

# Jackson County, Georgia



Phase II MS4

NPDES Permit

2012 – 2017 Stormwater Management Program  
(SWMP)

Date of Submittal: 3/5/2015

STATE OF GEORGIA DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION DIVISION

**Storm Water Management Program (SWMP)**  
General NPDES Permit No. GAG610000 for  
Small Municipal Separate Storm Sewer Systems (MS4)

1. **General Information**

- A. Name of small MS4: Jackson County
- B. Name of responsible official: Tom Crow  
Title: Chairman, Board of Commissioners  
Mailing Address: 5000 General Jackson Parkway  
City: Jefferson State: Georgia Zip Code: 30549  
Telephone Number: (706)367-1200  
Email Address: tcrow@jacksoncountygov.com
- C. Designated stormwater management program contact:  
Name: Gina Roy  
Title: Public Development Director  
Mailing Address: 67 Athens Street  
City: Jefferson State: Georgia Zip Code: 30549  
Telephone Number: (706) 367-5908  
Email Address: groy@jacksoncountygov.com

2. **Sharing Responsibility**

- A. Has another entity agreed to implement a control measure on your behalf?  
Yes \_\_\_\_\_ No X (If no, skip to Part 3)
- Control Measure or BMP: All
1. Name of entity: \_\_\_\_\_
2. Control measure or component of control measure to be implemented by entity on your behalf:  
\_\_\_\_\_
- B. Attach an additional page if necessary to list additional shared responsibilities. **It is mandatory that you submit a copy of a written agreement between your MS4 and the other entity demonstrating written acceptance of responsibility.**

**3. Minimum Control Measures and Appendices**

- A. Public Education and Outreach\*
- B. Public Involvement/Participation\*
- C. Illicit Discharge Detection and Elimination
- D. Construction Site Stormwater Runoff Control
- E. Post-Construction Stormwater Management in New Development and Redevelopment
- F. Pollution Prevention/Good Housekeeping
- G. Appendix – Enforcement Response Plan
- H. Appendix – Impaired Waters

\* A minimum of two BMPs per minimum control measure is required.

**4. Certification Statement**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

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# Storm Water Management Program

## Public Education and Outreach on Storm Water Impacts

40 CFR Part 122.34(b)(1) Requirement: The permittee must implement a public education program to distribute educational materials to the community and/or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff.

**See Table 4.2.1(b) of the Permit**

### **A. Best Management Practice (BMP) #1**

1. BMP Title: Dangers of Pollution and Litter School Education Program
2. Target audience: Children/Parents within school system
3. Description of BMP: The Executive Director of Keep Jackson Beautiful presents an informative presentation about the dangers of pollution and litter within the environment at various schools within the local school district. Using props made of recycled material and reading a pollution oriented storybook to school children, the ED emphasizes the importance of stormwater in relation to keeping recreation and drinking water clean, as well as the merits of recycling. Project summary is located in Document A.
4. Measurable goal(s): Number of schools and approximate number of children reached by yearly presentations.
5. Documentation to be submitted with each Annual Report: a summary of presentation materials, list of schools presented to, date presentation made, and approximate number of children reached.
6. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): Already in place
  - c. Frequency of actions (if applicable): Ongoing Annually
  - d. Month/Year of each action (if applicable):N/A
7. Person (position) responsible for overall management and implementation of the BMP: Executive Director, Keep Jackson County Beautiful
8. Rationale for choosing BMP and setting measurable goal(s): Education of children promoted awareness of pollution issues at an early age and monitoring the cleanliness of activities at home via novel presentation methods. Parents will also be made aware of pollution issues through communication with children.

9. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: If the number of schools and children affected continues to remain steady or rises, education efforts will be proven to expand and act as a preventative for further littering by secondary sources.

**B. Best Management Practice #2**

1. BMP Title: Enviroscape Education
2. Target audience: School Students within Jackson County Schools
3. Description of BMP: Keep Jackson Beautiful provides two handcrafted “enviroscape” models to local schools, displaying a visual representation of how rainwater affects the environment and the various substances within the ecosystem. The route of natural soils as well as potential pollutants into the local watershed is demonstrated using an interactive, physical medium, accompanied by written presentation materials. Summary of project is located in Document B.
4. Measurable goal(s): Number and identification of users as maintained by KJB organization.
5. Documentation to be submitted with each Annual Report: detailed description of the model and associated lecture materials, schools affected, date(s) model used, approximate number of children affected.
6. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): Already in place
  - c. Frequency of actions (if applicable): Ongoing
  - d. Month/Year of each action (if applicable): N/A
7. Person (position) responsible for overall management and implementation of the BMP: Executive Director, Keep Jackson County Beautiful
8. Rationale for choosing BMP and setting measurable goal(s): Orienting education programs toward children insures early exposure and retention, and the use of a physical medium serves as another method of conveyance that “breaks the mold” of a regular spoken presentation that may otherwise be dismissed as uninteresting.
9. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Increased exposure of students to visual effects of stormwater and pollution will allow for direct participation in anti-pollution efforts, thus reducing overall contamination levels.

**Note:** At a minimum, the MS4 must include a BMP in the SWMP for each BMP listed in the NPDES Permit table. For those minimum control measures (MCM) without specific BMPs listed in the Permit, the MS4 should implement at least 2 BMPs for each MCM. If additional BMPs are chosen, then you should attach an additional sheet for each BMP at the end of the required BMPs.

## Public Involvement/Participation

40 CFR Part 122.34(b)(2) Requirement: The permittee must, at a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program.

**See Table 4.2.2 (b) of the Permit**

### **A. Best Management Practice (BMP) #1**

1. BMP Title: Recycling Days
2. Target audience/stakeholder group: All Jackson County Residents
3. Description of BMP: Keep Jackson County Beautiful holds a twice annual recycling day, allowing for the community to take all environmentally hazardous materials to a public location to be appropriately disposed of by the county. Substances such as latex paint or motor oil that may otherwise have been improperly dumped down a storm drain are collected and handled appropriately, along with various other potential contaminants that the public may be unaware of how to dispose of. Summary of program is located in Document C.
4. Measurable goal(s): tons of trash and volume of hazardous materials collected.
5. Documentation to be submitted with each Annual Report: date, description and location of recycling days, volume of materials collected and disposed of.
6. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): Already in place
  - c. Frequency of actions (if applicable): Semi-Annually
  - d. Month/Year of each action (if applicable): May/September, Annually
7. Person (position) responsible for overall management and implementation of the BMP: Executive Director, Keep Jackson County Beautiful
8. Rationale for choosing BMP and setting measurable goal(s): Providing an amnesty day for recycling of materials that may otherwise be illegally dumped allows for a worry-free outlet for hazardous materials and an opportunity for community members to learn what materials are to be kept out of stormwater drains.
9. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: by measuring tonnage of materials collected that would have been otherwise dumped improperly if the recycling opportunity did not exist, the effectiveness of the program to reduce pollution will be verified\_\_\_\_\_.

## **B. Best Management Practice #2**

1. BMP Title: Adopt-a-Road Program
2. Target audience/stakeholder group: Local Businesses/Organizations
3. Description of BMP: Keep Jackson County Beautiful sponsors the Adopt-a-Road program to keep the approximately 500 miles of roadway within the county clear of litter and debris. Participant organizations receive volunteer hour credit, and sign a contract requiring quarterly maintenance and semi-annual tonnage reporting. More than 30 local organizations participate regularly. Summary of program is located in Document D.
4. Measurable goal(s): Number and identity of participant organizations, length of roadways adopted, volume of trash removed.
5. Documentation to be submitted with each Annual Report: Reports on identity of organizations and their adopted plots, along with overall amount of trash disposed of.
6. Schedule:     
  - a. Interim milestone dates (if applicable):     N/A
  - b. Implementation date (if applicable):     In Place
  - c. Frequency of actions (if applicable):     Quarterly
  - d. Month/Year of each action (if applicable):     N/A
7. Person (position) responsible for overall management and implementation of the BMP: Executive Director, Keep Jackson County Beautiful
8. Rationale for choosing BMP and setting measurable goal(s): Promoting community service aimed specifically at reducing litter on public roadways allows for advancement of anti-pollution efforts as well as overall population unity toward a specific environmental goal.
9. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: If the program continues to remove trash from the watershed area, debris that would have otherwise entered the MS4 will be disposed of properly, proving the validity of the program in stormwater protection.

**Note:** At a minimum, the MS4 must include a BMP in the SWMP for each BMP listed in the NPDES Permit table. For those MCMs without specific BMPs listed in the Permit, the MS4 should implement at least 2 BMPs for each MCM. If additional BMPs are chosen, then you should attach an additional sheet for each BMP at the end of the required BMPs.

**C. Best Management Practice (BMP) #3**

1. BMP Title: Education- Storm Drain Stenciling Program
2. Description of BMP: The County will affix semi-permanent stencils to storm drains within the MS4 prohibiting illicit dumping into stormwater system.
3. Measurable goal(s): The county will affix 100 stencils per calendar year through the assistance of local community service organizations
4. Documentation to be submitted with each Annual Report: List of drains marked during reporting period.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): N/A
  - c. Frequency of actions (if applicable): A n n u a l
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Director, Keep Jackson County Beautiful
7. Rationale for choosing BMP and setting measurable goal(s): Storm drain stencils are a highly visible and informative method of preventing illicit storm drain discharge both to employees and the general public.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Dumping in storm drain systems occurs with less frequency in areas with stencils added.

### **Illicit Discharge Detection and Elimination**

40 CFR Part 122.34(b)(3) Requirement: The permittee must develop, implement and enforce a program to detect and eliminate illicit discharges into your small MS4. You must:

- A) Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters of the State that receive discharges from those outfalls;
- B) Effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into your storm sewer system and implement appropriate enforcement procedures and actions;
- C) Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to your system; and
- D) Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.

#### **See Table 4.2.3 (b) of the Permit**

**Note:** At a minimum, the MS4 must include a BMP in the SWMP for each BMP listed in the NPDES Permit table. If additional BMPs are chosen, then you should attach an additional sheet for each BMP at the end of the required BMPs.

**A. Best Management Practice (BMP) #1**

1. BMP Title: Legal Authority
2. Description of BMP: Establishes legal authority via ordinance (Document E) for Jackson County to detect, address and prevent non-storm water discharges into MS4 storm water system; further establishes annual review of ordinance to ensure proper maintenance of MS4 pollution prevention.
3. Measurable goal(s): Adopt IDDE ordinance. Evaluate and if necessary, modify ordinance. \_\_
4. Documentation to be submitted with each Annual Report: A copy of referenced ordinance and any subsequent modifications made in interim evaluation period between annual reports. \_\_
5. Schedule: \_\_
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): 2/15/2015
  - c. Frequency of actions (if applicable): Annual
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Necessary for legal enforcement of storm water policies and prevention of illegal discharge to MS4 system.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Authority of Jackson County to detect and address illicit discharge claims remains unimpeded legally.

## B. Best Management Practice (BMP) #2

1. BMP Title: Outfall Map and Inventory
2. Description of BMP: Develop or update a map and inventory showing the location of all outfalls from the MS4 and the names and locations of all waters of the State that receive discharges from those outfalls. (Document F)
3. Measurable goal(s):
  - a. Develop or update a map and inventory showing the location of all outfalls from the MS4 and the names and locations of all waters of the State that receive discharges from those outfalls. (Submit with 2014 Annual Report).
  - b. Provide an updated inventory and map showing any outfalls added during the reporting period and the total number of outfalls in subsequent annual reports.
4. Documentation to be submitted with each Annual Report: Updated "Outfall Inventory Map" showing location of outfalls and total number of outfalls identified to date and an Excel file with a list of structures identified on the inventory map, including, but not limited to, structure id, receiving state waters, and GPS location.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): 2/15/2015
  - c. Frequency of actions (if applicable): Annually
  - d. Month/Year of each action (if applicable): Updated with Annual Reports
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director, County GIS Services
7. Rationale for choosing BMP and setting measurable goal(s): Development of a functional map is necessary to chart non-storm water outflow from MS4 system and detect location of illicit input through source tracing.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Completed map will chart exit points of illicit discharges and determine location of illegal input, aiding in the enforcement of local ordinance. Success will be proven if illegal discharge can be located via map use combined with tracing methods.

**C. Best Management Practice (BMP) #3**

1. BMP Title:   IDDE Plan
  
2. Description of BMP: Utilize Jackson County IDDE Plan (Document G) procedures for the proper detection of illegal discharge to the MS4 system, including methodology for dry weather screening processes, investigation of suspected illicit inputs and proper enforcement/elimination of inappropriate discharge sites.
  
3. Measurable goal(s): \_\_\_\_\_
  - a. Develop IDDE plan including field screening procedures, source tracing procedures, and discharge elimination procedures. \_\_\_\_\_
  - b. Implement IDDE Plan by conducting DWS inspections on outfalls as the mapping occurs (See BMP #2 above). \_\_\_\_\_
  - c. Upon completion of mapping, conduct dry weather screening (DWS) inspections on 100% of outfalls within the 5-year period. If Jackson County conducts stream walks in conjunction with DWS inspection, the 100% of stream miles must be inspected within the 5-year permit term. Number of outfall inspections. \_\_\_\_\_
  - d. Implement investigative procedures when the results of the DWS indicate a potential for an illicit discharge, including the sampling and/or inspection procedures described in the SWMP. \_\_\_\_\_
  - e. Eliminate identified illicit discharges. If necessary, implement enforcement procedures in accordance with the Enforcement Response Plan (ERP). See Appendix B. \_\_\_\_\_
  
4. Documentation to be submitted with each Annual Report: \_\_\_\_\_
  - a. IDDE Plan (submitted with 2015 Annual Report). \_\_\_\_\_
  - b. Copy of outfall inspections, number and percentage of total outfalls inspected during reporting period. \_\_\_\_\_
  - c. If streams walked in conjunction with DWS inspection, total stream miles in jurisdiction, and number and percentage of stream miles walked during reporting period. . \_\_\_\_\_
  - d. Information on any illicit discharge investigative activities performed. \_\_\_\_\_
  - e. Information on eliminated discharges or any enforcement actions taken to eliminate illicit discharges \_\_\_\_\_
  
5. Schedule: \_\_\_\_\_
  - a. Interim milestone dates (if applicable):   N/A
  - b. Implementation date (if applicable):   Upon Approval
  - c. Frequency of actions (if applicable):   Annual
  - d. Month/Year of each action (if applicable):   N/A

6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director\_\_\_\_\_
7. Rationale for choosing BMP and setting measurable goal(s): Necessary processes for regulated detection, investigation and elimination of illegal non-storm water discharges to MS4.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Plan is successful in detecting, investigating and eliminating any illegal MS4 discharges in an appropriate and legally binding manner,

**D. Best Management Practice (BMP) #4 \_\_\_\_\_**

1. BMP Title: Education
2. Description of BMP: Develop and implement education program about the hazards of illicit discharge and target program to public, business, and government employees. See Document G2.
3. Measurable goal(s): \_\_\_\_\_
  - a. Develop program to educate public, business, and government employees about the hazards of illicit discharges and submit to EPD for review and approval.
  - b. Implement education program.
4. Documentation to be submitted with each Annual Report. \_\_\_\_\_
  - a. List and date of activities conducted during reporting period.
5. Schedule: \_\_\_\_\_
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): N/A
  - c. Frequency of actions (if applicable): Annual
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Director, Keep Jackson County Beautiful
7. Rationale for choosing BMP and setting measurable goal(s): Education promotes awareness of the hazards of illicit discharge and its impact on water quality.  
\_\_\_\_\_
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Reduction in illicit discharge into the MS4

**E. Best Management Practice (BMP) #5**

1. BMP Title: Complaint Response
2. Description of BMP: Develop and implement a standardized procedural method (Document H) for receiving, investigating, and tracking the status of IDDE complaints.
3. Measurable goal(s):
  - a. Develop procedures for receiving, investigating, and tracking the status of illicit discharge complaints and submit procedures to EPD for review and approval.
  - b. Implement complaint response procedures upon approval by EPD.
4. Documentation to be submitted with each Annual Report
  - a. Procedures for receiving, investigating, and tracking the status of illicit discharge complaints. Submitted with 2014 Annual Report.
  - b. Report on each illicit discharge complaint received and investigated during the reporting period to include complaint date, type of complaint, and complaint status during the reporting period.
5. .Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): Upon EPD approval (2015 expected)
  - c. Frequency of actions (if applicable): Annual
  - d. Month/Year of each action (if applicable):N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Garnering public aid in detection of illicit discharge into MS4 and promoting departmental response to general community concerns.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Prompt response is given toward citizen concerns and any appropriate actions are taken accordingly; overall increase in citizen satisfaction and reduction in illicit discharges.

## Construction Site Storm Water Runoff Control

40 CFR Part 122.34(b)(4) Requirement: The permittee must develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Storm water discharges from construction activity disturbing less than one acre must be included in the permittee's program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The program must include:

- A) An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance;
- B) Requirements for construction site operators to implement appropriate erosion and sediment control best management practices;
- C) Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
- D) Procedures for site plan review which incorporate consideration of potential water quality impacts;
- E) Procedures for receipt and consideration of information submitted by the public; and
- F) Procedures for site inspection and enforcement of control measures.

**See Table 4.2.4 (b) of the Permit**

**Note:** At a minimum, the MS4 must include a BMP in the SWMP for each BMP listed in the NPDES Permit table. If additional BMPs are chosen, then you should attach an additional sheet for each BMP at the end of the required BMPs.

**A. Best Management Practice (BMP) #1\_**

1. BMP Title: Legal Authority
2. Description of BMP: The Jackson County Erosion and Sedimentation (E&S) Ordinance, §1104 of the UDC, addresses land disturbance activities and associated responsibilities of owners/operators. The ordinance will be amended to require construction site operators to implement E&S controls. The Jackson County Solid Waste Ordinance, Chapter 32, Article II of the Jackson County Code of Ordinances establishes rules and regulations to control refuse. will require construction site operators to control waste at the construction site and implement the county Erosion and Sedimentation Control Ordinance. The ordinance will be amended to requires construction site operators to control waste at the construction site.
3. Measurable goal(s):
  - a. Amend Solid Waste Ordinance by May 2015 to require construction site operators to control waste at the construction site such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste.
  - b. Amend UDC §1104, E&S Ordinance, by December 2014 to require construction site operators to implement E&S Control.
4. Documentation to be submitted with each Annual Report: Copy of amended ordinances.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): 12/15/2014 (E&S); 5/2015 (Solid Waste)
  - c. Frequency of actions (if applicable): annual
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Reinforces ability of Jackson County to properly and legally address concerns in relation to construction runoff and waste control.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Legal authority to address construction stormwater concerns remains uninhibited and degradation of water quality due to construction runoff is prevented.

