map.

Inspections:

At least 100% of the total number of linear feet of pipe/culvert is inspected each year. The inlet, catchbasin is inspected concurrently. Visual inspections are conducted in accordance with the checklist/procedure that follows. Inspection forms are used. If warranted, as a result of the visual inspection, a work order for maintenance, repair, or a more detailed pipe or structure investigation is generated. A more detailed investigation may include televising the pipe, or using mirrors or other devices, as appropriate, to determine the condition of the pipe/culvert. As a result of the more detailed investigation, a work order for maintenance or repair may be generated.

Maintenance:

There are several maintenance activities that may be associated with stormwater networks . The appropriate activity is chosen to correspond to the reported condition. The following activities may be required:

1. Remove trash and debris and dispose of properly.
2. Remove accumulated vegetative matter and dispose of properly.
3. Remove accumulated sediment and dispose of properly.
4. Remove barnacles and/or other marine life and dispose of properly.
5. Repair/replace the headwall at the end of the pipe, if applicable.
6. Repair/replace pipe or structure, if needed.

Documentation:

The documentation for the inspection and maintenance activities related to the pipe/culvert and inlet will be recorded on the inspection form.

SHEET 3

Proactive Inspection Program

Section III.A.7.c – Illicit Discharges and Improper Disposal – Inspection and Investigation of Suspected Illicit Discharges and/or Improper Disposal

This permit element requires a written **proactive inspection program** for identifying and eliminating sources of illicit discharges, illicit connection or illegal dumping, to your MS4.

- You must inspect portions of your MS4 that have a reasonable potential of containing illicit discharges/connections/dumping. The FDEP has indicated that this should be considered to be the commercial and industrial zoned areas/properties within your MS4 contributing area.
- FDEP allows these inspections to be combined with other inspection programs, but the inspections must include specific inspection for potential stormwater contamination.

Proactive Inspections Written Program Components

1. Procedure and Criteria for identifying priority areas/facilities
2. List of identified priority areas/facilities
3. Annual schedule for inspections
4. Procedure for conducting site inspections (include checking for MSGP)
5. Procedure for tracing source of discovered or suspected illicit discharge
6. Procedure for eliminating the discharge
7. Procedure for documenting the inspections and enforcement activities
(See form)
8. Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)
9. Identification of staff /department/outside entity responsible for inspections and for enforcement
10. Description of resources allocated to implement this permit element

Proactive Inspection Program (Written Procedures)

1. Procedure and Criteria for identifying priority areas/facilities

According to the MS4 NPDES permit, priority areas for inspection should include:

- Areas with older infrastructure
- Industrial, commercial, or mixed use areas
- Areas with history of past illicit discharges and/or illegal dumping
- Areas with on-site sewage disposal systems
- Areas upstream of sensitive or impaired water bodies

The attached map depicts the extent of our MS4 contributing area. The Town of South Palm Beach is a completely built out residential condominium community on the barrier island in Palm Beach County. The Town does not have any old infrastructure or industrial, commercial, or mixed use areas. There is no history of past illicit discharges and/or illegal dumping in the MS4 system. All property in the Town is connected to the central sewer system with flow being sent to a regional treatment facility. Any storm water runoff from the Town does not enter an impaired water body.

2. List of identified priority areas/facilities

The Town does not have any priority areas/facilities.

3. Annual schedule for inspections

The Town's MS4 area/facility will be inspected at least twice each year. If the facility is discovered to have illicit discharges/connections/dumping the issue will be acted upon to eliminate the problem. Also, since this MS4 is located at Town hall/Police Station the area is under visual surveillance by employees and 24 hour camera surveillance should discourage any illicit discharges/connections or dumping.

4. Procedure for conducting site inspections (include checking for MSGP)

See item 3 above.

5. Procedure for tracing source of discovered illicit discharge

We will use the camera surveillance record to discover the source'

6. Procedure for eliminating the discharge

We will contact the offending party to eliminate the source.

7. Procedure for documenting the inspections and enforcement activities

(See Inspection Form)

We will use the camera surveillance record and the police incident report.

8. Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)

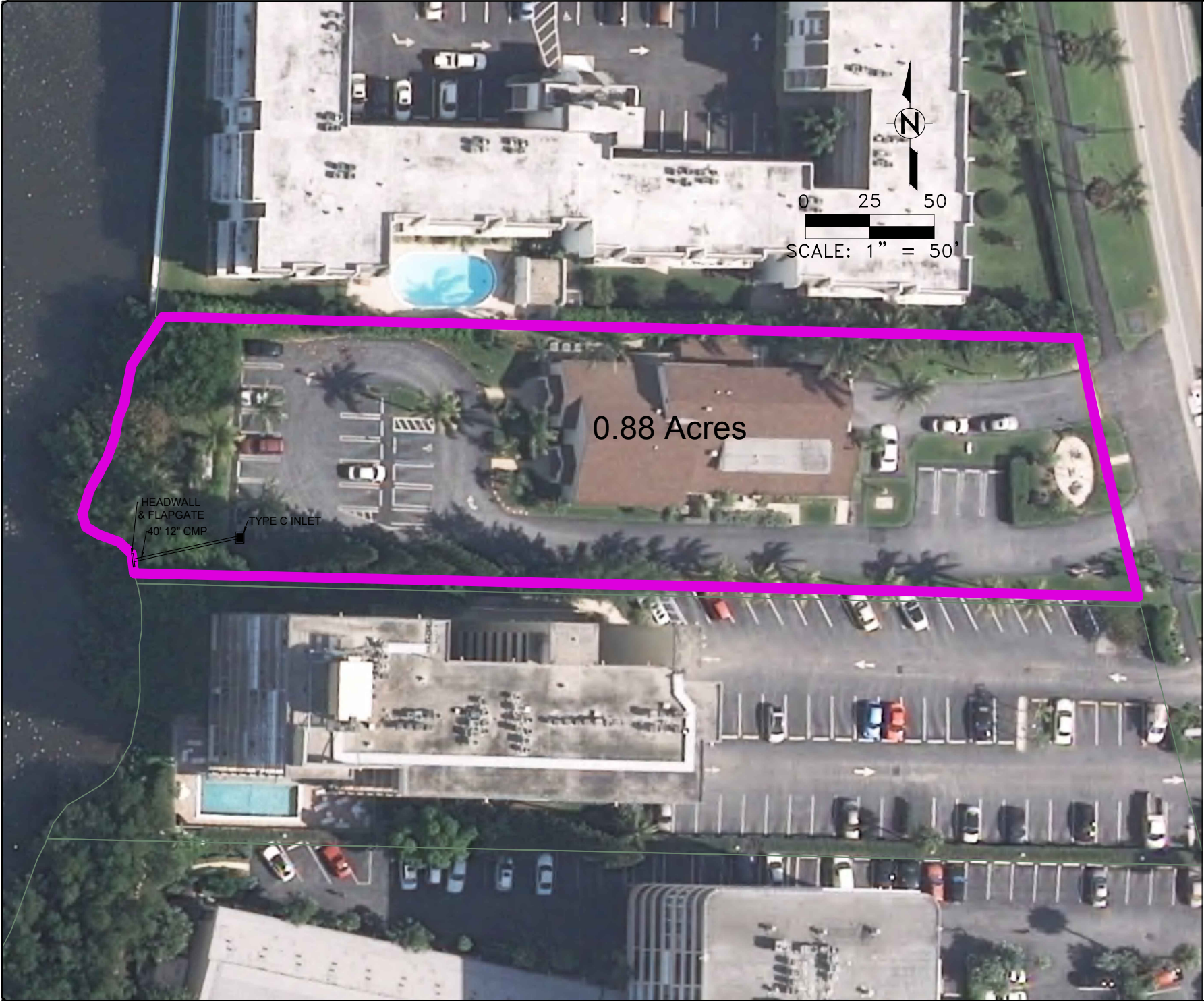
The Police Department will operate as Code Enforcement. If compliance is not achieved the matter will go before the Town's Code Enforcement Board for action.

9. Identification of staff /department/outside entity responsible for inspections and for enforcement

The Town's Building Official performs routine inspections and the Police Department and Code Enforcement Board would be used for enforcement.

