

Section 17: Permanent Stormwater Quality Structure Maintenance

(orig. 7-11-06; am. 4-20-10)

A. Purpose

The purpose of this section is to the extent practicable:

1. Protect and restore the quality of water in the County's drainageways and surface waters. (orig. 7-11-06)
2. Protect life, property, and the environment from loss, injury, and damage by stormwater quality structures that are not maintained or functioning. (orig. 7-11-06)
3. Establish procedures to ensure long-term function and maintenance of stormwater quality structures. (orig. 7-11-06)

B. General Provisions

1. Applicability

this section applies to all stormwater quality structures in Unincorporated Jefferson County approved after January 1, 2007. (orig. 7-11-06)

2. Maintenance Activities

Owners of stormwater quality structures must maintain the structures to function as designed. All maintenance activities must conform to approved plans. (orig. 7-11-06)

3. Denial of Other Permits

No building permit will be issued by the County for any parcel of land or portion thereof which is in violation of this section and which violation is not corrected or approved for correction by the County. (orig. 7-11-06)

4. Liability

this section shall not relieve the owner from responsibility for damage to any person or property or impose any liability upon the County for damage to any person or property. (orig. 7-11-06)

C. Inspection Procedure

1. The County will inspect all stormwater quality structures approved after January 1, 2007 and verify that they are functioning as designed in accordance with the Jefferson County Storm Drainage Design and Technical Criteria. Required function and maintenance will be determined by comparing the field conditions with the approved design and maintenance plan. (orig. 7-11-06)
2. An inspection notification will be sent to the owner indicating that the County will inspect stormwater quality structures on the owner's property. Upon completion of the inspection, the County will send the owner an inspection summary. The owner must complete any maintenance noted in the inspection summary within the stated amount of time, not to exceed 30 days. If the required maintenance is not satisfactorily completed in a timely manner, the County may initiate a zoning violation enforcement procedure. (orig. 7-11-06)

D. Enforcement

Non-compliance with the provisions in this section may result in a zoning violation enforcement procedure. (orig. 7-11-06)

1. Court Action

Nothing in this section shall be construed to prevent the County from instituting an injunctive proceeding to halt such violation of this section. (orig. 7-11-06)

2. Right of Entry

Whenever necessary to enforce the provisions of this section the County can enter the property at all reasonable times to perform any duty imposed by this section. If such entry is refused, the County shall have recourse to every remedy provided by law to secure entry. (orig. 7-11-06)

3. Violations of Other Regulations

Violations of this section may also cause violations of other State and/or Federal regulations and result in additional fines and penalties. (orig. 7-11-06)