**B. Best Management Practice (BMP) #2**

1. BMP Title: Site Plan Review Procedures
2. Description of BMP: Establishes a formal procedure (Document K) for all site plan review on parcels greater than one acre to insure all site plans are properly reviewed for water quality and erosion concerns, including compulsory preconstruction meetings.. Discussion of erosion and other storm water related issues will be held during required preconstruction meetings, ensuring developer understanding of county ordinance
3. Measurable goal(s):
  - a. Implement site plan review procedures required under the SWMP.
  - b. List of site plans received and number of site plans reviewed, approved, or denied during the reporting period.
4. Documentation to be submitted with each Annual Report:
  - a. List of all site plans reviewed during reporting period.
  - b. Number of site plans reviews, approved, or denied during reporting period.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): Upon Approval
  - c. Frequency of actions (if applicable): Progressive
  - d. Month/Year of each action (if applicable):N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Ensures universal control for erosion and water quality issues among all construction site plans.
8. How you will determine whether this BMP is effective in reducing pollution to storm water in accordance with Part 5.1.4 of the Permit: Site operators ensure their understanding of erosion ordinances during preconstruction meetings as well as on site plans, confirming the implementation of appropriate controls on county construction projects.

**C. Best Management Practice (BMP) #3**

1. BMP Title: Inspection Program
2. Description of BMP: Implement construction site inspection procedures during active construction and after final site stabilization to ensure that structural and non-structural BMPs at construction sites are properly designed and maintained and that construction site waste is properly controlled. (Document L)
3. Measurable goal(s): Inspections occur on all construction sites before initial work begins, during active construction, and after final stabilization of site.
4. Documentation to be submitted with each Annual Report:
  - a. List of construction sites during reporting period.
  - b. Documentation of inspections before initial work begins, during active construction, and after final stabilization of site.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): On EPD Approval
  - c. Frequency of actions (if applicable): Progressive
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Confirming that all site operators are holding to environmental standards as expressed during site plan review, and formally documenting that these necessities for controlling area water quality and erosion are undertaken properly.
8. How you will determine whether this BMP is effective in reducing pollution to storm water in accordance with Part 5.1.4 of the Permit: Inspection reports confirm that erosion, sedimentation and waste quality control is in place on all sites.

**D. Best Management Practice (BMP) #4**

1. BMP Title: Enforcement Procedures
2. Description of BMP: Implement enforcement procedures for E&S violations documented at construction site during inspections. (Document M).
3. Measurable goal(s):
  - a. Implement enforcement procedures for E&S violation documented at construction sites during report period and in accordance with ERP.
  - b. Provide documentation of enforcement actions.
4. Documentation to be submitted with each Annual Report:
  - a. Enforcement actions taken to include site location, number, type, and status.
5. Schedule
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): 2/15/2015 – ERP Due
  - c. Frequency of actions (if applicable): Progressive
  - d. Month/Year of each action (if applicable):N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Confirming that E&S control is properly corrected for maintained in situations where violations occur; allows for proper adjustment and progression of corrective action under county ordinance.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Violations are corrected immediately and proper erosion/sedimentation control, as well as waste control, is implemented appropriately on all applicable county construction sites.

**E. Best Management Practice (BMP) #5**

1. BMP Title: Complaint Response
2. Description of BMP: Formal method (Document N) for accepting, addressing and correcting public concerns regarding erosion, sediment and waste control at construction sites within county MS4 area.
3. Measurable goal(s):
  - a. Formalize E&S complaint receipt, investigation, response, and tracking procedures and submit to EPD for review and approval with SWMP.
  - b. Implement E&S complaint response procedures upon approval by EPD and provide information on complaints handled.
4. Documentation to be submitted with each Annual Report: Chart of complaint date and type, site identification, inspection and enforcement status.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): Upon Approval
  - c. Frequency of actions (if applicable): As needed based on calls
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Utilize public aid in detecting potential ordinance violations, acting as responsive investigative and adjustment officials in cases of confirmed violation.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Calls result in positive identification of E&S ordinance violation, which is accordingly addressed under inspection and enforcement protocol.

**F. Best Management Practice (BMP) #6**

1. BMP Title: Certification
2. Description of BMP: Verification of Georgia Water and Soil Conservation Commission certification status of all MS4 staff involved in activities subject to the Construction General Permits. Document O contains this list.
3. Measurable goal(s): Certification listings of MS4 staff members, including number of approved staff and certification levels.
4. Documentation to be submitted with each Annual Report: MS4 Staff roster with certification type.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): N/A
  - c. Frequency of actions (if applicable): Annual update
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Verifying that staff responsible for E&S regulation within construction sites are qualified based on state commission standards.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Certification status is maintained and up to date for all staff members, allowing for better control of water quality issues.

## **Post-Construction Storm Water Management in New Development and Redevelopment**

40 CFR Part 122.34(b)(5) Requirement: The permittee must develop, implement, and enforce a program to address storm water runoff into the MS4 from new development and redevelopment projects, including projects less than one acre if they are part of a larger common plan of development or sale. You must:

- A) Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for your community;
- B) Use an ordinance or other regulatory mechanism to address post-construction runoff from new development or redevelopment projects; and
- C) Ensure adequate long-term operation and maintenance of BMPs.

### **See Table 4.2.5 (b) of the Permit**

**Note 1:** Part 4.2.5.1 of the Permit requires the adoption of the Georgia Stormwater Management Manual or an equivalent design manual, and if relevant, the Coastal Stormwater Supplement, within 1 year of designation. Include the status of the design manual adoption in BMP #1, Legal Authority.

**Note 2:** For those permittees with a population exceeding 10,000 at the time of designation, Part 4.2.5.2 of the Permit requires an evaluation of the MS4's building codes, ordinances, and other regulations to ensure they do not prohibit or impede the use of Green Infrastructure/Low Impact Development (GI/LID). The evaluation must be completed within 2 years of designation. Include a BMP at the end of the Post-Construction minimum control measure to address this requirement.

**Note 3:** At a minimum, the MS4 must include a BMP in the SWMP for each BMP listed in the NPDES Permit table. If additional BMPs are chosen, then you should attach an additional sheet for each BMP at the end of the required BMPs.

**A. Best Management Practice (BMP) #1**

1. BMP Title: Legal Authority
2. Description of BMP: Amend §1109 of the Jackson County UDC to include post-construction ordinance that includes adoption by reference of the Georgia Stormwater Management Manual. See Document E §1109..
3. Measurable goal(s): Issuance of a new post-construction ordinance by first annual report, 2/15/2015; evaluation of ordinance on yearly basis
4. Documentation to be submitted with each Annual Report: results of evaluation and copy of modified ordinance with adoption date if changes occur during report period
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): 2/15//2015
  - c. Frequency of actions (if applicable): Annual
  - d. Month/Year of each action (if applicable):N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Ensuring existence of legal capacity for county to enforce regulations related to post-construction storm water runoff control. Overall improvement to water quality and maintenance of pre-land disturbance erosion conditions.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Legal authority to address post-construction stormwater concerns remains uninhibited and degradation of water quality due to post-construction runoff is prevented.

**B. Best Management Practice (BMP) #2**

1. BMP Title: Inventory
2. Description of BMP: Generate and update an inventory of all stormwater management structures (publically and privately owned) designed after MS4 designation date, 3/7/2014, to be updated as new structures are identified or completed. Inventory list is comprehensive in Document Q
3. Measurable goal(s): Annual report of most up to date inventory of structures, including number, type and ownership status.
4. Documentation to be submitted with each Annual Report: Most current version of structure inventory.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): 2/15/2015
  - c. Frequency of actions (if applicable): Annual
  - d. Month/Year of each action (if applicable):N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Department
7. Rationale for choosing BMP and setting measurable goal(s): Verification of county capacity to account for all stormwater management structures with MS4 jurisdiction and designate responsible party for their maintenance.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Proper maintenance of all county MS4 management structures is ensured.

**C. Best Management Practice (BMP) #3**

1. BMP Title: Inspection Program
2. Description of BMP: An inspection program (Document S) corresponding to the list generated in BMP #2 will be utilized to ensure maintenance status as required by EPD regulations
3. Measurable goal(s)
  - a. Develop an inspection program (Document S) to include a schedule for conducting inspections on all post-construction storm water management structures included on the inventory list generated in BMP #2 so that 100% of the structures are inspected within a 5-year period.
  - b. Conduct inspections in accordance with EPD-approved program.
4. Documentation to be submitted with each Annual Report:
  - a. Submit program to EPD for review and approval no later than 3 years following designation with that year's annual report.
  - b. Documentation of inspections conducted during the reporting period and utilizing the Operation and Maintenance Inspection Report for Stormwater Management Ponds Georgia Stormwater Management Manual, v2. .  
\_\_\_\_\_
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): 2/15/2015
  - c. Frequency of actions (if applicable): annual
  - d. Month/Year of each action (if applicable):N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Ensuring the regular maintenance and upkeep of all essential structures for the proper functioning of the MS4 system.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Status of all MS4 management structures in relation to maintenance needs is verified and handled accordingly. \_

**D. Best Management Practice (BMP) #4**

1. BMP Title: Maintenance Program
2. Description of BMP: A program (Document S) will be initialized to verify the upkeep of all structures identified in correspondence with BMP #2. The county is responsible for maintenance of public structures in situations where inspection has verified an issue exists. County ordinance requires private landowners to maintain stormwater management structures on their property. Property owners sign a maintenance agreement (Document Z) establishing responsibility for upkeep of all stormwater structures inclusive on property.
3. Measurable goal(s):
  - a. Develop a long-term operation and maintenance program for post-construction stormwater management structures to address, publicly- and private-owned structures.
  - b. Implement the long-term operation and maintenance program for post-construction storm water management structures with maintenance performed by permittee or structure owner/operator.
4. Documentation to be submitted with each Annual Report:
  - a. Long-term operation and maintenance program submitted to EPD for review no later than 3 years following designation.
  - b. Publically-owned structures:
    - i. List of publicly-owned structure maintained.
    - ii. Type of maintenance performed, including documentation of maintenance activities performed during the reporting period.
  - c. Privately-owned structures with construction completed after the effective date of the permit.
    - i. Where permittee conducts maintenance provide:
      1. Type of maintenance performed
      2. Documentation of maintenance activities performed during the reporting period.
    - ii. Where owner/operator performs maintenance in accordance with a maintenance agreement:
      1. Permittee must retain copies of maintenance agreements finalized after SWMP submittal deadline date.
      2. Provide cumulative summary list of agreements.
      3. Total number of maintenance agreements.
  - d. Privately-owned structures constructed prior to the effective date of the permit, provide:

- i. List of structures maintained.
- ii. Type of maintenance performed.
- iii. Documentation of maintenance activities performed.

5. Schedule:
- a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): 2/15/17
  - c. Frequency of actions (if applicable): annual
  - d. Month/Year of each action (if applicable): N/A

6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director

7. Rationale for choosing BMP and setting measurable goal(s): Establishing a maintained list of all stormwater management structures and ensuring their maintenance will improve overall water quality and prevent essential infrastructure from falling into disrepair.

8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Subsequent inspection reports determine that structure are maintained, allowing for proper flow and control of stormwater system.

**E. Best Management Practice (BMP) #5**

1. BMP Title: GI/LID Structures
2. Description of BMP: Develop and maintain an inventory of all GI/LID structures designed after 3/7/2014 within MS4 jurisdiction shall be maintained.
3. Measurable goal(s):
  - a. Develop inventory of water quality-related GI/LID structures located in MS4 and constructed after date of designation.
  - b. Track addition of new water quality-related GI/LID structures through plan review process and add structures to inventory.
4. Documentation to be submitted with each Annual Report:     
  - a. Inventory of GI/LID structures including total number of each structure (e.g. bioswales, pervious pavement, rain gardens, cisterns, and green roof(s)).
5. Schedule:     
  - a. Interim milestone dates (if applicable): Initial Inventory: 2/15/15
  - b. Implementation date (if applicable): 2/15/2015
  - c. Frequency of actions (if applicable): Progressive after implementation
  - d. Month/Year of each action (if applicable):N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): GI/LID structures promote a more natural method of returning stormwater to system through use of non-impervious structures. Ordinance review and maintenance of inventory will allow for greater control over use and promotion of GI/LID structures in MS4.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: If the ordinance is found to not restrict the use of GI/LID structures within county, promotion of natural flow of stormwater and thus overall water quality improvement will be justified.

### **Pollution Prevention/Good Housekeeping for Municipal Operations**

**40 CFR Part 122.34(b)(6) Requirement:** The permittee must develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. Using training materials available from the USEPA and other organizations as guidance, the permittee must, as a part of this program, include employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance.

#### **See Table 4.2.6 (b) of the Permit**

**Note:** At a minimum, the MS4 must include a BMP in the SWMP for each BMP listed in the NPDES Permit table. If additional BMPs are chosen, then you should attach an additional sheet for each BMP at the end of the required BMPs.

**A. Best Management Practice (BMP) #1**

1. BMP Title: MS4 Control Structure Inventory and Map
2. Description of BMP: Create and maintain MS4 Control Structure map and inventory, including catch basins, ditches, detention/retention ponds and storm drain lines.
3. Measurable goal(s): Regular updates on progress of inventory and map, with completion date set at 2/15/2018. Annual updates will include total number of structures within MS4 jurisdiction.
4. Documentation to be submitted with each Annual Report: most current inventory available.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): 2014 – begin inventory
  - c. Frequency of actions (if applicable): annual updates
  - d. Month/Year of each action (if applicable): Completion 2/15/2018
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Ensure ability of county to account for all control structures within jurisdiction in order to set a proper inspection and maintenance schedule and record.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Inventory allows for proper development of maintenance procedures and overall MS4 status is kept in proper order.

**B. Best Management Practice (BMP) #2**

2. BMP Title: MS4 Inspection Program
3. Description of BMP: Develop and implement an inspection program that includes an inspection schedule for MS4 structures that ensures 100% of structures inspected within a 5-year period. See Document S.
4. Measurable goal(s):
  - a. Develop inspection program that includes an inspection schedule for MS4 structures that ensures 100% of structures inspected within a 5-year period.
  - b. Implement EPD-approved inspection program.
5. Documentation to be submitted with each Annual Report:
  - a. Number and percentage of structures inspected during the reporting period.
6. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): 2015
  - c. Frequency of actions (if applicable): annual updates
  - d. Month/Year of each action (if applicable):N/A
7. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
8. Rationale for choosing BMP and setting measurable goal(s): Verified inspection status of MS4 control structures is essential to proper operation and maintenance of stormwater system.
9. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Regular inspections detect and address maintenance issues, leading to proper general upkeep of MS4 control system.

**C. Best Management Practice (BMP) #3**

1. BMP Title: MS4 Maintenance Program
2. Description of BMP: Develop and implement storm sewer system maintenance program. See Document S.
3. Measurable goal(s): \_\_\_\_\_
  - a. Develop a storm sewer system maintenance program for MS4 control structures specifying prioritization, factors determining the need for maintenance, etc.
  - b. Implement storm sewer system maintenance program for MS4 control structures.
4. Documentation to be submitted with each Annual Report \_\_\_\_\_
  - a. Storm sewer system maintenance program submitted for EPD review and approval with first annual report.
  - b. Number of each type of structure maintained during the reporting period.
  - c. Maintenance checklists for catch basins, ditches, ponds, and storm pipes.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): Upon approval by EPD
  - c. Frequency of actions (if applicable): Annual Updates
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Proper maintenance is essential for regulation and upkeep of MS4 control structures. Tracking maintenance will allow for better prioritization and updating of prevalent maintenance issues.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Subsequent inspections verify proper maintenance of control structures is confirmed.  
\_\_\_\_\_

**D. Best Management Practice (BMP) #4**

1. BMP Title: Street and Parking Lot Cleaning
2. Description of BMP: The county contracts with Jackson County Corrections (Document U) to provide inmate labor for the removal of litter from County roadways. Labor also maintains public parking lots. Construction contracts require private lots to be maintained by property owners. Collected litter is taken to the Jackson County Transfer Station for final disposal in the Banks County Landfill.
3. Measurable goal(s):
  - a. Develop EPD-approved street and parking lot cleaning procedures.
  - b. Implement street and parking lot cleaning procedures. Miles of roadway and number of parking lots maintained.
4. Documentation to be submitted with each Annual Report:
  - a. Contract with Jackson County Corrections to be submitted with year 1 Annual Report.
  - b. Sample lot maintenance agreement with local property owners.
  - c. Litter removal activities, including name and location of street segments cleaned and amount of litter removed.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): 2/15/2015
  - c. Frequency of actions (if applicable): N/A
  - d. Month/Year of each action (if applicable):N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director; Roads Department
7. Rationale for choosing BMP and setting measurable goal(s): Maintaining tally of roads maintained by public labor allows for a quantitative study of work put toward maintaining pollutant-free watershed.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: By maintaining totals of litter removed by public labor, debris that otherwise would have entered public waters can be verified to be properly disposed of.

**E. Best Management Practice (BMP) #5**

1. BMP Title: Employee Training
2. Description of BMP: Jackson County employee training (Document R) will commence for employees whose duties could impact MS4 water quality. Training will consist of EPA approved materials related to waste handling, chemical storage, vehicle maintenance and other inclusive topics as listed by EPA guidelines.
3. Measurable goal(s): Minimum once annual EPD-approved training, number of employees affected will be tracked.
4. Documentation to be submitted with each Annual Report: Sign in sheets of training sessions, including employee names, dates and inclusive topics.
5. Schedule:\_\_\_\_
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): Upon approval
  - c. Frequency of actions (if applicable): Annual
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): A better informed and educated workforce reduces potentially polluting activities and overall improves MS4 water quality.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Employees, through signing in to training, acknowledge their role and responsibility in preserving the overall water quality of the MS4 and reducing the impact of pollution on the system.