10. Description of resources allocated to implement this permit element

No additional funds needed at this time.



0.88 Acres

HEADWALL & FLAPGATE
40' 12" CMP
TYPE C INLET

0 25 50
SCALE: 1" = 50'



Joy Foy, StormwaterJ Engineering 1/31/2018 11:18 AM 2018_0131_NPDES Map.dwg Jay G. Foy, P.E. License #22053



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Town of South Palm Beach
3577 S Ocean Blvd - NPDES Map

SHEET NO.	1	DATE	1/31/18
	1	DRAWN	JGF
JOB NO.	15047	CHECKED	JGF

PERMITTEE NAME

Inspection Form for Structural Controls Catchbasin/Inlet

ID:		Date:	9-11-19
Location:	3577 S. Ocean Blvd. SW corner of Parking Lot		
Receiving Body:	Intracoastal Waterway		
Description:	Catch basin & Inlet		

Weather:	Cloudy
Corrosion:	N/A
Erosion:	N/A
Vegetation:	N/A
Debris:	Small amount in Catchbasin
Sediments:	Small amount in Catchbasin
Litter:	N/A
Oil/Grease:	N/A
Other:	
Condition:	Good

Comments:	need to have bottom of basin cleaned
Recommendations:	

Inspected By:	<i>Robert Kelly</i>	
Department:		

Vicinity inspected for indication of illicit discharges:

PERMITTEE NAME
**Inspection Form for Structural Controls
Catchbasin/Inlet**

ID:		Date:	8-1-19
Location:	3577 S. Ocean Blvd. SW corner of Parking Lot		
Receiving Body:	Intracoastal Waterway		
Description:	Catch basin & Inlet		

Weather:	
Corrosion:	N/A
Erosion:	N/A
Vegetation:	N/A
Debris:	N/A
Sediments:	Small amount of sediment in bottom
Litter:	N/A
Oil/Grease:	N/A
Other:	
Condition:	GOOD

Comments:	
Recommendations:	

Inspected By:	<i>Robert Kellogg</i>	
Department:	Admin	

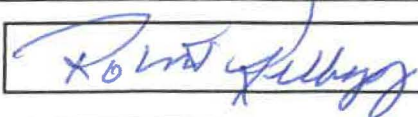
Vicinity inspected for indication of illicit discharges:

PERMITTEE NAME
**Inspection Form for Structural Controls
 Catchbasin/Inlet**

ID:		Date:	7/1/19
Location:	3577 S. Ocean Blvd. SW corner of Parking Lot		
Receiving Body:	Intracoastal Waterway		
Description:	Catch basin & Inlet		

Weather:	Clear / Sunny 95°
Corrosion:	N/A
Erosion:	N/A
Vegetation:	N/A
Debris:	Small amount in catch basin
Sediments:	small amount in catch basin ^{needs} to be cleaned
Litter:	N/A
Oil/Grease:	N/A
Other:	N/A
Condition:	good

Comments:	small amount of debris in catch basins needs to be cleaned out.
Recommendations:	

Inspected By:		
Department:	Admin	

Vicinity inspected for indication of illicit discharges:

PERMITTEE NAME
**Inspection Form for Structural Controls
Catchbasin/Inlet**

ID:		Date:	5-29-19
Location:	3577 S. Ocean Blvd. SW corner of Parking Lot		
Receiving Body:	Intracoastal Waterway		
Description:	Catch basin & Inlet		

Weather:	90°
Corrosion:	NONE
Erosion:	NONE
Vegetation:	NONE
Debris:	NONE
Sediments:	SMALL AMOUNT
Litter:	NONE
Oil/Grease:	NONE
Other:	—
Condition:	Good

Comments:	outfall to ICWW OPEN
Recommendations:	

Inspected By:	<i>Rand Kellogg</i>	
Department:	Admin	


Vicinity inspected for indication of illicit discharges:

PERMITTEE NAME
**Inspection Form for Structural Controls
Catchbasin/Inlet**

ID:		Date:	4/25/19
Location:	3577 S. Ocean Blvd. SW corner of Parking Lot		
Receiving Body:	Intracoastal Waterway		
Description:	Catch basin & Inlet		

Weather:	Sunny 85°
Corrosion:	N/A
Erosion:	N/A
Vegetation:	N/A
Debris:	Small amount in Catch Basin
Sediments:	" "
Litter:	N/A
Oil/Grease:	N/A
Other:	N/A
Condition:	Good

Comments:	
Recommendations:	

Inspected By:		
Department:	TM	

Vicinity inspected for indication of illicit discharges:

PERMITTEE NAME
**Inspection Form for Structural Controls
Catchbasin/Inlet**

ID:	R KELLOGG	Date:	3-6-19
Location:	3577 S. Ocean Blvd. SW corner of Parking Lot		
Receiving Body:	Intracoastal Waterway		
Description:	Catch basin & Inlet		

Weather:	55°
Corrosion:	NA
Erosion:	NA
Vegetation:	Small Amount
Debris:	NA
Sediments:	Small Amount, NEEDS TO BE CLEANED
Litter:	NA
Oil/Grease:	NA
Other:	NA
Condition:	Good

Comments:	
Recommendations:	

Inspected By:	TOWN KELLOGG	
Department:	Town Manager	

Vicinity inspected for indication of illicit discharges:

PERMITTEE NAME
**Inspection Form for Structural Controls
Catchbasin/Inlet**

ID:		Date:	1/25/19
Location:	3577 S. Ocean Blvd. SW corner of Parking Lot		
Receiving Body:	Intracoastal Waterway		
Description:	Catch basin & Inlet		

Weather:	Cold / Windy
Corrosion:	
Erosion:	
Vegetation:	LEAVES
Debris:	
Sediments:	
Litter:	
Oil/Grease:	
Other:	
Condition:	

Comments:	
Recommendations:	

Inspected By:	Robert Kellogg	
Department:	TM	

Vicinity inspected for indication of illicit discharges:

PERMITTEE NAME

Inspection Form for Structural Controls Catchbasin/Inlet

ID:		Date:	10-1-18
Location:	3577 S. Ocean Blvd. SW corner of Parking Lot		
Receiving Body:	Intracoastal Waterway		
Description:	Catch basin & Inlet		

Weather:	Windy
Corrosion:	
Erosion:	
Vegetation:	leaves
Debris:	
Sediments:	
Litter:	Some Trash
Oil/Grease:	
Other:	
Condition:	

Comments:	
Recommendations:	

Inspected By:	Rehner	
Department:	MAINTANCE	

Vicinity inspected for indication of illicit discharges:

03_Major Outfalls

Major Stormwater Outfalls – Structural Control Inspection Standard Operational/Maintenance/Documentation Protocol

There is one major stormwater outfalls (MSWOs) that are part of our MS4. A MSWO is defined as:

- an outfall pipe larger than 36-inch inside diameter (or its equivalent), OR
- discharge from a single conveyance other than a pipe that serves a drainage area of 50 acres or more, OR
- an outfall pipe larger than 12-inches inside diameter (or its equivalent) that serves a drainage area containing industrial land uses, OR
- discharge from a single conveyance other than a pipe that serves a drainage area of 2 acres or more than include industrial land uses.

The MSOWs within our MS4 are located on the attached map.

Inspections:

MSWOs are inspected annually, or more frequently if historic operations indicate that it's needed for a particular MSWO. Inspections are conducted in accordance with the following Structural Control Inspection Form.

Maintenance:

There are several maintenance activities that may be associated with MSWOs. The appropriate activity is chosen to correspond to the reported condition. The following activities may be required:

1. Remove trash and debris and dispose of properly.
2. Remove accumulated vegetative matter and dispose of properly.
3. Remove accumulated sediment and dispose of properly.
4. Maintain earthen bank adjacent to the discharge pipe or headwall.
5. Maintain the headwall at the outfall, if applicable.
6. Repair/replace pipe if needed.

Documentation:

The documentation for the inspection and maintenance activities related to major stormwater outfalls is to be provided on the inspection forms.