**F. Best Management Practice (BMP) #6**

1. BMP Title: Waste Disposal
2. Description of BMP: Develop and implement effective removal of debris and other waste from MS4 control maintenance, including catch basin inspection and provide for proper disposal of waste, Collected waste is taken to the Jackson County Transfer Station for final disposal in the Banks County Landfill. Program inclusive in Document S.
3. Measurable goal(s): All waste collected by County staff is removed from MS4 impact zone and taken to appropriate landfill or recycling center.
4. Documentation to be submitted with each Annual Report: Number of tons of waste removed during maintenance and man hours spent on waste removal.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): N/A
  - c. Frequency of actions (if applicable): Progressive
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Removal of waste prevents its entry into MS4, improving water quality system-wide.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Debris is kept out of MS4 control areas and roadways.

**G. Best Management Practice (BMP) #7**

1. BMP Title: \_\_New Flood Management Projects\_\_
2. Description of BMP: All site plans involving new flood management projects will be reviewed (Document V) in relation to water quality issues during design and retain the performance standards as necessitated by the local design manual.  
\_\_\_\_\_
3. Measurable goal(s): Number of plans involving FM projects will be tracked and reported.
4. Documentation to be submitted with each Annual Report: List of all plans reviewed involving FM projects.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): N/A
  - c. Frequency of actions (if applicable): Progressive
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Compliance with design standards as noted in local manual will prevent water quality issues in case of flood conditions.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: All new projects will be properly reviewed and compliance ensured appropriately.

**H. Best Management Practice (BMP) #8**

1. BMP Title: Existing Flood Management Projects
2. Description of BMP: Existing publicly owned flood management projects will be assessed according to attached procedure (Document W) and their eligibility for retrofitting in regards to water quality impact determined.
3. Measurable goal(s): Annual assessment of any applicable structures within MS4 jurisdiction.
4. Documentation to be submitted with each Annual Report:     
  - a. Procedures for assessing existing flood management projects and potential retrofitting to address water quality impacts. Submit with first annual report.
  - b. Assessment activities conducted during the reporting period.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): N/A
  - c. Frequency of actions (if applicable): annually
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Public Development Director
7. Rationale for choosing BMP and setting measurable goal(s): Verification that design standards are being met, thus reducing impact on MS4 water quality.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Procedures determine whether modifications and retrofitting are necessary to prevent water quality deterioration.

**I. Best Management Practice (BMP) #9**

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1. BMP Title: Municipal Facilities
2. Description of BMP: Inventory (Document X) and inspection of municipal facilities using the approved checklist (Document Y) for any potential pollution issues. Correction of any issues identified during inspections and a review of any municipal standards in order to prevent pollution to the greatest possible extent. Inspection procedures (Document AA).
3. Measurable goal(s): Updated inventory and inspection results; 20% of all facilities inspected annually to complete within 5-year permit term.
4. Documentation to be submitted with each Annual Report: Completed inventory due 2/15/2015. Annual reports will include updated inventory and inspection results for any inspected facilities during reporting term.
5. Schedule:
  - a. Interim milestone dates (if applicable): N/A
  - b. Implementation date (if applicable): 2/15/2015
  - c. Frequency of actions (if applicable): Annual
  - d. Month/Year of each action (if applicable): N/A
6. Person (position) responsible for overall management and implementation of the BMP: Director, Public Development Department
7. Rationale for choosing BMP and setting measurable goal(s): Ensuring pollution standards are met by municipal facilities is an important key to developing a systematic elimination of stormwater contaminations to the greatest possible extent.
8. How you will determine whether this BMP is effective in reducing pollution to stormwater in accordance with Part 5.1.4 of the Permit: Maintenance of a working inventory and inspection program will ensure that county facilities are held accountable and excess pollution is prevented.

## Appendix A

### Service Delivery Agreements

The complete service delivery agreement between Jackson County and its incorporated municipalities, including the Town of Braselton and the City of Hoschton, is a 400+ page document that can be found on file with the Jackson County Public Development Department, attached as a digital PDF to this document, or online at

<http://www.dca.state.ga.us/development/planningqualitygrowth/PAGES/Regional/Verified%20local%20government%20SDS/Jackson%20County%20SDS%202010.pdf>

This document includes agreements to maintain and inspect all Stormwater related structures within municipal limits.

# **Appendix B**

## **Enforcement Response Plan**



Jackson County, Georgia  
Enforcement Response Plan

February 15, 2015

Prepared for Jackson County Public Development  
by  
Resource Management Strategies



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## Section 1. Introduction

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The Enforcement Response Plan (ERP) outlines ordinance enforcement responsibilities, methods and procedures that ultimately protect public and environmental health, safety and welfare as well as improves water quality, and preserves and enhances valuable natural resources.

Our goal is to provide a guide that will clearly and directly identify the proper procedures when conducting enforcement actions encountered by all compliance personnel. The plan will allow personnel to act in unison when addressing typical or unusual enforcement requirements. However, these procedures and processes can be modified in the event a severe condition is encountered that may pose a serious threat to public and environmental health and safety if not expeditiously addressed.

This Plan applies to private businesses, property owners or tenants, construction sites, and contracted mobile companies providing services to public and privately owned businesses and land. This ERP also satisfies Section 4.3 in the General NPDES Storm water Permit No. GAG610000.

## Section 2. Authority and Description

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Authority is given by General NPDES Permit No. GAG610000 for Small Municipal Separate Storm Sewer Systems (MS4), reissued December 6, 2012. To meet permit requirements, Jackson County implemented local ordinances to protect public and environmental health, safety and general welfare.

The following ordinances also provide enforcement authority:

- ! Unified Development Code (UDC)
  - " Illicit Discharge Detection and Illegal Connections, §1108
  - " Post-Development Storm Water Management, §1109
  - " Erosion and Sedimentation Control, §1104
  - " General inspection and enforcement authority for UDC violations, §1504

Additionally, the Jackson County Storm Water Management Program sets forth county enforcement requirements. Criminal penalties for violations are levied by the Magistrate's Court upon conviction and fines shall not exceed \$1,000 or imprisonment for 60 working days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

## Section 3. Illicit Discharge Detection and Illegal Connection

### Objectives

The objectives of this section are to:

- ! Regulate the contribution of pollutants to the Jackson County separate storm sewer system.
- ! Prohibit illicit discharges and illegal connections to the separate storm sewer system.
- ! Prevent non-Storm water discharges, generated as a result of spills, inappropriate dumping or disposal, to the Jackson County separate storm sewer system.
- ! Provide for inspection, surveillance, monitoring and enforcement necessary to ensure compliance.

### Authority, Responsibilities, and Enforcement

The authority to enforce the Illicit Discharge Detection and Illegal Connections (IDDE) section of the Unified Development Code (UDC), is granted under Local Ordinance 14-005 to the Jackson County Public Development Director (PDD) or his/her designee and found in §1108(c) of the UDC. Specifically, the PDD has responsibility to investigate, enter and inspect facilities, conduct monitoring and/or sampling of flow discharge, and enforcement.

### Potential Violations

Violations that merit enforcement are:

#### Illicit Discharge

- ! Throwing, draining, or otherwise discharging, causing, or allowing others under a person's control to throw, drain, or otherwise discharge into the Jackson County separate storm sewer system, any pollutants or waters containing any pollutants, other than Storm water. UDC §1108(d)(1).
- ! Discarding any waste material, including but not limited to common household rubbish or garbage of any kind (whether generated or accumulated at a residence, business or other location), upon any public or private property, whether occupied, open or vacant, including but not limited to any street, sidewalk, alley, right-of-way, open area or point of entry to the county separate storm sewer system except for sanitation route collection as authorized by Jackson County. Every person occupying or having charge and control of property on which a prohibited disposal of waste materials occurs shall cause the proper collection and disposal of same. A prohibited disposal of waste material creates a danger to public health, safety, and welfare, and otherwise threatens the environment, surface waters and groundwater; therefore, any owner or occupant of property who fails to remove waste material within a reasonable time may be charged with creating a nuisance upon the property. UDC §1008(d)(1)
- ! The commencement, conduct, or continuance of any illegal discharge to the county separate storm sewer system is prohibited unless exempt under §1108(d)(1)(d).

### Illicit Connections

- ! The construction, connection, use, maintenance or continued existence of any illegal connection to the Jackson County separate storm sewer system.
- ! Illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- ! Conveyance of sewage or septic effluent into the Jackson County separate storm sewer system or allowing such a connection or conveyance to continue.
- ! Improper connections.
- ! Any drain or conveyance that has not been included in plans, maps, or otherwise documented and that may be connected to the storm sewer system

UDC §1108(d)(2)

### Industrial or Construction Activity Discharges

- ! Failure to comply with an industrial or construction activity NPDES Storm water discharge permit. UDC §1108(e).

### Accidental Discharge or Spill

- ! Failure to provide notification as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity, or operation has information of a release of accidental discharge or spill of any known or suspected release of pollutants or non-storm water discharges from a facility or operation that are resulting or may result in illicit discharges or pollutants discharging into Storm water, the Jackson County separate storm sewer system, state waters, or waters of the U.S.
- ! Failure to provide immediate notification of a release of hazardous materials as defined by 40 C.F.R. 355 and 40 C.F.R. 302, in an amount greater than or equal to the minimum reportable quantity as defined by 40 U.S.C. § 355.20 of the Environmental Planning and Right to Know Act ("EPCRA"), to emergency response agencies and/or other appropriate agencies.

UDC §1108(h)

### Watercourse Protection

- ! Failure of a property owner or lessee through which a watercourse passes to keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation (excluding required stream buffers), excessive sediment, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse.
- ! Failure of a property owner or lessee through which a watercourse passes to maintain existing privately owned structures within or adjacent to a watercourse, such that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

UDC §1108(h)

Detention Pond

- ! Failure of a property owner or lessee upon which a detention pond, swale, gully, inlet, outlet and/or pipe, being part of said property, to maintain that part within the property free of trash, debris, excessive vegetation, excessive sediment and other obstacles that would pollute, contaminate or significantly retard the flow of water through the watercourse.

UDC §1108(i)

Enforcement Mechanisms

The PDD or designee must determine the appropriate response for each violation in accordance with §1108(J) of the UDC.

Jackson County has the right to stop all conduct, practice or action that causes or allows an illicit discharge to its separate storm sewer system (MS4) unless expressly exempt under §1108(d)(1)(d) of the UDC.

In general, violations, enforcement, and penalties are specified in UDC §1108(j). Typically, Jackson County will respond to the discovery of an illegal connection in a graduated manner, beginning with efforts to obtain voluntary compliance and escalating to increasingly severe enforcement actions if compliance is not achieved.

Enforcement Actions:

- ! *Written Notice:* The PDD or designee shall send a Notice of Violation (NOV) via certified mail to the person responsible for the violation actions that are necessary to address the violation including monitoring, eliminating the illegal discharge and/or illegal connection, and/or payment of a fine (see UDC §1108(j)(2) . The NOV shall include a statement that the person receiving said notice has the right to appeal PDD's determination to the Board of Adjustment and ultimately to the Jackson County Magistrate Court in accordance with UDC §1302.
- ! If the violator fails to respond to the NOV and does not appeal the NOV, Jackson County will issue a citation and take any emergency measures necessary to abate the violation and/or restore the property. Jackson County may require reimbursement from the violator for the cost of the abatement, including administrative costs.
- ! Jackson County may also seek an injunction or other equitable relief against the violator restraining the responsible person from activities which would create

further violations or compelling said person to perform abatement or remediation of the violation. Jackson County may further seek any other remedies available under any applicable Federal, State or local law. Jackson County may seek cumulative remedies and may also recover attorney's fees, court costs, and other expenses associated with enforcement of §1108 of the UDC, including sampling and monitoring expenses.

- ! The violator shall give a county official access to properties and facilities at reasonable times and as often as necessary to determine compliance with a county ordinance or if there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with a County ordinance or any Order issued thereunder or to protect the overall public health, safety, environment and welfare of the county. If the responsible party fails to provide access, the County may seek the issuance of a search warrant from any court of competent jurisdiction. UDC §1108

The PDD is responsible for ensuring documentation of each enforcement action in the event escalation of enforcement to the judicial level is required.

## Appropriate Responses

The PDD or designee will consider the enforcement response. When making this determination, the PDD or designee should consider the following:

- ! Magnitude of the problem.
- ! Duration of the problem.
- ! Effect(s) on state waters.
- ! Effect(s) on the MS4.
- ! Compliance history.
- ! Good faith.

## Time Frames

- ! An illegal connection or illicit discharge must be addressed in a timely manner as specified in the NOV. (See UDC §1108(j)(2). However, if the illegal connection or illicit discharge constitutes an immediate danger to public health, safety, or welfare, the PDD or designee is authorized to take any and all measures provided by law to abate the violation and/or restore the property. See UDC §1108(j)(1)
- ! Any drain or conveyance that has not been included in plans, maps, or otherwise documented and that may be connected to the storm sewer system, shall be located by the owner or occupant of that property within not more than 10 days after receipt of written notice from the Public Development Director or designee requiring that such locating be completed. UDC §1108(d)(2)(d)
- ! Appeals of any decision by the PDD must be made within 30 days of the issued NOV. Said appeal must be filed in writing to the PDD. UDC §1303

## Tracking

The PDD or designee will track each violation with the Comcate Code Enforcement Suite to be implemented in 2015. The software offers staff easy access and tracking of case details, property history and nearby cases in the field. Staff can create cases and issue notices while uploading multiple photographs – all from the field via mobile devices. Department managers can track the activity of their officers and greatly simplify their documentation processes for the court. Forms and notices can be triggered from the field and printed in the office for accelerated notices sent to violators.

Information that will be tracked is as follows:

- ! Name of responsible party.
- ! Location or address.
- ! Description of noncompliance.
- ! Description of enforcement action(s) used.
- ! Time frame for corrections and cleanup.
- ! Statement of penalty or penalties.

- ! Time frame for other enforcement actions.
- ! Statement that determination of action may be appealed.
- ! Date of violation resolution.

## Section 4. Post-Development Storm Water Management

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### Objectives

The objectives of this section are to:

- ! Protect, maintain, and enhance the public health, safety, environment, and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development Storm water runoff and non-point source pollution associated with new development and redevelopment. Proper management of post-development storm water runoff will minimize damage to public and private property and infrastructure; safeguard the public health, safety, environment, and general welfare of the public; and protect water and aquatic resources.

### Authority, Responsibilities, and Enforcement

The authority to enforce the Post-Development Storm Water Management section of the UDC is granted to the PDD or designee and found in UDC §1109(a)(3). Specifically, the PDD has responsibility to conduct investigations, compel compliance, enter and inspect facilities, and enforcement.

### Potential Violations

Examples of instances of non-compliance include, but are not limited to:

- ! Storm water structures not built to design specifications.
- ! Construction of structures outside of the approved storm water management plan.
- ! Failure to submit either actual "as-built" plans or actual subdivision final plat for any storm water management facilities or practices after final construction is completed.
- ! Violate maintenance agreement specifications.
- ! Lack of maintenance of post-development structure.
- ! Failure to obtain a permit

UDC §1109(f)(1)

### Enforcement Mechanisms

Enforcement mechanisms are found in UDC §1109(f)(1).

- ! *Notice of Violation:* Where there is a violation of this section, the PDD or designee shall send written NOV via certified or registered mail to the applicant or responsible person. The NOV shall include the following:
  - " The name and address of the applicant or responsible person.
  - " The address or other description of the location of the violation.
  - " The nature of the violation.
  - " A description of remedial measures including the time schedule to cure the violation.
- ! *Stop Work Order:*
  - " Issued immediately if applicant or responsible person has not secured the required storm water permit.
  - " The stop work order shall be in effect immediately upon issuance and shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.
- ! *Withhold Certificate of Occupancy:*
  - " The PDD or designee may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- ! *Suspension, revocation or modification of permit.*
  - " The PDD or designee may suspend, revoke or modify any permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the PDD or designee may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
- ! *Citation*
  - " For intentional and flagrant violations of this section, the PDD may issue a citation to the applicant or other responsible person.
- ! *Civil Penalties:*
  - " Jackson County may also seek an injunction or other equitable relief against the violator restraining the responsible person from activities which would create further violations or compelling said person to perform abatement or remediation of the violation.

Time Frames

- ! An applicant or responsible person that is in violation of the post-development storm water management section must be given a reasonable period to cure the violation, a minimum of 10 days. If said violation is an immediate danger to public health or safety, said violation must be cured within 24 hours. UDC §1109(f)1.
- ! Appeals of any decision by the PDD must be made within 30 days of the issued NOV. Said appeal must be filed in writing to the PDD. UDC §1303

### Tracking

The PDD or designee will track each violation with the Comcate Code Enforcement Suite to be implemented in 2015. The software offers staff easy access and tracking of case details, property history and nearby cases in the field. Staff can create cases and issue notices while uploading multiple photographs – all from the field via mobile devices. Department managers can track the activity of their officers and greatly simplify their documentation processes for the court. Forms and notices can be triggered from the field and printed in the office for accelerated notices sent to violators.

Information that will be tracked is as follows:

- ! Name of responsible party.
- ! Location or address.
- ! Description of noncompliance.
- ! Description of enforcement action(s) used.
- ! Time frame for corrections and cleanup.
- ! Statement of penalty or penalties.
- ! Time frame for other enforcement actions.
- ! Statement that determination of action may be appealed.
- ! Date of violation resolution.

## Section 5. Soil Erosion, Sedimentation, and Pollution Control

### Objectives

The objectives of this section are to:

- ! Assure Erosion and Sedimentation Plan compliance during plan review.
- ! Monitor proper installation and maintenance of permanent and temporary structures and to ensure full compliance with local applicable ordinances.
- ! Provide enforcement of codes that will improved water quality, preserve and enhance valuable natural resources.
- ! Minimize public and private loss due to erosion, siltation, and water pollution.

### Authority, Responsibilities, and Enforcement

The authority to enforce the Soil Erosion, Sedimentation, and Pollution Control Resolution is granted to PDD under UDC §§1104(l) and 1504(c). Responsibilities include plan review and approval, permit approval or denial, land disturbing activity inspection, enforcement of proper installation and maintenance of approved BMPs, and enforcement.

#### Potential Violations

- ! Failure to obtain a development permit for land-disturbing activity unless otherwise exempted under UDC §1104(c).

#### Enforcement Mechanisms

- ! Written Warning Notice.
  - " *First violation.* A written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and state the time within which such measures must be completed. UDC §1504(c)(2).
- ! Stop-work order.
  - " *First violation.* Stop-work order issued if failure to correct the violation within five days of the notice. However, if the violation presents an imminent threat to public health or waters of the state or if the land disturbing activities are conducted without obtaining a development permit, the PDD shall issue an immediate stop-work order.
  - " *Second and subsequent violation.* An immediate stop-work order is issued. Said order shall be in effect until the necessary corrective action or mitigation has occurred. UDC §1504(c)(3)(A).
  - " *Failure to obtain permit or maintain a stream buffer, or significant amounts of sediment have been or are being discharged into state waters and where best management practices have been properly designated, installed, and maintained.* Immediate stop-work order shall be issued and will be effective until the necessary corrective action or mitigation has occurred. Such stop-work orders shall apply to all land-disturbing activity on-site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls. UDC §1504(c)(3)(B).
- ! Forfeiture of bond.
  - " If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of the UDC and deemed to have forfeited any required performance bond if required to post one under the provisions of the UDC. Jackson County may call the performance bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land disturbing activity and bring it into compliance. UDC §1504(c)(2).

#### Time Frames

- ! First violation
  - " Written warning notice requires violator to comply within 5 days. U D C §1504(c)(2).
  - " If violator does not comply within 5 days, then stop-work order is issued. UDC §1504(c)(2).
  - " Immediate stop-work order is issued under the following circumstances pursuant to UDC §1504(c)(3):
    - Failure to obtain a permit.
    - Failure to maintain a stream buffer.
    - Significant amounts of sediment, as determined by PDD or by the director of EPD, or designee, have been or are being discharged into state waters and where best management practices have been properly designated, installed, and maintained.
    - Second and subsequent violation.

## Tracking

The PDD or designee will track each violation with the Comcate Code Enforcement Suite to be implemented in 2015. The software offers staff easy access and tracking of case details, property history and nearby cases in the field. Staff can create cases and issue notices while uploading multiple photographs – all from the field via mobile devices. Department managers can track the activity of their officers and greatly simplify their documentation processes for the court. Forms and notices can be triggered from the field and printed in the office for accelerated notices sent to violators.

Information that will be tracked is as follows:

- ! Name of responsible party.
- ! Location or address.
- ! Description of noncompliance.
- ! Description of enforcement action(s) used.
- ! Time frame for corrections and cleanup.
- ! Statement of penalty or penalties.
- ! Time frame for other enforcement actions.
- ! Statement that determination of action may be appealed.
- ! Date of violation resolution.

# **Appendix (C)**

## **Impaired Waters Plan**

## Impaired Waters Plan

1. Population at the time of designation: More than 10,000

If the population is less than 10,000, then see items #2 and #3 below.

If the population exceeds 10,000, then see items #4 and #5 below.

2. If the population is less than 10,000, then the MS4 must develop an Impaired Waters Plan (see Part 4.4.1 of the NPDES Permit) including:
  - A list of impaired waters and the pollutant(s) of concern;
  - A map showing the location of the impaired waters and all identified MS4 outfalls located on the impaired waters or occurring within one linear mile upstream of the waters;
  - BMPs that will be implemented to address each pollutant of concern; and
  - A schedule for implementing the BMPs.
3. The Impaired Waters Plan must be submitted with the annual report due within 4 years of designation.

Final completion date/date of submittal to EPD: N/A

4. If the population exceeds 10,000, then the MS4 must develop an Impaired Waters Plan/Monitoring and Implementation Plan (see Part 4.4.2 of the NPDES Permit) including:
  - A list of impaired waters and the pollutant(s) of concern.
  - A Monitoring and Implementation Plan, that includes:
    - a. Sample location;
    - b. Sample type, frequency, and seasonal considerations;
    - c. Monitoring implementation schedule;
    - d. A map showing the location of the impaired waters and all identified MS4 outfalls located on the impaired waters or occurring within one linear mile upstream of the waters or a schedule for confirming those outfalls; and
    - e. Description of proposed BMPs.
  - Description of the method used to annually assess data trends for each pollutant of concern.
3. The Impaired Waters Plan/Monitoring and Implementation Plan must be submitted with the annual report due 4 years of designation.

Final completion date/date of submittal to EPD: No later than 2/15/2018

**NOTE:** Upon completion, the Impaired Waters Plan will be included as Appendix C to the SWMP

# Document A

## Litter Education Program

## Litter Education Program: Summary

In April 2014, Keep Jackson County Beautiful's executive director climbed into her Susie Litter costume of recycled clothing decorated with trash that could be found on Jackson County roadsides to begin teaching third and fourth grade students about waste and litter reduction. By the end of May 2014, the character had taught approximately 1800 students in the Jackson County, Jefferson and Commerce city school systems.

Schools include West Jackson and East Jackson Intermediate Schools; Maysville, Benton, Gum Springs, North Jackson and South Jackson and Commerce Elementary Schools and Jefferson Academy.

Susie Litter reads the book *The Wartville Wizard*. The wizard is an older man who has been spending his mornings picking litter up from the roadsides in his community, Wartville, and drags it back to the garbage. One afternoon he gets the power over litter while sitting in a meadow. That power enables him to send the litter back to the person who discarded it in the incorrect place and it sticks to them. At the end of the book almost everyone in Wartville has litter sticking to them, they visit his house with the sheriff who explains why the people are upset. The Wizard explains to them why he is upset and he tells them when they get home the litter will stop sticking to them, but they must place it in their garbage cans.

After the story, Susie and the students discuss the right place to put trash, why it is important to place trash in trash cans instead of on the ground where it can end up in storm drains, in waterways, in traffic or languishing on the roadside. They also discuss items that are most found on the roadway – cigarette butts and how long it will take those to degrade (at least a thousand years), paper, plastic water bottles and grocery bags, etc.

A recycling lesson is also included in the lesson.

# Document B

## Enviroscape Education Program

### Enviroscape Program: Summary

The Enviroscape teaches students how rainwater washes soil, chemicals, paint and other environmental elements into the stormwater or into the creeks or rivers.

During the 2013/2014 school year, Keep Jackson County Beautiful made two Enviroscares (Solid Waste and Watershed) available to teachers in the Jackson County, Commerce and Jefferson school systems. Although the units are available to all levels of schools, interaction is usually in the elementary grades. These schools include Gum Springs Elementary, West Jackson Intermediate schools. The Watershed usually is used in conjunction with a standard on watersheds where students live.

There were 7 teachers in grades 4, 5 and 6 who used the Enviroscares teaching 167 students. One of the teachers also used it in her Environmental Club lessons.

For information on the Enviroscape, [www.enviroscares.com](http://www.enviroscares.com)

**Document C**  
**Recycling Program**

## Jackson County Recycling Program Summary:

Keeping recyclable materials out of the waste stream has been one of Keep Jackson County Beautiful's main goals. Each year we hold two collection days – one in May, one in September. E-waste, paint, auto batteries and oil, household batteries, eyeglasses, clothing, household items, fluorescent light bulbs, books and DVDs are collected as a service to Jackson County citizens. KJCB also holds document shredding at that time. We began collecting auto oil after receiving phone calls from citizens asking how to dispose of the product.

In Spring 2012 KJCB Board Chairman Shawn Watson, owner of Legacy Landscape Management, volunteered to be the go between with the company he used for oil collection and disposal and Keep Jackson County Beautiful. That first spring we collected approximately 50 gallons of oil. In the fall the amount grew to 58 and in Spring 2013 we collected 82 gallons and the fall we dropped to 60 gallons. In May 2014, KJCB topped off the collection tank with 100 gallons of auto oil.

The Jackson County Solid Waste Department and Keep Jackson County Beautiful have done a good job of getting the message across to citizens not to place oil in their trash, but many are not sure how to dispose of it when changing it out at home. By offering the opportunity to recycle that oil, we feel this eliminates the use of many storm water drain issues. We also advise which local auto supply stores will accept their used oil.

In May 2014, collection included 11,424 pounds E-waste; 1,460 gallons of latex and oil paint, 10,000 pounds paper from document shredding; 27 auto batteries, 100 gallons auto oil, 180 pounds household batteries, small truckload clothing and household goods, 21 pairs eyeglasses (donated to Lions Club), 69 florescent light bulbs, 126 videos, 397 books and 27 DVDs.

# Document D

## Adopt a Road Program

Adopt a Road Program Summary:

Keep Jackson County Beautiful heads up the Adopt-A-Road program each year involving 34 organizations, businesses, families and individuals. This program is throughout the county and all roadways that encompass Jackson County's more than 500 miles of highway can be adopted.

Adopters sign a contract stating they will clean their mile one time a quarter. Reports are due after the cleanup is completed. Many of the individuals clean at least one time a week, collecting their trash and placing it with their own trash. They report the amount of trash picked up once or twice throughout the year to KJCB.

During the period between July 1, 2013 and June 30, 2014 most adopters cleaned 4-6 times. There were 242 volunteers with 626 hours. They collected 1048 bags of trash.

## Document E

# Erosion and Sedimentation, Illicit Discharge Detection and Elimination, Storm Water Post-Development Ordinance

## UDC Sections 1104, 1108, and 1109

**JACKSON COUNTY, GEORGIA**

**AN ORDINANCE  
BY THE BOARD OF COMMISSIONERS  
OF JACKSON COUNTY**

An Ordinance of Jackson County, Georgia to amend Article 11, Land Use Development Activities, of The Development Code regarding erosion and sedimentation plan requirements, traffic control devices illegal discharge and connections, and storm water management for post-development storm water management; to provide for severability; and to provide for an effective date.

**WHEREAS**, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of the county may adopt clearly reasonable ordinances, resolutions and regulations; and

**WHEREAS**, O.C.G.A. Section 36-1-20 authorizes counties to enact ordinances for protecting and preserving the public health, safety and welfare of the population of the unincorporated areas of the county; and

**WHEREAS**, in the interests of the health, safety, and general welfare of the citizens of Jackson County, Georgia, the Board of Commissioners of Jackson County desires to amend The Development Code; and

**WHEREAS**, the Board of Commissioners desires to amend the regulation of nuisances under The Development Code; and

**WHEREAS**, the Board of Commissioners desires to provide exemptions to certain restrictions on issuance of building permits as of the date of the adoption of this amendment to The Development Code to constitute compliant lots under The Development Code; and

**WHEREAS**, appropriate notice and hearing on the amendments contained herein have been carried out according to general and local law.

**NOW THEREFORE**, be it ordained and resolved by the Board of Commissioners of Jackson County, Georgia, that Article 11 Sections 1104(h) and 1107(h) respectively, of The Development Code, shall be amended and Article 11 Sections 1108 and 1109 respectively, of The Development Code, shall be added as follows:

## AMENDMENTS

(1) Article 11 Section 1104(h) of the Development Code is amended to read as follows:

### **Plan requirements. [Revised 12-18-14]**

1. Plans must be prepared to meet the minimum requirements as specified in this section, or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The publication *Manual for Erosion and Sediment Control in Georgia* is hereby incorporated by reference into this section. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed waterways, sediment control and storm water management facilities, local ordinances and State laws. Maps, drawings and supportive computations shall bear the signature and seal of the certified design professional. Persons involved in land development design, review, permitting, construction, monitoring, or inspections or any land disturbing activity shall meet the education and training certification requirements, dependent on his or her level of involvement with the process, as developed by the Commission and in consultation with the Division and the Stakeholder Advisory Board created pursuant to O.C.G.A. 12-7-20.
2. Data required for site plans shall include all the information required from the appropriate Erosion, Sedimentation and Pollution Control Plan Review Checklist established by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.
3. All Tertiary Plans must contain all items a required by the Erosion, Sedimentation, and Pollution Control Plan Review Checklist, all buildings, sidewalks, driveways, and any other structural components such as walls, decks, and concrete pads.
4. All Tertiary Plans must show Phase 1, 2, and 3 separately.

(2) Article 11 Section 1107(h) of the Development Code is amended to read as follows:

### **Traffic control devices. [Revised 12-18-14]**

1. A development plan shall be submitted to obtain street signs, traffic control signs, and devices such as striping and signalization.
2. Street signs, traffic control signs, and devices such as striping and signalization, may be installed by the Jackson County Road Department or by an expectable private contractor meeting all local, state, and federal ordinances.
3. A complete review of the required street signs, traffic control signs, and devices such as striping and signalization will be provided after the development plans have been submitted for review to the Public Development Department.
4. Once the list of required street signs, traffic control signs, and devices such as striping and signalization has been determined the

owner/operator can either provide payment to the Jackson County Road Department to install required items or install all devices as required.

5. If devices are to be installed by the Jackson County Road Department, proof of payment must be submitted to Public Development prior to final plat. If devices are installed by a private contractor then all devices will be inspected by the Jackson County Roads Department for acceptance prior to approval of final plat.

(3) Article 11 Section 1108 of the Development Code to be added as follows:

Sec. 1108      **Illegal Discharge and Illegal Connections**

1108 (a) Purpose and Intent

- (1) The purpose of this section is to protect the public health, safety, environment and general welfare through the regulation of non-stormwater discharges to the Jackson County separate storm sewer system to the maximum extent practicable as required by Federal law and to provide flood control. This section establishes methods for control the introduction of pollutants into the Jackson County separate storm sewer system in order to comply with requirement of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this section are to:

- a. Regulate the contribution of pollutants to the Jackson County separate storm sewer system by any person.
- b. Prohibit illicit discharges and illegal connections to the separate storm sewer system.
- c. Prevent non-stormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the Jackson County separate storm sewer system.
- d. To establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this section.

1108 (b) Applicability

- (1) The provisions of this section shall apply throughout the unincorporated limits of Jackson County.

1108 (c) Responsibility for Administration

- (1) The Public Development Director or designee shall administer, implement and enforce the provisions of this section.

1108 (d) Prohibitions

(1) Prohibition of Illicit Discharges

- a. No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the Jackson County separate storm sewer system any pollutants or waters containing any pollutants, other than stormwater.
- b. No person shall discard any waste material, including but not limited to common household rubbish or garbage of any kind (whether generated or accumulated at a residence, business or other location), upon any public or private property, whether occupied, open or vacant, including but not limited to any street, sidewalk, alley, right-of-way, open area or point of entry to the county separate storm sewer system except for sanitation route collection as authorized by Jackson County. Every person occupying or having charge and control of property on which a prohibited disposal of waste materials occurs shall cause the proper collection and disposal

of same. A prohibited disposal of waste material creates a danger to public health, safety, and welfare, and otherwise threatens the environment, surface waters and groundwater; therefore, any owner or occupant of property who fails to remove waste material within a reasonable time may be charged with creating a nuisance upon the property.

- c. The commencement, conduct, or continuance of any illegal discharge to the county separate storm sewer system is prohibited except as described in subsection (d) of this section.
  - d. The following discharges are exempt from the prohibition provision above:
    - 1. Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising groundwater, groundwater infiltration to storm drains, uncontaminated pumped groundwater, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, natural riparian habitat or wetland flows, swimming pools (if sufficiently treated to produce no detection of Total Residual Chlorine when analyzed to a specific detection limit of .05mg per liter), non-commercial washing of vehicles, and any other water source not containing pollutants.
    - 2. Discharges or flows from firefighting and other discharges specified in writing by the Public Development Director or designee as being necessary to protect public health and safety.
    - 3. Any non-stormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the Georgia Department of Natural Resources (DNR) and/or the U.S. Environmental Protection Agency (EPA), provided that the discharge is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval from the authorizing governmental agency has been granted for any discharge to the Jackson County separate storm sewer system.
- (2) Prohibition of Illegal Connections. The construction, connection, use, maintenance or continued existence of any illegal connection to the Jackson County separate storm sewer system is prohibited.
- a. This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
  - b. A person violates this section if the person causes a conveyance of sewage or septic effluent into the Jackson County separate storm sewer system or allows such a connection or conveyance to continue.
  - c. Improper connections in violation of this section must be disconnected and redirected, if necessary, to an approved on-site wastewater management system or, with the written approval of the Jackson County Public Development Director or designee, into the County sanitary sewer system.
  - d. Any drain or conveyance that has not been included in plans, maps, or otherwise documented and that may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice from the Public Development Director or designee requiring that such locating be completed. Such notice shall specify:

1. A reasonable time period of not more than 10 working days, unless a longer period is authorized by the Public Development Director or designee, within which the location of the drain or conveyance is to be completed.
  2. That the drain or conveyance be identified as storm sewer, sanitary sewer, or other.
  3. That the outfall location or point of connection to the storm sewer system, sanitary sewer system, or other discharge point be identified.
- e. The results of the investigations of the property owner or occupant shall be documented and provided to the Public Development Director or designee.
- 1108 (e) Industrial or Construction Activity Discharges. Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Public Development Director or designee prior to allowing discharges to the Jackson County separate storm sewer system.
- 1108 (f) Access and Inspection of Properties and Facilities
- (1) The Public Development Director or designee shall be permitted to enter and inspect properties and facilities at reasonable times as often as may be necessary to determine compliance with the provisions of this section.
  - (2) If a property or facility has security measures in force that require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to the Public Development Director or designee during normal business hours.
  - (3) The owner or operator shall allow the Public Development Director or designee ready access to all parts of the premises for the purposes of inspection, sampling, photography, videotaping, examination, and copying of any records that are required under the conditions of an NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.
  - (4) The Public Development Director or designee shall have the right to set up on any property or facility such devices as are necessary, in the opinion of the Public Development Director or designee, to conduct monitoring and/or sampling of flow discharges.
  - (5) The Public Development Director or designee may require the owner or operator to install monitoring equipment and perform monitoring, as necessary, and make the monitoring data available to the Public Development Director or designee. This sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or operator at his/her own expense. All devices used to measure flow and quality shall be calibrated, to the satisfaction of the Public Development Director or designee, to ensure their accuracy.
  - (6) Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the written or oral request of the Public Development Director or designee and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.
  - (7) Delays of more than 5 working days in allowing the Public Development Director or designee access to a facility shall be a violation of this section.
- 1108 (g) Notification of Accidental Discharges and Spills
- (1) Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a

facility, activity, or operation has information of any known or suspected release of pollutants or non-stormwater discharges from that facility or operation that are resulting or may result in illicit discharges or pollutants discharging into stormwater, the Jackson County separate storm sewer system, state waters, or waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.