Major Stormwater Outfalls – Structural Control Inspection

Facility ID: Town Hall

Date: 10/9/19

FUNCTION:

Debris or sediment accumulation in pipe?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Barnacle accumulation in pipe?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	N/A
Sediment accumulation in receiving water?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	N/A
Pipe in need of repair/replacement ?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	N/A

If YES, report to supervisor for further investigation or schedule for maintenance.

GENERAL:

Any indications of illicit discharge or illegal dumping? YES NO

If YES, describe and report to supervisor for proper response: _____

Signs of erosion on bank near outfall?	<input type="radio"/> YES	<input checked="" type="radio"/> NO
Rip-rap in need of maintenance?	<input type="radio"/> YES	<input checked="" type="radio"/> NO
Headwall in need of repair/replacement?	<input type="radio"/> YES	<input checked="" type="radio"/> NO

If YES, schedule for maintenance.

ORDINANCE NO. 166

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SOUTH PALM BEACH, FLORIDA, ADOPTING PROVISIONS RELATING TO USE OF THE STORMWATER SYSTEM; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 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), make necessary to adoption of local ordinance provisions relating to the Stormwater System; and

WHEREAS the Town of South Palm Beach is seeking to comply with all provisions of federal and state law; and

WHEREAS, the Town Commission has conducted legally noticed public hearings and has provided all interested parties an opportunity to be heard on these ordinance provisions;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SOUTH PALM BEACH, FLORIDA AS FOLLOWS:

ARTICLE 1.0 PURPOSE AND DEFINITIONS**Section 1.1 Purpose and Intent**

The purpose of this ordinance is to promote the health, safety and general welfare of the inhabitants of the Town of South Palm Beach. This ordinance is intended to comply with federal and state law and regulations regarding water quality.

Section 1.2 Definitions

- (a) **Authorized Official:** any employee or agent of the Town of South Palm Beach authorized in writing by the Building Official to administer or enforce the provisions of this ordinance.
- (b) **Discharge:** any direct or indirect entry of any solid, liquid or gaseous matter.
- (c) **Person:** any natural individual, corporation, partnership, institution, or other entity.
- (d) **Site of Industrial Activity:** any area or facility used for manufacturing, processing or raw materials storage, as defined under 40 CFR Section 122.26(a)(14) of regulations of the U.S. Environmental Protection Agency, as amended.

- (e) Stormwater: any stormwater runoff, and surface runoff and drainage.
- (f) Stormwater System: the system of conveyances used for collecting, storing, and transporting Stormwater owned by the Town of South Palm Beach but not including any facilities intended to be used in accordance with applicable law for collecting and transporting sanitary or other wastewater.

ARTICLE 2.0 INDUSTRIAL ACTIVITY

Section 2.1 General Prohibitions

Any Discharge into the Stormwater System in violation of any federal, state county, municipal or other law, rule regulation or permit is prohibited.

Section 2.2 Specific Prohibitions

By adoption of industrial activity Stormwater regulations or by issuance of industrial activity Stormwater permits, or both, the Building Official may impose reasonable limitations as to the quality of Stormwater (including without limitation the designation of maximum levels of pollutants) Discharged into the Stormwater System from Sites of Industrial Activity. Any promulgation of such regulations and issuance of permits by the Building Official shall be in accordance with the applicable law.

Section 2.3 Administrative Orders

The Building Official may issue an order to any Person to immediately cease any Discharge determined by the Building Official to be in violation of any provision of this ordinance, or in violation of any regulation or permit issued hereunder.

Section 2.4 NPDES Permits

Any Person who holds a National Pollutant Discharge Elimination System (NPDES) permit shall provide a copy of such permit to the Building Official no later than the later of: sixty (60) calendar days after the effective date of this ordinance or sixty (60) calendar days after issuance.

ARTICLE 3.0 ILLICIT DISCHARGES

Section 3.1 General Prohibitions

Except as set forth under Section 3.3 of this ordinance or as in accordance with a valid NPDES permit, any Discharge to the Stormwater System that is not composed entirely of Stormwater is prohibited.

Section 3.2 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.

Section 3.3 Authorized Exceptions

Unless the Building Official 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 3.1 of this ordinance: 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 pumped 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.