- (2) Said person shall notify the Public Development Director or designee in person, by phone, or facsimile of the location, nature, quantity, and time of occurrence of the discharge no later than 24 hours following the discovery of the release. In the event a discharge is caused by or during a catastrophic event, state of emergency, or natural disaster, such notification shall occur within seven (7) days of discovery. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Public Development Director or designee within 3 working days of the phone or in person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence, provided such recurrence is preventable. Such records shall be retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill, unless the discharge or spill was caused solely by the acts of a third party not under the control of the discharging entity.
- (3) In the event of a release of hazardous materials as defined by 40 C.F.R. 355 and 40 C.F.R. 302, in an amount greater than or equal to the minimum reportable quantity as defined by 40 U.S.C. § 355.20 of the Environmental Planning and Right to Know Act ("EPCRA"), emergency response agencies and/or other appropriate agencies shall be immediately notified.
- (4) Failure to provide notification of a release as provided above shall be a violation of this section.

1108 (h) Watercourse Protection

- (1) Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation (excluding required stream buffers), excessive sediment, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, such that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

1108 (i) Detention Pond Protection

- (1) Every person owning property, or such person's lessee, upon which a detention pond, swale, gulley, inlet, outlet and/or pipe, being part of said property, will maintain that part within the property free of trash, debris, excessive vegetation, excessive sediment and other obstacles that would pollute, contaminate or significantly retard the flow of water through the watercourse.

1108 (j) Violations and Penalties

1. Violations. In the event the violation of any provision of this section constitutes an immediate danger to public health, safety, or welfare, the Public Development Director or designee is authorized to, to take any and all measures provided by law to abate the violation and/or restore the property.
2. Notice of violation. If the Public Development Director or designee determines that a violation of this section has occurred, the Public Development Director or designee may order compliance by issuing a written notice of violation to the person responsible for the violation.

- a. The notice of violation shall contain:
  1. The name and address of the alleged violator.
  2. The address or other description of the site upon which the violation is occurring, or has occurred.
  3. A statement specifying the nature of the violation.
  4. A description of the remedial measures necessary to restore compliance with this section and a time schedule for the completion of such remedial action.
  5. A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed.
  6. A statement that the determination of violation may be appealed to the Public Development Director or designee by filing a written notice of appeal within 30 days of service of notice of violation.
- b. Such notice may require without limitation:
  1. The performance of monitoring, analyses, and reporting.
  2. The elimination of illicit discharges and illegal connections.
  3. That violating discharges, practices, or operations shall cease and desist.
  4. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property.
  5. Payment of costs to cover administrative and abatement costs subject to issuance of a court order.
  6. The implementation of pollution prevention practices.
3. Appeal of Notice of Violation. Any person receiving a notice of violation may appeal the determination of the Public Development Director or designee. Appeals of an administrative decision will follow Section 1303 of this development code.
4. Enforcement Measures after Appeal. If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal, within 10 days of the decision of the County Board of Commissioners upholding the decision of the Public Development Director or designee, then representatives of Jackson County are authorized to take any and all measures provided by law to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above. Any person violating any of the provisions of this section shall become liable to Jackson County by reason of such violation.
5. Criminal Penalties. For intentional and flagrant violations of this section, the Public Development Director or designee may issue a citation to the alleged violator requiring such person to appear in Magistrate Court of Jackson County court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000 or imprisonment for 60 working days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.
6. Violations Deemed a Public Nuisance. In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this section is a threat to public health, safety, welfare, and environment and is declared and deemed a nuisance, and may be abated by injunctive or other equitable relief as provided by law.
7. Remedies Not Exclusive. The remedies listed in this section are not exclusive of any other remedies available under any applicable Federal, State or local law.

Jackson County may seek cumulative remedies. Jackson County may also recover attorney's fees, court costs, and other expenses associated with enforcement of this section, including sampling and monitoring expenses.

1108 (k) Compatibility with Other Regulations

- (1) This section is not intended to modify or repeal any other ordinance, rule, regulation, other provision of law. The requirements of this section are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this section imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment.

Article 11 Section 1109 of the Development Code to be added as follows:

**Sec. 1109 Stormwater Management: Post-development Stormwater Management**

**1109 (a) General Provisions**

**(1) Purpose and Intent**

- a. **The purpose and intent of this article is to protect, maintain, and enhance the public health, safety, environment, and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and non-point source pollution associated with new development and redevelopment. Proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure; safeguard the public health, safety, environment, and general welfare of the public; and protect water and aquatic resources. This article seeks to meet that purpose through the following objectives:**
  1. **Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;**
  2. **Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, stream bank erosion, non-point source pollution and increases in stream temperature, and maintain the integrity of stream channels and aquatic habitats**
  3. **Establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;**
  4. **Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum post-development stormwater management standards;**
  5. **Encourage the use of non-structural stormwater management and stormwater better site design practices, such as the**

preservation of open space and other conservation areas, to the maximum extent practicable;

6. Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and non-structural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety or to the integrity of downstream water resources; and
7. Establish administrative procedures for the submission, review, approval, and disapproval of stormwater management plans and for the inspection of approved active projects, and long term follow up.

## **(2) Applicability**

- a. This article shall only be applicable to the area show on Map 11.1, Map 11.2 and Map11.3 as included as part of this Development Code.
- b. This article shall be applicable to all land development; including, but not limited to, site plan applications, subdivision applications, and grading applications, unless otherwise exempted. The provisions of this article shall apply to any new development or redevelopment site that meets one or more of the following criteria:
  1. New development that involves the creation of 5,000 square feet or more of impervious cover, or that involves other land development activities of 1 acre or more;
  2. Redevelopment that includes the creation or addition of 5,000 square feet or more of impervious cover, or that involves other land development activity of 1 acre or more; or
  3. The development activities that are smaller than the minimum applicability criteria set forth in paragraphs (1) and (2) of this subsection, if such activities are part of a larger common plan of development; even though multiple, separate, and distinct land development activities may take place at different times on different schedules.
- c. The following activities are exempt from this article:
  1. Development of individual single-family residential lots that involve the creation of less than 5,000 square feet of impervious cover or that involves other land development activities less than 1 acre and are not part of a subdivision or phased development project;
  2. Additions or modifications to existing single-family residential structures that involve the creation of less than 5,000 square feet of impervious cover or that involves other land development activities less than 1 acre;
  3. Agriculture land management activities within areas zoned for such activities;

4. Land disturbing activities conducted for the purpose of restoration of streams, stream banks, riparian zones, or other environmentally protected areas; and
5. Repairs to any stormwater management facility or practice deemed necessary by the Public Development Director, designee or inspector.

**(3) Responsibility for Administration**

- a. The Public Development Director or designee shall administer, implement and enforce the provisions of this section.

**(4) Compatibility with Other Regulations**

- a. This article is not intended to modify or repeal any other ordinance, rule, regulation or other provision of law. The requirements of this article are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

**(5) Stormwater Design Manual**

- a. The Public Development Director shall utilize the policy, criteria, and information, including technical specifications and standards, set forth in the Georgia Stormwater Management Manual, as now and hereafter amended, and any relevant local requirements for the proper implementation of the requirements of this article. The manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring, and local maintenance experience. This includes any addenda or updates to the local design guidelines as approved by the County Board of Commissioners

**1109 (b) Permit Procedures and Requirements**

**(1) Stormwater Management Permit Required**

- a. No owner or developer shall perform any land development activities without first obtaining a stormwater management permit and meeting the requirements of this article prior to commencing the proposed activity.
- b. Unless specifically exempted by this article, any owner or developer proposing a land development activity shall submit a stormwater management permit application to the Public Development Department prior to initiating any land-disturbance.
- c. Applications for a stormwater management permit shall be on a form provided by the Public Development Department for that purpose and shall be accompanied by the following items in order to be considered:
  1. Stormwater concept plan in accordance with Section 1109(b)(2);

2. Stormwater management plan in accordance with Section 1109(b)(3);
  3. Inspection and maintenance agreement in accordance with Section 1109(b)(4), if applicable;
  4. Maintenance surety in accordance with Section 1109(b)(5), if applicable;
  5. Permit application and plan review fees in accordance with Section 1109(b)(6);
  6. Construction drawings, stormwater hydrology, hydraulics report and site analysis;
- d. Applications for a stormwater management permit that are incomplete or which otherwise do not meet the criteria set forth above, as determined by the Public Development Department, shall not be reviewed by Jackson County.

**(2) Stormwater Concept Plan and Consultation Meeting**

- a. To accomplish this goal, the following information shall be included in the concept plan:
  1. Existing conditions/proposed site plans. Existing conditions and pro-posed site layout sketch plans that illustrate, at a minimum, existing and proposed topography; perennial and intermittent streams; mapping of predominant soils from soil surveys (when available); boundaries of existing predominant vegetation and proposed limits of clearing and grading; and location of existing and proposed roads, buildings, parking areas, and other impervious surfaces.
  2. Natural resources inventory. A written or graphic inventory of the natural resources located on the site and within a ¼-mile radius of the site as they exist prior to the commencement of the project. This description should include a discussion of soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site; as well as the location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers, and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.). Particular attention should be paid to environmentally sensitive features.
  3. Post-development stormwater management system concept plan. A written or graphic concept plan of the proposed post-development stormwater management system, including: preliminary selection and location of proposed structural stormwater controls; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of floodplain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel modifications, such as bridge or culvert crossings.

4. Local watershed plans, green space program, greenway plan, park development plans, and any relevant resource protection plans will be consulted in the discussion of the concept plan.

**(3) Stormwater Management Plan Requirements**

- a. The stormwater management plan shall detail how post-development stormwater runoff will be controlled or managed and how the proposed project will meet the requirements of this article, including the performance criteria set forth in Section 1109(c).
- b. The stormwater management plan shall be in accordance with the criteria established in this Section and must be submitted with the stamp and signature of a professional engineer licensed in the State of Georgia, who is qualified to address stormwater issues and who must verify that the design of all stormwater management facilities and practices comply with the submittal checklist(s) found in the Georgia Stormwater Management Manual.
- c. The stormwater management plan must ensure compliance with the requirements and criteria in this article and demonstrate that opportunities are being taken to eliminate adverse post development stormwater runoff impacts from the development by ensuring a zero net increase. The plan shall consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan shall include all of the information required in the site plan checklist found in the Georgia Stormwater Management Manual. At a minimum, this includes:
  1. Street address and legal description of site.
  2. Vicinity map.
  3. Existing conditions hydrologic analysis. The existing condition hydro-logic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of existing site conditions for the subject parcel with the drainage basin boundaries indicated; acreage, soil types, and land cover of areas for each sub-basin affected by the project; all perennial and intermittent streams and other surface water features; all existing stormwater conveyances and structural control facilities; direction of flow and exits from the site; analysis of runoff provided by off-site areas upstream of the project site; and methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. For new developments, the base date shall be the year in which this article was originally adopted. For redevelopment sites, predevelopment conditions shall be modeled using the following established guidelines for the portion of the site undergoing land development activities:
    - a. For substantial developments (more than 5,000 square feet of impervious area), the predevelopment conditions shall be grass and trees.



control orifices with a diameter of 4" or less; and where applicable, a narrative describing how the stormwater management system corresponds with any watershed protection plans and/or local greenspace program, greenway plans or any other relevant resource protection plans.

7. **Post-development downstream analysis.** A downstream peak flow analysis that includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream. At a minimum, the analysis of downstream conditions in the report shall address:
  - a. A map of each and every point or area along the project site's boundaries at which runoff will exit the property;
  - b. Delineation of all downstream structures and property adjacent or within the flow path of the downstream flow analysis;
  - c. The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project. This area shall extend downstream from the project to a point in the drainage basin where the project area is 10% of the total basin area;
  - d. In calculating runoff volumes and discharge rates, consideration may need to be given to any planned future upstream land use changes;
  - e. The analysis shall be in accordance with the Georgia Stormwater Management Manual.
  - f. Where both channel protection volume and water quality volume requirements have been met, the Public Development Director or designee may modify or waive the requirements for post-development downstream analysis on projects where the Stormwater Management Report demonstrates that post-development conditions provide a 15% reduction of post-development peak flows from pre-development peak flows for the 2-year, 5-year, 10-year, 25-year, 50-year, and 100-year storm events.
8. **Construction-phase erosion and sedimentation control plan.** An erosion and sedimentation control plan which satisfies the requirements of Section 1108 of the UDC. The plan shall also include information on the sequence/phasing of construction and temporary stabilization measures and temporary structures that will be converted into permanent stormwater controls.
9. **Landscaping and open space plan.** A detailed landscaping and vegetation plan describing the existing and proposed trees, landscaping and other vegetation within and adjacent to stormwater management facilities and practices. The landscaping plan must also include: the arrangement of planted areas, natural and green space areas and other landscaped features on the site plan; information necessary to construct the landscaping elements shown on the plan drawings; descriptions and

standards for the methods, materials and vegetation that are to be used in the construction; density of plantings; descriptions of the stabilization and management techniques used to establish vegetation; and a description of who will be responsible for ongoing maintenance of vegetation for the stormwater management facility and what practices will be employed to ensure that adequate vegetative cover is preserved.

10. Operations and maintenance plan. Detailed description of ongoing operations and maintenance procedures for stormwater management facilities and practices to ensure their continued function as designed and constructed or preserved. These plans will identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary. The plan shall include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access, and safety issues. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.
11. Maintenance access easements. The applicant must ensure adequate access from public right-of-way to stormwater management facilities and practices requiring regular maintenance at the site for the purpose of inspection and repair by securing all the maintenance access easements needed on a permanent basis. Such access shall be sufficient for all necessary equipment for maintenance activities. Upon final inspection and approval, a plat or document indicating that such easements exist shall be recorded and shall remain in effect even with the transfer of title of the property. Regular maintenance shall be the responsibility of the property owner's association or the property owner.
12. Inspection and maintenance agreements. Unless an on-site stormwater management facility or practice is dedicated to and accepted by the Public Development Director, as provided in Section 1109 (b)(4), the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice in accordance with this Development Code.
13. Evidence of acquisition of applicable environmental permits. The applicant shall certify and provide documentation to the Public Development Department that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management plan.

#### **(4) Stormwater Management Inspection and Maintenance Agreements**

- a. Prior to the issuance of any permit for a land development activity requiring a stormwater management facility or practice hereunder (examples not limited to stormwater pools, stormwater wetlands, and bio-retention areas) and for which the Public Development Director or

designee requires ongoing maintenance, the applicant or owner of the site must, unless an on-site stormwater management facility or practice is dedicated to and accepted by the Public Development Director or designee, execute an inspection and maintenance agreement, and/or a conservation easement, if applicable, that shall be binding on all subsequent owners of the site.

- b. The inspection and maintenance agreement, if applicable, must be approved by the Public Development Director or designee prior to plan approval, and recorded in the office of the Jackson County Clerk of Superior Court, real estate division upon final plat approval.
- c. The inspection and maintenance agreement shall identify by name or official title the person(s) responsible for carrying out the inspection and maintenance. Responsibility for the operation and maintenance of the stormwater management facility or practice, unless assumed by a governmental agency, shall remain with the property owner and shall pass to any successor owner(s). If portions of the land are sold or otherwise transferred, legally binding arrangements shall be made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements shall designate for each portion of the site, the person to be permanently responsible for its inspection and maintenance.
- d. The inspection and maintenance agreement shall include a schedule for when and how often routine inspection and maintenance will occur to ensure proper function of the stormwater management facility or practice. The agreement shall also include plans for annual inspections to ensure proper performance of the facility between scheduled maintenance and shall also include remedies for the default thereof. Copies of routine inspection summaries will be submitted in accordance with the approved maintenance plan.
- e. In addition to enforcing the terms of the inspection and maintenance agreement, the Public Development Director or designee may also enforce all of the provisions for ongoing inspection and maintenance as set forth in Sec 1109(e).
- f. The Board of Commissioners may, upon recommendation by the Public Development Director or designee, accept, in lieu of an inspection and maintenance agreement, the dedication of any existing or future stormwater management facility for maintenance, provided such facility meets all the requirements of this section and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

**(5) Maintenance Surety**

- a. Prior to issuance of a stormwater management permit under this section, the applicant shall provide a maintenance bond as required per Section 1213(2)(j) of this Development Code.
- b. In the event the applicant or responsible person fails to ensure adequate maintenance pursuant to the approved stormwater management plan, the owner of the facility/property shall take those steps necessary to correct the defective maintenance pursuant to the provisions of Section 1109(e)(1) At the option of the County, after

providing notice as provided in Section 1109(4)(a), the Public Development Director or designee may call the bond required in paragraph (a) of this Section to the extent that the proceeds of such bond are sufficient to reimburse the cost to the County of hiring a contractor to bring the site into full compliance with this Section.

**(6) Application Procedure**

- a. Applications for stormwater management permits shall be filed with the Public Development Department.
- b. Permit applications shall include the items set forth in subsection 1109(b)(1) of this section (two copies of the stormwater management plan and the inspection maintenance agreement, if applicable, shall be included).
- c. The Public Development or designee shall notify the applicant in writing within 30 days of receipt of the complete application whether the application, stormwater management plan, and inspection and maintenance agreement are approved or denied. Any complete application for which no action has been taken after 30 business days or more shall be deemed to be approved.
- d. If the permit application, stormwater management plan, and inspection and maintenance agreement are denied, the written notification from the Public Development Director or designee shall specify the reasons for the denial, and the applicant may then revise any item not meeting the requirements hereof and resubmit the same. Such resubmittal shall be treated as a new application; however, no new application fee shall be required.
- e. Upon a finding by the Public Development Director or designee that the stormwater management permit application, stormwater management plan, and inspection and maintenance agreement, meet the requirements of this section and the performance criteria set forth in Section 1109(c), the Public Development Director shall issue a stormwater management permit for the land development project, provided all other legal requirements for the issuance of such permit have been met.
- f. Notwithstanding the issuance of the stormwater management permit, in conducting the land development project, the applicant or other responsible person shall be subject to the following requirements:
  1. The applicant shall comply with all applicable requirements of the approved plan and this section and shall certify that all land clearing, construction, land development, and drainage will be completed according to the approved plan;
  2. The land development project shall be conducted only within the area specified in the approved plan;
  3. No changes may be made to an approved plan without review and written approval by the Public Development Director or designee; and
  4. Upon completion of the land development project, the applicant or other responsible person shall submit the engineer's report and

certificate and as-built plans pursuant to Section 1109(d)(2) of this section.