Section 3.4 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 ordinance. This prohibition is retroactive and applies to connections made in the past, regardless of whether made under a permit, or other authorization, or whether permissible under laws or practices applicable or prevailing at the time the connection was made.

Section 3.5 Administrative Order

The Building Official may issue an order to any Person to immediately cease any Discharge, or any connection to the Stormwater System, determined by the Building Official to be in violation of any provision of this ordinance, or in violation of any regulation or permit issued hereunder.

ARTICLE 4.0 SPILLS AND DUMPING

Section 4.1 General Prohibitions

Except as set forth under Section 3.3 of this ordinance or as in accordance with a valid NPDE permit, any Discharge to the Stormwater System that is not composed entirely of Stormwater is prohibited.

Section 4.2 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.

Section 4.3 Notification of Spills

As soon as any Person has knowledge of any Discharge to the Stormwater System in violation of this ordinance, such Person shall immediately notify the Building Official by telephoning (407-732-2635), 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 clean up of such Discharge and shall confirm such telephone notification in writing to the Building Official at (mailing address) within three calendar days.

Section 4.4 Administrative Order

The Building Official may issue an order to any Person to immediately cease any Discharge, or connection to the Stormwater System, determined by the Building Official to be in violation of any provision of this ordinance, or in violation of any regulation or permit used hereunder.

ARTICLE 5.0 ENFORCEMENT

Section 5.1 Injunctive Relief

Any violation of any provision of this ordinance, 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.

Section 5.2 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 ordinance, or of any regulation or permit issued hereunder.

Section 5.3 Enforcement Actions

The Building Official may take all actions necessary, including the issuance of notices of violation, the filing of court actions and/or referral of the matter to the local code enforcement board to require and enforce compliance with the provisions of this ordinance and with any regulation or permit issued hereunder.

ARTICLE 6.0 INSPECTIONS AND MONITORING

Section 6.1 Authority For Inspections

Whenever necessary to make an inspection to enforce any of the provisions of this ordinance, 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 ordinance, 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 enforcement of the provisions of this ordinance or any regulations or permits issued hereunder; provided that (a) if such property, building or facility is occupied, such Authorized Official shall first present proper credentials and request permission to enter, and (b) is such property, building or facility, and shall request permission to enter. Any request for permission to enter made hereunder shall state that the owner or person in control has the right to refuse entry, and that in such event that entry is refused, the Authorized Official may enter to make inspection only upon issuance of a search warrant 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. Routine or area-wide inspections shall be based upon such reasonable selection processes as may be necessary to carry out the purposes of this ordinance, including but not limited to random sampling and sampling in areas with evidence of stormwater contamination, non-stormwater discharges, or similar factors.

Section 6.2 Authority For Monitoring and Sampling

Any Authorized Official may establish on any property such devices as are necessary to conduct sampling or metering of Discharges to the Stormwater System. During any inspections made to enforce the provisions of this ordinance, or regulations or permits issued hereunder, any Authorized Official may take any samples deemed necessary.

Section 6.3 Requirements For Monitoring

The Building Official may require any Person engaging in any activity or owning any property, building or facility (including but not limited to a Site of Industrial Activity) to undertake such reasonable monitoring of any Discharge(s) to the Stormwater System and to furnish periodic reports.

(Ed. note: Provisions required by 40 CFR, Sections 122.26(d)(1)(ii)(A),(B),(C),(E) and (F), and the Florida Interlocal Cooperation Act of 1969 (F.S.A. Section 163.01 et seq.).

ARTICLE 7.0 CODIFICATION

This ordinance shall be codified in the Code of Ordinances of the Town of South Palm Beach, Florida.

ARTICLE 8.0 REPEAL OF CONFLICTING ORDINANCES

All Ordinances, Resolutions or parts of ordinances and resolutions in conflict herewith are hereby repealed.

ARTICLE 8.0 SEVERABILITY

If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this ordinance.

ARTICLE 9.0 EFFECTIVE DATE

This ordinance shall become effective immediately upon adoption.

PASSED ON FIRST READING THIS 27th DAY OF APRIL, 1993.

PASSED AND ADOPTED ON SECOND READING THIS 25 DAY OF MAY, 1993.

Margaret M. Roberts
Mayor

Beverly Savin
Vice Mayor

Sam Rogers
Commissioner

Maurice [Signature]
Commissioner

Harry R. Feldman
Commissioner

ATTEST:

Margot K. Beck
Town Administrator

ARTICLE IV. STORMWATER CONTROL**DIVISION 1. GENERALLY****Sec. 50-86. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Authorized official means any employee or agent of the town authorized in writing by the building code administrator to administer and enforce the provisions of this article.

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

Site of industrial activity means any area or facility used for manufacturing, processing or raw materials storage, as defined under 40 CFR 122.26(a)(14) of regulations of the U.S. Environmental Protection Agency, as amended.

Stormwater means any stormwater runoff, and surface runoff and drainage.

Stormwater system means the system of conveyances owned by the town used for collecting, storing, and 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. 166, § 1.2, 5-25-93)

Cross reference—Definitions generally, § 1-2.

Sec. 50-87. Purpose and intent.

The purpose of this article is to promote the health, safety and general welfare of the inhabitants of the town. This article is intended to comply with federal and state law and regulations regarding water quality.

(Ord. No. 166, § 1.1, 5-25-93)

Sec. 50-88. National pollutant discharge elimination system permit.

Any person who holds a national pollutant discharge elimination system (NPDES) permit shall provide a copy of such permit to the building code administrator no later than the later of 60 calendar days after the effective date of the ordinance from which this article derives or 60 calendar days after issuance.

(Ord. No. 166, § 2.4, 5-25-93)

Sec. 50-89. General prohibitions.

Any discharge into the stormwater system in violation of any federal, state, county, municipal or other law, rule, regulation or permit is prohibited.

(Ord. No. 166, § 2.1, 5-25-93)

Sec. 50-90. Specific prohibitions on industrial activities.

By adoption of industrial activity stormwater regulations or by issuance of industrial activity stormwater permits, or both, the building code administrator may impose reasonable limitations as to the quality of stormwater, including without limitation the designation of maximum levels of pollutants, discharged into the stormwater system from sites of industrial activity. Any promulgation of such regulations and issuance of permits by the building code administrator shall be in accordance with the applicable law.

(Ord. No. 166, § 2.2, 5-25-93)

Sec. 50-91. Administrative orders to cease unlawful discharge.

The building code administrator may issue an order to any person to immediately cease any discharge determined by the building code administrator to be in violation of any provision of this article or in violation of any regulation or permit issued under this article.

(Ord. No. 166, § 2.3, 5-25-93)

Sec. 50-92. Injunctive relief.

Any violation of any provision of this article, or of any regulation or order issued under this article, shall be subject to injunctive relief if necessary to protect the public health, safety or general welfare.

(Ord. No. 166, § 5.1, 5-25-93)

Sec. 50-93. Continuing violations.

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

(Ord. No. 166, § 5.2, 5-25-93)

Sec. 50-94. Enforcement actions.

The building code administrator may take all actions necessary, including the issuance of notices of violation, the filing of court actions and/or referral of the matter to the local code enforcement board, to require and enforce compliance with the provisions of this article and with any regulation or permit issued under this article.

(Ord. No. 166, § 5.3, 5-25-93)

Secs. 50-95—50-120. Reserved.**DIVISION 2. INSPECTIONS AND MONITORING****Sec. 50-121. Authority for inspections.**

Whenever necessary to make an inspection to enforce any of the provisions of this article, or regulation or permit issued under this article, 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 under this article, any authorized official may enter any property, building or facility at any reasonable time to inspect such property, building or facility or to perform any duty related to enforcement of the provisions of this article or any regulations or permits issued under this article; provided, that if such property, building or facility is occupied, such authorized official shall first present proper credentials and shall request permission to enter. Any request for permission to enter made under this article shall state that 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 a search warrant 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. Routine or areawide 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 of stormwater contamination, nonstormwater discharges, or similar factors.
(Ord. No. 166, § 6.1, 5-25-93)

Sec. 50-122. Sampling devices; authority.