- g. A violation of any provision of this section will be grounds for terminating a permit granted by the city. Should it be determined that a permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a permit has been erroneously issued in violation of this section, the Public Development Director or designee shall revoke the permit.**

**(7) Permit Application Fees**

- a. The permit fee for review of any stormwater management application shall be based on the fee structure established by the County Board of Commissioners. The total fee due shall be submitted with the application and review of the application shall not begin until the permit application fee is paid in full.**

**(8) Stormwater Management Plan Modifications for Off-site Facilities**

- a. The stormwater management plan for each land development project should provide for stormwater management measures located on the site of the project. Where the physical characteristics of the site so dictate, as determined by the Public Development Director or designee, the applicant may be allowed to modify the stormwater management plan to utilize an off-site or regional stormwater management facility.**
- b. A modified stormwater management plan must be submitted to the Public Development Department that shows the adequacy of the off-site or regional facility.**
- c. To be eligible for a modification, the applicant must demonstrate to the satisfaction of the Public Development Director or Designee that the use of an off-site or regional facility will not result in the following impacts to upstream or downstream areas:**
  - 1. Increased threat of flood damage to public health, life, and property;**
  - 2. Deterioration of existing culverts, bridges, dams, and other structures;**
  - 3. Accelerated stream bank or streambed erosion or siltation;**
  - 4. Degradation of in-stream biological functions or habitat; or**
  - 5. Water quality impairment in violation of state water quality standards, and/or violation of any state or federal regulations.**
- d. The off-site or regional facility must be:**
  - 1. Located on property legally dedicated for the purpose;**
  - 2. Designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices; and**

3. There must be a legally-obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility.
- e. In addition, on-site measures shall be implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility.

#### **1109 (c) Post Development Stormwater Management Performance Criteria**

##### **(1) Water Quality**

- a. All stormwater runoff generated from a site shall be adequately treated before discharge. It will be presumed that a stormwater management system complies with this requirement if:
  1. It is sized to treat the prescribed water quality treatment volume from the site, as defined in the Georgia Stormwater Management Manual;
  2. Appropriate structural stormwater controls or non-structural practices are selected, designed, constructed or preserved, and maintained according to the specific criteria in the Georgia Stormwater Management Manual; and
  3. Runoff from hotspot land uses and activities identified by the Public Development Director or designee are adequately treated and addressed through the use of appropriate structural stormwater controls, nonstructural practices, and pollution prevention practices.

##### **(2) Stream Channel Protection**

- a. Protection of stream channels from bank and bed erosion and degradation shall be provided by using all of the following 3 approaches:
  1. Preservation, restoration and/or reforestation (with native vegetation) of the applicable stream buffer;
  2. 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event; and
  3. Post development erosion prevention measures such as energy dissipation and velocity control taking into consideration their location and size of outlet control structures.
- b. The Public Development Director or designee may modify or waive the detention requirements for sites that discharge directly into larger streams, rivers, wetlands, or lakes, or to a manmade channel or conveyance system where the reduction in these flows will not have an impact on upstream or downstream stream bank or channel integrity.

##### **(3) Overbank Flooding Protection**

- a. Downstream overbank flood and property protection shall be provided by controlling (attenuating) the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour

return frequency storm event. If control of the 1-year, 24-hour storm under subsection 1109(2)(B) is waived or modified, then peak discharge rate attenuation of the 2-year through the 25-year return frequency storm event must be provided.

- b. The Public Development Director or designee may modify or waive the provisions of Section 1109 (3)(A) for sites where the post development downstream analysis shows that uncontrolled post-development conditions will not increase downstream peak flows, or that meeting the requirement will cause greater peak flow downstream impacts than the uncontrolled post-development conditions.

**(4) Extreme Flooding Protection**

- a. Extreme flood and public safety protection shall be provided by controlling and/or safely conveying the 100-year, 24-hour storm event such that flooding is not exacerbated.
- b. The Public Development Director or designee may modify or waive the provisions of Section 1109(4)(A) for sites where the post development downstream analysis shows that uncontrolled post-development conditions will not increase downstream peak flows, or that meeting the requirement will cause greater peak flow downstream impacts than the uncontrolled post-development conditions.

**(5) Structural Stormwater Controls**

- a. All structural stormwater management facilities shall be selected and de-signed using the appropriate criteria from the Georgia Stormwater Management Manual. All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the Georgia Stormwater Management Manual, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from the Public Development Director or designee before being included in the design of a stormwater management system.
- b. In addition, if hydrologic or topographic conditions or land use activities warrant greater control than that provided by the minimum control requirements, the Public Development Director or designee may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to in-creased volume, frequency, and rate of stormwater runoff or increased nonpoint source pollutions loads created on the site in question.
- c. Applicants shall consult the Georgia Stormwater Management Manual for guidance on the factors that determine site design feasibility when selecting and locating a structural stormwater control.

**(6) Stormwater Credits for Non-Structural Measures**

- a. The use of 1 or more better site design measures by the applicant may allow for a reduction in the water quality treatment volume required under Section 1109(c)(1). The applicant may, if approved by the Public Development Director or designee, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements which identify the conditions or circumstances under which the credit may be applied. The site design practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the Georgia Stormwater Management Manual.

**(7) Drainage System Guidelines**

- a. Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutter, swales, channels, ditches, and energy dissipaters, shall be provided when necessary for the protection of public right-of-way, public properties, and private properties adjoining project sites and/or public rights-of-way. Stormwater conveyance facilities that are designed to carry runoff from more than 1 parcel, existing or proposed, shall meet the following requirements:
  - 1. Methods to calculate stormwater flows shall be in accordance with the Georgia Stormwater Management Manual;
  - 2. All culverts, pipe systems, and open channel flow systems shall be sized in accordance with the stormwater management plan using the methods included in the Georgia Stormwater Management Manual; and
  - 3. Design and construction of stormwater conveyance facilities shall be in accordance with the criteria and specifications found in the Georgia Stormwater Management Manual.

**(8) Dam Design Guidelines**

- a. Any land development activity that involves a site which proposes a dam, as such term is defined by O.C.G.A. § 12-5-372(4), shall comply with the Georgia Safe Dams Act and Rules for Dam Safety, as applicable.

**1109 (d) Construction Inspections of Post Development Stormwater Management System**

**(1) Inspections to Ensure Plan Compliance During Construction**

- a. Periodic inspections of the stormwater management system construction shall be conducted by the Public Development Director, their designee, or conducted and certified by either a professional engineer, a registered landscape architect (RLA), or a registered surveyor (RLS), who is licensed in the State of Georgia and has been approved by the Public Development Director. Construction shall be inspected to establish compliance with the approved stormwater management plan.

- b. All inspections shall be documented with written reports that contain the following information:
  - 1. The date and location of the inspection;
  - 2. Whether construction is in compliance with the approved stormwater management plan;
  - 3. Variations from the approved construction specifications; and
  - 4. Any other variations or violations of the conditions of the approved stormwater management plan.
- c. If any violations are found, the applicant shall be notified in writing of the nature of the violation and the required corrective actions in accordance with the provisions of Section 1109(f)(1).

**(2) Final Inspection and As Built Plans**

- a. Upon completion of a project, and before a certificate of occupancy shall be granted or a final plat recorded, the applicant shall be responsible for certifying that the completed project is in accordance with the approved stormwater management plan. All applicants are required to submit actual "as-built" plans for any stormwater management facilities or practices after final construction is completed. Refer to the Standards and Specifications for as-built criteria. The plan must show the final design specifications for all stormwater management facilities and practices and must be certified by either a professional engineer, a registered landscape architect (RLA), or a registered surveyor (RLS), who is licensed in the State of Georgia. A final inspection by the Public Development Director or designee is required before the release of any performance securities can occur. The Public Development Director or designee may verify the accuracy of the submitted as-built plans prior to the issuance of a final recorded plat or certificate of occupancy.

**1109 (e) Ongoing Inspection and Maintenance of Stormwater Facilities and Practices**

**(1) Long Term Maintenance Inspection of Stormwater Facilities and Practices**

- a. Stormwater management facilities and practices included in a stormwater management plan that are subject to an inspection and maintenance agreement must undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the plan, and this section.
- b. Where no maintenance agreement has been recorded, it shall be the responsibility of the property owner(s) to maintain the operational characteristics of any facility (detention/retention pond, swale, gulley, inlet, outlet and/or pipe) constructed on their property for storm water management pursuant to County requirements, to keep access points to the facility free of obstructions, and to keep the facility free of trash, debris, excessive vegetation, excessive sediment and other obstacles that would pollute, contaminate or significantly retard the flow of water through the stormwater management facility.

- c. A stormwater management facility or practice shall be inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health, the Public Development Director or designee shall notify the person responsible for carrying out the maintenance plan by registered or certified mail to the person specified in the inspection and maintenance agreement. The notice shall specify the measures needed to comply with the agreement and the plan and shall specify the time within which such measures shall be completed. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, and there is an immediate danger to public health or public safety, the Public Development Director or designee may correct the violation as provided in Section 1109(a)(5) and 1109(e)(4) of this section.

**(2) Right of Entry for Inspection**

- a. The terms of the inspection and maintenance agreement shall expressly allow the Public Development Director or designee to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when the city has a reasonable basis to believe that a violation of this section is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation of this section.

**(3) Records of Maintenance Activities**

- a. Parties responsible for the operation and maintenance of a stormwater management facility shall, upon his request, provide records of all maintenance and repairs to the Public Development Director or designee.

**(4) Failure to Maintain**

- a. If a responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the Public Development Director or designee, after 30 days written notice (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient), may refer the violation for legal action in accordance with Section 1109(f)(1) and 1109(f)(2)

**1109 (f) Violations and Penalties**

**(1) Notice of Violation**

- a. If the Public Development Director or designee determines that an applicant or other responsible person has failed to comply with the provisions of this section or is engaged in activity covered by this section without having first secured a stormwater management permit, the Public Development Director or designee shall notify the owner or the responsible person in charge of the activity being conducted on the site by registered or certified mail to the person specified.

- b. The applicant or other responsible person shall be provided a reasonable opportunity, of not less than 10 days, to cure such violation; except, that in the event the violation constitutes an immediate danger to public health or public safety, 24-hours' notice shall be sufficient;
- c. Where a person is engaged in activity covered by this section without having first secured a stormwater management permit, the Public Development Director shall issue an immediate stop work order in lieu of a written notice.
- d. The notice of violation shall contain:
  - 1. The name and address of the owner or the applicant or the responsible person.
  - 2. The address or other description of the site upon which the violation is occurring.
  - 3. A statement specifying the nature of the violation.
  - 4. A description of the remedial measures necessary to bring the action or inaction into compliance with the stormwater management permit, the stormwater management plan, or this section, and a time schedule for the completion of such remedial action.
- e. In the event the violation constitutes an immediate danger to public health or public safety, the Public Development Director or designee is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or to restore the property. The Public Development Director or designee is authorized to seek costs of the abatement as a delinquency.

## **(2) Penalties**

- a. In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, or the time for filing an appeal has expired, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed.
  - 1. Stop work order. The Public Development Director or designee may issue a stop work order that shall be served on the applicant or other responsible person. The stop work order shall be in effect immediately upon issuance and shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.
  - 2. Withhold certificate of occupancy. The Public Development Director or designee may refuse to issue a certificate of occupancy for the building or other improvements constructed or

being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

3. **Suspension, revocation or modification of permit.** The Public Development Director or designee may suspend, revoke or modify any permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the Public Development Director or designee may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
4. **Civil Penalties.** In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the Public Development Director shall deem appropriate, except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient, the Public Development Director may refer the matter to magistrate court as provided in Section 1109(f)(2)(E). Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.
5. **Criminal Penalties.** For intentional and flagrant violations of this section, the Public Development Director may issue a citation to the applicant or other responsible person. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

(4) All remaining portions of The Development Code shall continue in full force and effect, and shall remain unaffected by this amendment.

### **SEVERABILITY**

It is the express intent of the Jackson County Board of Commissioners that this Ordinance be consistent with both federal and State law. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

### **CONFLICTING ORDINANCES REPEALED**

Any and all Ordinances or parts of Ordinances in conflict herewith shall be, and the same are, hereby repealed to the extent of such conflict.

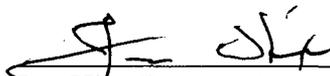
**EFFECTIVE DATE**

This Ordinance shall become effective immediately upon passage.

**PASSED AND ADOPTED** this 15<sup>th</sup> day of December, 2014, the public health, safety, and welfare demanding it.

**JACKSON COUNTY BOARD OF COMMISSIONERS:**

  
\_\_\_\_\_  
Tom Crow, Chairman

  
\_\_\_\_\_  
Jim Hix, Commissioner, District 1

  
\_\_\_\_\_  
Chas Hardy, Commissioner, District 2

  
\_\_\_\_\_  
Bruce Yates, Commissioner, District 3

  
\_\_\_\_\_  
Dwain Smith, Commissioner, District 4

Attest:

  
\_\_\_\_\_  
Clerk to the Board

## **Document F**

### **MS4 Outfall Map and Inventory**

This section of the SWMP is currently under development and will be updated with the first annual report, 2/15/2015

# **Document G**

## **Illicit Discharge Detection and Elimination Plan**

### Program Objectives

- Locate and eliminate illicit discharges to the municipal separate storm sewer system (MS4) in the urbanized area of Jackson County.
- Reduce or eliminate pollutant discharges from the County's MS4 that can affect health, safety, environment, water quality, and aquatic resources.
- Meet the Illicit Discharge Detection and Elimination requirements of the County's Phase II NPDES Permit.

### Schedule and Outfall Selection Criteria

Outfalls to be inspected will be based on Jackson County's storm sewer system map showing outfalls to Waters of the State. The current map will be updated in 2014, with the new map submitted to EPD as part of the 2014 Annual Report due on February 15, 2015. Routine dry weather inspections will include a minimum of 20% of the total number of outfalls so that the entire system is inspected within the 5-year period. Outfalls to be inspected each year on a rotational basis. Outfalls observed with dry weather flows and/or suspected illicit discharge will be investigated immediately to determine the source of, and eliminate, those discharges.

Outfall inspections will be prioritized based on the following criteria:

- Age of development (older developments will receive priority)
- Possible problem noted during outfall inventory data collection
- Citizen complaints or other indication of illicit discharge
- Outfall had previous illicit discharge
- Proximity to industrial or commercial facilities

### Inspection Procedures

Outfall inspections will take place during dry weather conditions. Dry weather is defined as at least 72 hours with less than 0.1 inches of rain. Rainfall amounts in Jackson County will be checked using the Georgia Automated Environmental Monitoring Network ([www.georgiaweather.net](http://www.georgiaweather.net)).

If no flow is observed during the outfall inspection, the result will be recorded as "no flow observed." If dry weather flow is observed, the inspector will use physical indicators and chemical monitoring to determine if the flow is an illicit discharge.

1. Inspection team will record the following observations/measurements about the discharge:
  - Color
  - Odor
  - Floatables (includes sewage, oil sheen & suds)
  - Turbidity
  - Temperature
2. Inspection team will sample the discharge for the following parameters that were chosen to address the potential contaminants most likely to be found in

the local area, including wastewater, washwater, landscape irrigation, and construction site runoff.

Parameter	Equipment	Comments
Conductivity	Hanna Probe	>300 µmho/cm indicates high dissolved solids content, perhaps from sanitary wastewater.
Surfactants	Chemetrics Test Kit	> 0.25 mg/L may indicate residential or commercial wastewater. Suggested range is <0.2 mg/L.
Fluoride	Hanna Ion Specific Meter	>0.25 mg/L indicates presence of potable water. Suggested range is <0.2 mg/L.
pH	Hanna Probe	Normal stormwater pH is 6-8. Industrial stormwater pH can range from 3-12 and residential/commercial, 8-9. Acceptable range is 6-9.
<i>Fecal Coliform</i> * *If presence of bacteria suspected	A sample will be collected & analyzed by certified personnel.	Indicates sanitary sewage

- If flow is observed, but no illicit discharge is suspected based on the indicator monitoring, the result will be recorded as “no illicit discharge.”

#### Quality Assurance / Quality Control

- All physical indicators must be confirmed by at least two members of the inspection team.
- Manufacturer’s instructions will be followed for probes, test kits, and meters. Instruments will be properly calibrated each day before inspections begin.
- Laboratory analysis will be used for fecal coliform. Proper sample collection procedures will be followed, including chain-of-custody.
- The inspection team will consist of two or more people that have been trained on the proper inspection procedures, including: proper use of equipment, proper sampling techniques, safety protocol, and inspection documentation.

#### Source Identification

Any time dry weather flow is observed at an outfall, the inspection team will attempt to locate the source of the flow. Initially the inspectors will review the drainage area map(s) and make a preliminary assessment of possible source locations. The inspectors will check manholes in the vicinity of these locations to attempt to locate the

source. If the source is not located, the inspectors will start at the outfall and move upstream opening the storm sewer manholes.

If the source cannot be located (e.g. it disappears between manholes; the pipe, network, or channel terminates, etc.), the inspection team will inspect the contributing area draining to the outfall that contains the dry weather flow and record land use, type of operation, and/or any relevant information. Gutters, catch-basins, and streets will be inspected to look for evidence of flows such as runoff from construction sites, car washing, irrigation, etc. Parking lots, garages, and behind buildings and will also be inspected for evidence of dumping such as wet or stained pavement.

If the source still cannot be located with the above methods, buildings in the drainage area will be identified and building inspections performed. During a building inspection, inspectors will evaluate discharges leaving the facility and/or complete a dye test to look for a connection to the outfall.

If a sanitary sewer connection is suspected, recent construction activities in the drainage area will be identified. Inspection teams can look for areas in the road that have been dug up and re-paved. The Jackson County Stormwater Coordinator will also contact the County Utility Department to determine if any recent work may have been performed in the area.

#### Enforcement and Follow Up

Once the source of the illicit discharge or illegal connection is located, the Stormwater Coordinator will notify the County's Code Enforcement Department for follow-up. Elimination and enforcement procedures in the County's *Storm Drainage and Stormwater Management* ordinance will be followed.

#### Program Evaluation

Any Illicit connections identified and corrected is an indication of program effectiveness. Outfalls investigated and illicit discharges found will be recorded on GIS. All data collected for this program will be summarized for NPDES

Phase II annual reporting purposes including:

- Number of outfalls identified with potential illicit connections
- Number of illicit discharges identified
- Number of violations issued
- Number of illicit discharges corrected

Dry Weather Outfall Screening Form	
Name of City or County:	Data Sheet Number:
Date of screening (MM/DD/YY):	Time of screening:
Weather conditions:	
Sampling performed by:	

Outfall Description	
Outfall Location:	Outfall I.D. Number:
Outfall Type/Material: <input type="checkbox"/> Closed Pipe (circle): RCP CMP PVC HDPE Other: _____ <input type="checkbox"/> Open Channel (circle): Concrete Earthen Grassy Other: _____	Outfall Diameter/Dimensions:
Receiving stream and watershed name:	
Land use/industries in drainage area:	
GPS Coordinates:	Photo numbers:

Field Observations and Measurements	
Flow from outfall? <input type="checkbox"/> Yes <input type="checkbox"/> No	Flow Description: <input type="checkbox"/> Trickle <input type="checkbox"/> Moderate <input type="checkbox"/> Substantial
Odor: <input type="checkbox"/> None <input type="checkbox"/> Sewage <input type="checkbox"/> Sulfide (rotten eggs) <input type="checkbox"/> Petroleum/gas <input type="checkbox"/> Rancid/sour <input type="checkbox"/> Other _____	Relative severity: <input type="checkbox"/> 0-None <input type="checkbox"/> 1-Faint <input type="checkbox"/> 2-Easily Detected <input type="checkbox"/> 3-Noticable from a distance
Color: <input type="checkbox"/> Clear <input type="checkbox"/> White <input type="checkbox"/> Gray <input type="checkbox"/> Orange/Rust <input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Green <input type="checkbox"/> Brown/Black <input type="checkbox"/> Other _____	Relative severity: <input type="checkbox"/> 0-None <input type="checkbox"/> 1-Faint <input type="checkbox"/> 2-Clearly visible in bottle <input type="checkbox"/> 3-Clearly visible in flow
Turbidity: <input type="checkbox"/> None <input type="checkbox"/> Cloudy <input type="checkbox"/> Opaque <input type="checkbox"/> Silty <input type="checkbox"/> Muddy <input type="checkbox"/> Other _____	Relative severity: <input type="checkbox"/> 0-None <input type="checkbox"/> 1-Slight cloudiness <input type="checkbox"/> 2-Cloudy <input type="checkbox"/> 3-Opaque
Floatables: <input type="checkbox"/> None <input type="checkbox"/> Sewage <input type="checkbox"/> Petroleum (oil sheen) <input type="checkbox"/> Suds <input type="checkbox"/> Other _____	Relative severity: <input type="checkbox"/> 0-None <input type="checkbox"/> 1-Few/slight <input type="checkbox"/> 2-Some <input type="checkbox"/> 3-Heavy
Flow Temperature (°C):	
Flow pH:	pH meter calibrated? <input type="checkbox"/> Yes <input type="checkbox"/> No
Flow Conductivity (µmho/cm):	Conductivity meter calibrated? <input type="checkbox"/> Yes <input type="checkbox"/> No

Water Quality Sampling	
Field Test Kit Manufacturer:	Model:
Fluoride (mg/L):	Fecal Coliform (MPN/100ml):
Surfactants (mg/L):	Analysis Comments:
Grab sample for lab? (fluoride/surfactants) <input type="checkbox"/> Yes <input type="checkbox"/> No	Bacteria Grab sample for lab? (fecal coliform) <input type="checkbox"/> Yes <input type="checkbox"/> No
Grab Sample ID:	Bacteria Grab Sample ID:

Outfall Potential for Illicit Discharge: <input type="checkbox"/> Unlikely - or- No Flow <input type="checkbox"/> Possible (presence of two or more indicators) <input type="checkbox"/> Suspect (one or more indicators with severity of 2 or 3) <input type="checkbox"/> Obvious - or- Confirmed
--

NOTE: Water quality sampling (using a field test kit and/or grab samples) is required for a dry weather flow that meets any of the following criteria: Visible sewage or sewage odor; physical indicator of potential illicit discharge (color, odor, turbidity or floatables); pH lower than 6.5 or higher than 7.5; or specific conductivity greater than 300 µmho/cm.

## Document G2

# Illicit Discharge Education Program

## IDDE BMP #4: Education

Develop and implement program to educate the public, businesses, and government employees about the hazards of illicit discharges.

Stormwater pollution comes from numerous sources including residential yards, driveways and rooftops; commercial businesses and office parks; manufacturing and industrial facilities; construction sites; schools, medical facilities and other institutions; roads and highways; and even parks and golf courses. Therefore it is important that everyone—individuals, households, businesses, institutions and governments—is sufficiently aware and concerned about the significance of their actions and potential for polluting our water resources through public awareness and education.

Jackson County is committed to a comprehensive stormwater public awareness and education effort that includes the following:

- Public Awareness Campaign – Mass media campaign including internet website, press releases and brochures & fact sheets.
- Outreach and Education to Key Target Groups – Programs to educate target groups that are potential contributors of stormwater and nonpoint source pollution, including materials & brochures, workshops, industry sector-specific training, and speakers bureau.
- Primary and Secondary Education – Specific efforts to educate school-aged children and teenagers through environmental curricula, localized watershed information and special events.

Using information and brochures available through the Clean Water Campaign, the education program will target the following:

- Residential
  - Pet Waste
  - Grease Management
  - Car Maintenance
  - Lawn and Yard Care
  - Car Washing
  - Household Chemicals
  - Trash and Litter
  - Pool and Spa Maintenance
  - Septic Systems
- Business
  - Vehicle Service and Maintenance
  - Restaurants
  - Construction/Remodeling
  - Fueling Operations
  - Concrete and Asphalt
  - Landscaping
  - General Industrial
  - Salvage Facilities

## Educators

A series of lessons and activities suitable for all ages.

- Watershed in My Hand (PDF) – Great introduction to understanding what a watershed is and all you need is your hands!
- Watershed Tarp (PDF) – A hands on watershed model activity that illustrates the impacts of stormwater pollution.
- Fats, Oil and Grease Relay (PDF) – A fun way to learn how properly disposing food waste can keep our rivers and streams clean.
  
- Scoop the Poop Relay (PDF) – A great way to teach the problem of pet waste and its impact on our rivers and streams
- Clean Water Campaign Activity Book (PDF) – A stormwater pollution and prevention activity book.
- Edible Watersheds (PDF) – A yummy way to learn about the features and elements of a watershed.

# Document H

## Illicit Discharge Complaint Procedures

## **Illicit Discharge Complaint Procedure – Jackson County Public Development**

- Code Enforcement receives complaints by phone
- Information regarding the complaint is entered into an Excel database (date, type, location, etc.)
- Code Enforcement officer investigates the complaint immediately (within 24 hours)
- Presence of illicit discharge confirmed or denied
  - If no discharge is found, contact original citizen who made the request and close out complaint. If problem persists, reference individual to Public Development Director.
  - If discharge is found, written notice (listing the measures necessary to achieve compliance and the time within each measure must be completed) is given to property holder or individual responsible for source.
    - If discharge cannot be traced, document as such and close complaint.
- The Excel database is updated by the Code Enforcement Officer with the results/resolution for the complaint

**CODE COMPLIANCE  
INCIDENT REPORT**

NATURE OF COMPLAINT : \_\_\_\_\_

CASE # \_\_\_\_\_ DATE of INCIDENT: \_\_\_\_\_ TIME: \_\_\_\_\_

INCIDENT LOCATION: \_\_\_\_\_

COMPLAINT: \_\_\_\_\_

COMPLAINANT'S ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

NARRATIVE:

\_\_\_\_\_  
INVESTIGATING OFFICER

\_\_\_\_\_  
INVESTIGATING OFFICER'S SIGNATURE

\_\_\_\_\_  
BADGE #



**Document I**

**Soil and Erosion Control Ordinance**  
**UDC Section 1104**

## **Section 1104 Soil erosion, sedimentation, and pollution control. [Amended 04/19/10]**

### **1104 (a) Title**

This section will be known as the “Jackson County Soil Erosion, Sedimentation and Pollution Control Resolution.”

### **1104 (b) Definitions**

The following definitions shall apply in the interpretation and enforcement of this section (resolution), unless otherwise specifically stated:

**Best Management Practices (BMPs):** These include sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the publication published by the Commission *Manual for Erosion and Sediment Control in Georgia* as of January 1 of the year in which the land-disturbing activity was permitted

**Board:** The Board of Natural Resources.

**Buffer:** The area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

**Certified Personnel:** A person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.

**Commission:** The Georgia Soil and Water Conservation Commission (GSWCC).

**CPESC:** Certified Professional in Erosion and Sediment Control with current certification by Certified Profession in Erosion and Sediment Control Inc., a corporation registered in North Carolina, which is also referred to as CPESC or CPESC, Inc.

**Cut:** A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to the excavated surface. Also known as excavation.

**Department:** The Georgia Department of Natural Resources (DNR).

**Design Professional:** A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by Certified Professional in Erosion and Sediment Control Inc.

**District:** The Oconee River Soil and Water Conservation District.

**Division:** The Environmental Protection Division (EPD) of the Department of Natural Resources.

**Drainage Structure:** A device composed of a virtually nonerodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for storm water management, drainage control, or flood control purposes.

**Erosion:** The process by which land surface is worn away by the action of wind, water, ice or gravity.

***Erosion, Sedimentation and Pollution Control Plan:*** A plan required by the Erosion and Sedimentation Act, O.C.G.A. Chapter 12-7, that includes, as a minimum, protections at least as stringent as the State General Permit, best management practices, and requirements in this section.

***Final Stabilization:*** All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100% of the soil surface is uniformly covered in permanent vegetation with a density of 70% or greater, or equivalent permanent stabilization measures (such as the use of rip rap, gabions, permanent mulches or geotextiles) have been used. Permanent vegetation shall consist of: planted trees, shrubs, perennial vines; a crop of perennial vegetation appropriate for the time of year and region; or a crop of annual vegetation and a seeding of target crop perennials appropriate for the region. Final stabilization applies to each phase of construction.

***Finished Grade:*** The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

***Grading:*** Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

***Greenway:*** An area along the course of any river, stream, creek, branch, lake, reservoir, pond, drainage system, spring, well or other body of surface or subsurface water, whether natural or artificial to be maintained in an undisturbed and natural condition. Greenways are established pursuant to the Georgia Erosion and Sedimentation Act of 1975, as amended, O.C.G.A. 12-7-1 *et seq.*

***Ground Elevation:*** The original elevation of the ground surface prior to cutting or filling.

***Jurisdiction:*** That area over which the governing body has authority for planning, zoning and development permitting under the Constitution of the State of Georgia.

***Land-Disturbing Activity:*** Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices that are exempted under subsection 1104(c) of this section.

***Larger Common Plan of Development or Sale:*** A contiguous area where multiple separate and distinct construction activities are occurring under one plan of development or sale. For the purposes of this paragraph, "plan" means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.

***Local Issuing Authority:*** The governing authority of any county or municipality which is certified pursuant to subsection (a) O.C.G.A. 12-7-8.

***Natural Ground Surface:*** The ground surface in its original state before any grading, excavation or filling.

***Nephelometric Turbidity Units (NTU):*** Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed or suspended particles are present.

***NOI:*** A Notice of Intent form provided by EPD for coverage under the State General Permit.

**NOT:** A Notice of Termination form provided by EPD to terminate coverage under the State General Permit.

**Operator:** The party or parties that have: (A) operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or (B) day-to-day operational control of those activities that are necessary to ensure compliance with an erosion, sedimentation and pollution control plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the erosion, sedimentation and pollution control plan or to comply with other permit conditions.

**Outfall:** The location where storm water in a discernible, confined and discrete conveyance, leaves a facility or site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.

**Permit:** The authorization necessary to conduct a land-disturbing activity under the provisions of this section.

**Person:** Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of the State of Georgia, any interstate body or any other legal entity.

**Phase or Phased:** Sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing construction activities on the entire construction site.

**Project:** The entire proposed development project regardless of the size of the area of land to be disturbed.

**Properly Designed:** Designed in accordance with the design requirements and specifications contained in the publication *Manual for Erosion and Sediment Control in Georgia* (Manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the Manual as approved by the Commission up until the date of NOI submittal.

**Roadway Drainage Structure:** A device such as a bridge, culvert, or ditch, composed of a virtually nonerodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled roadway consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

**Sediment:** Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, ice, or gravity as a product of erosion.

**Sedimentation:** The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.

**Soil and Water Conservation District Approved Plan:** An erosion, sedimentation and pollution control plan approved in writing by the Oconee River Soil and Water Conservation District.

**Stabilization:** The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

**State General Permit:** The National Pollution Discharge Elimination System (NPDES) general permit or permits for storm water runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the

same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, et seq., and subsection (f) of Code Section 12-5-30.

**State Waters:** Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of Georgia which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

**Structural Erosion, Sedimentation and Pollution Control Practices:** Practices for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures and sediment traps, etc. Such practices can be found in the publication *Manual for Erosion and Sediment Control in Georgia*.

**Vegetative Erosion and Sedimentation Control Measures:** Measures for the stabilization of erodible or sediment-producing areas by covering the soil with: permanent seeding, sprigging or planting, producing long-term vegetative cover, or temporary seeding, producing short-term vegetative cover; or sodding, covering areas with a turf of perennial sod-forming grass. Such measures can be found in the publication *Manual for Erosion and Sediment Control in Georgia*.

**Watercourse:** Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

**Wetlands:** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

#### 1104 (c) Exemptions. [Amended 04/19/10]

This section shall apply to any land-disturbing activity undertaken by any person on any land except for the following:

- (1) Surface mining, as the same is defined in O.C.G.A. 12-4-72, "The Georgia Surface Mining Act of 1968."
- (2) Granite quarrying and land clearing for such quarrying;
- (3) Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion;
- (4) The construction of single-family residences, when such construction disturbs less than one (1) acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one (1) acre and not otherwise exempted under this paragraph; provided, however, that construction of any such residence shall conform to the minimum requirements as set forth in O.C.G.A. 12-7-6 and this paragraph. For single-family residence construction covered by this paragraph, there shall be a buffer zone between the residence and any state waters pursuant to Section 905 of this Unified Development Code. The minimum requirements of subsection (b) of O.C.G.A. 12-7-6 and the buffer zones provided by this paragraph shall be enforced by the Local Issuing Authority;
- (5) Agricultural operations as defined in O.C.G.A. 1-3-3, "definitions," to include raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock, including but not limited to cattle, calves, swine, hogs, goats, sheep, and

- rabbits or for use in the production of poultry, including but not limited to chickens, hens and turkeys; producing plants, trees, fowl, or animals; the production of aqua culture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds;
- (6) Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in paragraph (15) of subsection 1104(d) of this section, no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three (3) years after completion of such forestry practices;
  - (7) Any project carried out under the technical supervision of the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture;
  - (8) Any project involving less than one (1) acre of disturbed area; provided, however, that this exemption shall not apply to any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one (1) acre or within 200 feet of the bank of any state waters, and for purposes of this paragraph, "State Waters" excludes channels and drainage ways which have water in them only during and immediately after rainfall events and intermittent streams which do not have water in them year-round; provided, however, that any person responsible for a project which involves less than one (1) acre, which involves land-disturbing activity, and which is within 200 feet of any such excluded channel or drainage way, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained herein shall prevent the Local Issuing Authority from regulating any such project which is not specifically exempted by paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9) or (10) of this subsection;
  - (9) Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of the Department of Transportation or the State Road and Tollway Authority which disturb one or more contiguous acres of land shall be subject to provisions of O.C.G.A. 12-7-7.1; except where the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to the Local Issuing Authority, the Local Issuing Authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;
  - (10) Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the Local Issuing Authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders; and
  - (11) Any public water system reservoir.

**1104 (d) Minimum requirements for erosion, sedimentation and pollution control using best management practices; generally.**

Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities if requirements of the ordinance and the NPDES General Permit are not met. Therefore, plans for those land-disturbing activities which are not exempted by subsection 1104(c) of this section shall contain provisions for application of soil erosion, sedimentation and pollution control measures and practices. The provisions shall be incorporated into the erosion, sedimentation and pollution control plans. Soil erosion, sedimentation and pollution control measures and practices shall conform to the minimum requirements of subsections 1104(d) and 1104(e) of this section. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion, sedimentation and pollution during all stages of any land-disturbing activity in accordance with requirements of this ordinance and the NPDES General Permit.

Minimum Requirements/BMPs shall be as follows:

- (1) Best management practices as set forth in subsections 1104(d) and 1104(e) of this section shall be required for all land-disturbing activities. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the Director or to any other allegation of noncompliance with paragraph (2) of this subsection or any substantially similar terms contained in a permit for the discharge of storm water issued pursuant to subsection (f) of O.C.G.A. 12-5-30, the "Georgia Water Quality Control Act." As used in this paragraph the terms "proper design" and "properly designed" mean designed in accordance with the hydraulic design specifications contained in the publication *Manual for Erosion and Sediment Control in Georgia* specified in O.C.G.A. 12-7-6 subsection (b).
- (2) A discharge of storm water runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation of any land-disturbing permit issued by a local Issuing Authority or of any state general permit issued by the Division pursuant to subsection (f) of O.C.G.A. 12-5-30, the "Georgia Water Quality Control Act," for each day on which such discharge results in the turbidity of receiving waters being increased by more than twenty-five (25) nephelometric turbidity units for waters supporting warm water fisheries. The turbidity of the receiving waters shall be measured in accordance with guidelines to be issued by the Director. This paragraph shall not apply to any land disturbance associated with the construction of single family homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five (5) acres.
- (3) Failure to properly design, install, or maintain best management practices shall constitute a violation of any land-disturbing permit issued by a Local Issuing Authority or of any state general permit issued by the Division pursuant to subsection (f) of Code Section 12-5-30, the "Georgia Water Quality Control Act," for each day on which such failure occurs.
- (4) The EPD Director may require, in accordance with regulations adopted by the Board, reasonable and prudent monitoring of the turbidity level of receiving waters into which discharges from land disturbing activities occur.
- (5) Jackson County may set more stringent buffer requirements than stated in subsection 1104(f), paragraph (15) in light of O.C.G.A. § 12-7-6 (c). Nothing contained in O.C.G.A. 12-7-1 et. seq. shall prevent any Local Issuing Authority from adopting rules and regulations, ordinances, or resolutions which contain stream buffer requirements that exceed the minimum requirements of this section.
- (6) The fact that land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this section or the terms of the permit.