Any authorized official may establish on any property such devices as are necessary to conduct sampling or metering of discharges to the stormwater system. During any inspections made to enforce the provisions of this article, or regulations or permits issued under this article, any authorized official may take any samples deemed necessary.
(Ord. No. 166, § 6.2, 5-25-93)

Sec. 50-123. Requirements for monitoring, reports.

The building code administrator may require any person engaging in any activity or owning any property, building or facility, including but not limited to a site of industrial activity, to undertake such reasonable monitoring of any discharges to the stormwater system and to furnish periodic reports.
(Ord. No. 166, § 6.3, 5-25-93)

Editor's note—Provisions are as required by 40 CFR 122.26(d)(1)(ii)(A), (B), (C), (E) and (F), and the Florida Interlocal Cooperation Act of 1969 (F.S. § 163.01 et seq.).

Secs. 50-124—50-145. Reserved.

DIVISION 3. ILLICIT DISCHARGES

Sec. 50-146. General prohibitions.

Except as set forth under section 50-148 or as authorized in accordance with a valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.
(Ord. No. 166, § 3.1, 5-25-93)

Sec. 50-147. 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. 166, § 3.2, 5-25-93)

Sec. 50-148. Authorized exceptions to discharge prohibitions.

Unless the building code administrator determines that it is not properly managed or otherwise is not acceptable, the discharges which are exempt from the general prohibition set forth under section 50-146 are flows from firefighting; 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 pumped 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. 166, § 3.3, 5-25-93)

Sec. 50-149. Prohibited 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 article. This prohibition is retroactive and applies to connections made in the past, regardless of whether made under a permit or other authorization, or whether permissible under laws or practices applicable or prevailing at the time the connection was made.

(Ord. No. 166, § 3.4, 5-25-93)

Sec. 50-150. Administrative order to cease unlawful discharge or connection.

The building code administrator may issue an order to any person to immediately cease any discharge, or any connection to the stormwater system, determined by the building code administrator to be in violation of any provision of this article, or in violation of any regulation or permit issued under this article.

(Ord. No. 166, § 3.5, 5-25-93)

Secs. 50-151—50-170. Reserved.**DIVISION 4. SPILLS AND PROHIBITED DISCHARGES****Sec. 50-171. General prohibitions.**

Except as set forth under section 50-148 or as authorized in accordance with a valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.

(Ord. No. 166, § 4.1, 5-25-93)

Sec. 50-172. 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. 166, § 4.2, 5-25-93)

Sec. 50-173. Notification of spills.

As soon as any person has knowledge of any discharge to the stormwater system in violation of this article, such person shall immediately notify the building code administrator by telephone, 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 building code administrator within three calendar days.

(Ord. No. 166, § 4.3, 5-25-93)

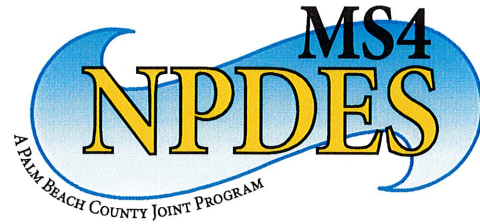
Sec. 50-174. Administrative order.

The building code administrator may issue an order to any person to immediately cease any discharge, or connection to the stormwater system, determined by the building code administrator to be in violation of any provision of this article, or in violation of any regulation or permit used under this article.

(Ord. No. 166, § 4.4, 5-25-93)

Palm Beach County NPDES

Northern Palm Beach County Improvement District
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NPDES STEERING COMMITTEE MEETING SIGN-IN SHEET MARCH 20, 2019

71	86	Jay Wickham	Tequesta	561 252 4335
72	87	Machelle St Clair	PBGA	561-799-4255
73	88	Maurice Morel	City of Boca Raton	561 416 3401
74	89	Jay Foy	HIT, LCS, SPS, ATL, ITID	561-242-0028
75	90	Dawn Sonnenberg	PBGA	561-799-4219 561-799-4219
76	91	Tony Meriano	Juno Beach	561-656-0310
77	92	Angela Ther	Village of Palm Springs (Sun)	434-5122
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