**1104(e) Minimum requirements for erosion, sedimentation and pollution control using best management practices; specifically.**

The rules and regulations, ordinances, or resolutions adopted pursuant to O.C.G.A. 12-7-1 et. seq. for the purpose of governing land-disturbing activities shall require, as a minimum, protections at least as stringent as the state general permit; and best management practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the publication *Manual for Erosion and Sediment Control in Georgia* published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:

- (1) Stripping of vegetation, regrading and other development activities shall be conducted in a manner so as to minimize erosion;
- (2) Cut-fill operations must be kept to a minimum;
- (3) Development plans must conform to topography and soil type so as to create the lowest practicable erosion potential;
- (4) Whenever feasible, natural vegetation shall be retained, protected and supplemented;
- (5) The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
- (6) Disturbed soil shall be stabilized as quickly as practicable;
- (7) Temporary vegetation or mulching shall be employed to protect exposed critical areas during development;
- (8) Permanent vegetation and structural erosion control practices shall be installed as soon as practicable;
- (9) To the extent necessary, sediment in run-off water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. 12-7-1 et. seq.;
- (10) Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping of fills;
- (11) Cuts and fills may not endanger adjoining property;
- (12) Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
- (13) Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum;
- (14) Land-disturbing activity plans for erosion, sedimentation and pollution control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on-site or preclude sedimentation of adjacent waters beyond the levels specified in this section;
- (15) There is established a 25 foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the EPD Director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the EPD Director pursuant to O.C.G.A. 12-2-8, where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented; or along any ephemeral stream. As used in this provision, the term "ephemeral stream" means a stream: that under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the ground-water table year round; for which ground water is not a source of

water; and for which runoff from precipitation is the primary source of water flow, Unless exempted as along an ephemeral stream, the buffers of at least 25 feet established pursuant to part 6 of Article 5, Chapter 5 of Title 12, the "Georgia Water Quality Control Act," shall remain in force unless a variance is granted by the Director as provided in this paragraph. The following requirements shall apply to any such buffer:

- a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer as long as final stabilization is achieved and as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
  - i. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream crossings for water lines; or (ii) Stream crossings for sewer lines.

**1109(f) Application/permit process; generally.**

The property owner, developer and designated planners and engineers shall design and review before submittal the general development plans. The Local Issuing Authority shall review the tract to be developed and the area surrounding it. They shall consult the regulations of the Unified Development Code pertaining to zoning, storm water management, subdivision, flood damage prevention, soil erosion (this section), and any other resolutions, rules, regulations or permits, which regulate the development of land within the jurisdictional boundaries of the Local Issuing Authority. However, the owner and/or operator are the only parties who may obtain a permit.

**1109(g) Application requirements.**

No person shall conduct any land-disturbing activity within the jurisdiction without first obtaining a permit from the local issuing authority to perform such activity and providing a copy of Notice of Intent submitted to EPD if applicable.

- (1) The application for a permit shall be submitted to the Public Development Department and must include the applicant's erosion, sedimentation and pollution control plan with supporting data, as necessary. Said plans shall include, as a minimum, the data specified in subsection 1104(h) of this section. Erosion, sedimentation and pollution control plans, together with supporting data, must demonstrate affirmatively that the land disturbing activity proposed will be carried out in such a manner that the provisions of this section will be met. Applications for a permit will not be accepted unless accompanied by a specified number of copies of the applicant's erosion, sedimentation and pollution control plans. All applications shall contain a certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan in accordance with EPD Rule 391-3-7-.10.
- (2) In addition to the local permitting fees, fees will also be assessed pursuant to paragraph (5) subsection (a) of O.C.G.A. 12-5-23, provided that such fees shall not exceed \$80.00 per acre of land-disturbing activity, and these fees shall be calculated

- and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity included in the planned development or each phase of development. All applicable fees shall be paid prior to issuance of the land disturbance permit. In a jurisdiction that is certified pursuant to subsection (a) of O.C.G.A. 12-7-8 half of such fees levied shall be submitted to the Division; except that any and all fees due from an entity which is required to give notice pursuant to paragraph (9) or (10) of O.C.G.A. 12-7-17 shall be submitted in full to the Division, regardless of the existence of a Local Issuing Authority in the jurisdiction.
- (3) Immediately upon receipt of an application and plan for a permit, Jackson County shall refer the application and plan to the District for its review and approval or disapproval concerning the adequacy of the erosion, sedimentation and pollution control plan (if the disturbed area is over 1 acre). The District shall approve or disapprove a plan within 35 days of receipt. Failure of the District to act within 35 days shall be considered an approval of the pending plan. The results of the District review shall be forwarded to Jackson County. No permit will be issued unless the plan has been approved by the District, and any variance required by paragraph (15) of subsection 1104(e) of this section has been obtained, all fees have been paid, and bonding, if required by paragraph (6) of this subsection has been obtained.
  - (4) If a permit applicant has had two or more violations of previous permits, this section of the Unified Development Code, or the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing the application under consideration, Jackson County may deny the permit application.
  - (5) Jackson County may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit. If the applicant does not comply with this section or with the conditions of the permit after issuance, the Local Issuing Authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the Local Issuing Authority with respect to alleged permit violations.

**1109 (h) Plan requirements.**

- (1) Plans must be prepared to meet the minimum requirements as specified in this section, or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The publication *Manual for Erosion and Sediment Control in Georgia* is hereby incorporated by reference into this section. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed waterways, sediment control and storm water management facilities, local ordinances and State laws. Maps, drawings and supportive computations shall bear the signature and seal of the certified design professional. Persons involved in land development design, review, permitting, construction, monitoring, or inspections or any land disturbing activity shall meet the education and training certification requirements, dependent on his or her level of involvement with the process, as developed by the Commission and in consultation with the Division and the Stakeholder Advisory Board created pursuant to O.C.G.A. 12-7-20.
- (2) Data required for site plans shall include all the information required from the appropriate Erosion, Sedimentation and Pollution Control Plan Review Checklist established by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.

**11109(l) nspection and enforcement.**

- (1) An authorized representative of Jackson County will periodically inspect the sites of land-disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures required in the plan are effective in controlling erosion and sedimentation. Also, Jackson County shall regulate primary, secondary and tertiary permittees as such terms are defined in the state general permit. Primary permittees shall be responsible for installation and maintenance of best management practices where the primary permittee is conducting land-disturbing activities. Secondary permittees shall be responsible for installation and maintenance of best management practices where the secondary permittee is conducting land-disturbing activities. Tertiary permittees shall be responsible for installation and maintenance where the tertiary permittee is conducting land-disturbing activities. If, through inspection, it is deemed that a person engaged in land-disturbing activities as defined herein has failed to comply with the approved plan, with permit conditions, or with the provisions of this section, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this section.**
- (2) The Local Issuing Authority must amend its ordinances to the extent appropriate within twelve (12) months of any amendments to the Erosion and Sedimentation Act of 1975.**
- (3) Any authorized representatives of the Local Issuing Authority shall have the power to conduct such investigations as they may reasonably deem necessary to carry out duties as prescribed in this section, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing activities.**
- (4) No person shall refuse entry or access to any authorized representative or agent of Jackson County, the EPD Commission, the EPD District, or EPD Division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.**
- (5) The District or the Commission or both shall semi-annually review the actions of counties and municipalities which have been certified as Local Issuing Authorities pursuant to O.C.G.A. 12-7-8 (a). The District or the Commission or both may provide technical assistance to any county or municipality for the purpose of improving the effectiveness of the county's or municipality's erosion, sedimentation and pollution control program. The District or the Commission shall notify the Division and request investigation by the Division if any deficient or ineffective local program is found.**
- (6) The Division may periodically review the actions of counties and municipalities which have been certified as Local Issuing Authorities pursuant to Code Section 12-7-8 (a). Such review may include, but shall not be limited to, review of the administration and enforcement of a governing authority's adopted regulations and review of conformance with an agreement, if any, between the district and the governing authority. If such review indicates that the governing authority of any county or municipality certified pursuant to O.C.G.A. 12-7-8 (a) has not administered or enforced its regulations or has not conducted the program in accordance with any agreement entered into pursuant to O.C.G.A. 12-7-7 (e), the Division shall notify the governing authority of the county or municipality in writing. The governing authority of any county or municipality so notified shall have 90 days within which to take the necessary corrective action to retain certification as a Local Issuing Authority. If the county or municipality does not take necessary corrective action within 90 days after notification by the division, the division shall revoke the certification of the county or municipality as a Local Issuing Authority.**

**(7)  
1104(j) Penalties; generally.**

**If any person commences any land-disturbing activity requiring a land-disturbing permit as prescribed in this section without first obtaining said**

permit, in addition to any other penalties which may be imposed for violations of this Unified Development Code, the person shall be subject to revocation of his business license, work permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of Jackson County.

**1104(k) Stop work orders.**

For the first and second violations of the provisions of this section, the EPD Director or Jackson County shall issue a written warning to the violator. The violator shall have five days to correct the violation. If the violation is not corrected within five days, the Director or the Local Issuing Authority shall issue a stop-work order requiring that land-disturbing activities be stopped until necessary corrective action or mitigation has occurred; provided, however, that, if the violation presents an imminent threat to public health or waters of the state or if the land-disturbing activities are conducted without obtaining the necessary permit, the EPD Director or Jackson County shall issue an immediate stop-work order in lieu of a warning;

For a third and each subsequent violation, the EPD Director or Jackson County shall issue an immediate stop-work order; and;

All stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred

When a violation in the form of taking action without a permit, failure to maintain a stream buffer, or significant amounts of sediment, as determined by Jackson County or by the EPD Director or his or her Designee, have been or are being discharged into state waters and where best management practices have not been properly designed, installed, and maintained, a stop work order shall be issued by Jackson County or by the EPD Director or his or her Designee. All such stop work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred. Such stop work orders shall apply to all land-disturbing activity on the site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls.

**1104(l) Bond forfeiture.**

If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved plan, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this section and, in addition to other penalties, shall be deemed to have forfeited his performance bond, under the provisions of paragraph (6) of subsection 1104(g) of this section. Jackson County may call the bond or any part thereof to be forfeited and may use the proceeds to stabilize the site of the land-disturbing activity and bring it into compliance.

**1104(m) Monetary penalties.**

Any person who violates any provisions of this section, or any permit condition or limitation established pursuant to this ordinance, or who negligently or intentionally fails or refuses to comply with any final or emergency order of the EPD Director issued as provided in this section shall be liable for a civil penalty not to exceed \$2,500.00 per day.

Notwithstanding any limitation of law as to penalties which can be assessed for violations of county ordinances or resolutions, any magistrate court or any other court of competent jurisdiction trying cases brought as violations of this section shall be authorized to impose penalties for such violations not to exceed \$2,500.00 for each violation. Each day during which violation or failure or refusal to comply continues shall be a separate violation.

**1104(n) Education and certification.**

(1) Persons involved in land development design, review, permitting, construction, monitoring, or inspection or any land-disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. 12-7-20.

(2) For each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary, or tertiary permittee, as defined in the state general permit, shall have as a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of said entity or person and meets the applicable education or training certification requirements developed by the Commission present on site whenever land-disturbing activities are conducted on that site. A project site shall herein be defined as any land-disturbance site or multiple sites within a larger common plan of development or sale permitted by an owner or operator for compliance with the state general permit.

(3) Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this ordinance.

(4) If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of paragraph (1) of subsection (b) of O.C.G.A. 12-7-19, then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall meet those educational requirements specified in paragraph (4) of subsection (b) of O.C.G.A. 12-7-19 and shall not be required to meet any educational requirements that exceed those specified in said paragraph.

**1104(o) Administrative remedies.**

The suspension, revocation, modification or grant with condition of a permit by the Local Issuing Authority upon finding that the holder is not in compliance with the approved erosion, sediment and pollution control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of any provisions of this Unified Development Code; shall entitle the person submitting the plan or holding the permit to a hearing before the Jackson County Board of Adjustments within thirty (30) days after receipt by Jackson County of written notice of appeal.

**1104(p) Judicial review.**

Any person, aggrieved by a decision or order of Jackson County, after exhausting his administrative remedies, shall have the right to appeal de novo to the Superior Court of Jackson County.

**1104(q) Liability.**

(1) Neither the approval of a plan under the provisions of this section, nor the compliance with provisions of this section shall relieve any person from the responsibility for damage to any person or property otherwise

**imposed by law nor impose any liability upon Jackson County or EPD District for damage to any person or property.**

- (2) The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this section or the terms of the permit.**
- (3) No provision of this section shall permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved thereunder or pollute any Waters of the State as defined thereby.”**

**Document J**

**Litter/Nuisance Ordinance**

**UDC §1109**

**Sec 1109. General applicability.**

**A. Lands to which this Code applies.**

**This Development Code applies to all lands within the unincorporated areas of Jackson County, Georgia.**

**B. Use of land or structures.**

- (1) No structure or land shall hereafter be used or occupied, located, extended, moved, converted or structurally altered except in full compliance with the provisions of this Development Code.**
- (2) No part of a yard, buffer or off-street parking spaces required in connection with any use or structure for the purpose of complying with this Development Code shall be included as part of a yard, buffer or off-street parking spaces required for any other use or structure, unless specifically allowed under the provisions of this Development Code.**
- (3) Street rights-of-way shall not be considered a part of a lot or front yard setback for the purpose of meeting the minimum requirements of this Development Code.**

**C. Street frontage required.**

**No building permit shall be issued on any lot unless the street giving access to the lot shall be accepted and opened as a public street prior to that time, or shall be a recorded private street approved by the Board of Commissioners, or shall otherwise have achieved the status of a public street.**

**D. One principal house on a lot.**

**With respect to single-family detached dwellings, only one principal building and its customary accessory uses, buildings and structures may be erected on any one lot.**

**E. Lot reduction prohibited.**

**No yard or lot existing prior to the effective date of this Development Code or any subsequent amendment to it shall be reduced in dimension or area below the minimum requirements set forth in this Development Code. Yards or lots created after the effective date of this Development Code shall meet at least the minimum requirements established by this Development Code.**

**F. Nuisances**

**No property owner, agent, or tenant shall create or maintain a nuisance on any property that they own or occupy. A nuisance constitutes any condition that is detrimental to the public health, safety, morals or public welfare or which is detrimental to the property of another. A condition considered to be a nuisance includes, but is not confined to any of the following: garbage, trash, weeds, building materials or debris; abandoned, discarded, or unused objects; junk or collections of such equipment as automobiles, furniture, stoves, refrigerators, freezers, cans, boxes, or containers. [Amended 9/20/04]**

# Document K

## Site Plan Review Procedures (Erosion and Sedimentation) and Site Plan Review Checklist

### **Construction E&SC Plan Review Procedures**

- **Applications for land-disturbing activity permits are submitted to the Public Development Department and must include the applicant's E&SC plan with supporting data and application.**
- **The E&SC plan is immediately forwarded to the Soil & Water District for its review and approval or disapproval concerning the adequacy of the E&SC plan**
- **The E&SC Plan is reviewed by county staff for compliance with the Jackson County Unified Development Code**
- **The results of the Soil & Water District review and county review are given within 35 days**
- **If the permit is denied, the reason for denial is furnished to the applicant**
- **If the permit is approved (and all other ordinance requirements for development sites are met), a preconstruction meeting is scheduled and the permit is released to the applicant at the meeting**

## Construction E&SC Plan Review Procedures

- A.Applications for land-disturbing activity permits are submitted to the Public Development Department and must include the applicant's E&SC plan with supporting data and application.
- B.The E&SC plan is immediately forwarded to the Soil & Water District for its review and approval or disapproval concerning the adequacy of the E&SC plan
- C.The E&SC Plan is reviewed by county staff for compliance with the Jackson County Unified Development Code
- D.The results of the Soil & Water District review and county review are given within 35 days
- E.If the permit is denied, the reason for denial is furnished to the applicant
- F.If the permit is approved (and all other ordinance requirements for development sites are met), a preconstruction meeting is scheduled and the permit is released to the applicant at the meeting



as certified by a Design Professional (unless disapproved by EPD or the Georgia Soil and Water Conservation Commission). Please refer to the Alternative BMP Guidance Document found at [www.gaswcc.org](http://www.gaswcc.org)

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 26. Best Management Practices to minimize off-site vehicle tracking of sediments and the generation of dust.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 27. BMPs for concrete washdown of tools, concrete mixer chutes, hoppers and the rear of the vehicles. Washout of the drum at the construction site is prohibited.*  |
| <input type="checkbox"/> | <input type="checkbox"/> | 28. Provide BMPs for the remediation of all petroleum spills and leaks.*  |
| <input type="checkbox"/> | <input type="checkbox"/> | 29. Location of Best Management Practices that are consistent with and no less stringent than the Manual for Erosion and Sediment Control in Georgia. Use uniform coding symbols from the Manual, Chapter 6, with legend.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 30. Description of the nature of construction activity.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 31. A description of appropriate controls and measures that will be implemented at the construction site including: (1) initial sediment storage requirements and perimeter control BMPs, (2) intermediate grading and drainage BMPs, and (3) final BMPs.*  |
| <input type="checkbox"/> | <input type="checkbox"/> | 32. Description and chart or timeline of the intended sequence of major activities which disturb soils for the major portions of the site (i.e., initial perimeter and sediment storage BMPs, clearing and grubbing activities, excavation activities, utility activities, temporary and final stabilization).                  |
| <input type="checkbox"/> | <input type="checkbox"/> | 33. Description of the practices that will be used to reduce the pollutants in storm water discharges.*   |
| <input type="checkbox"/> | <input type="checkbox"/> | 34. Description of the measures that will be installed during the construction process to control pollutants in storm water that will occur after construction operations have been completed.*   |
| <input type="checkbox"/> | <input type="checkbox"/> | 35. Design professional's certification statement and signature that the site was visited prior to development of the ES&PC Plan as stated on page 14 of the permit.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 36. Design professional's certification statement and signature that the permittee's ES&PC Plan provides for an appropriate and comprehensive system of BMPs and sampling to meet permit requirements as stated on page 14 of the permit.*  |
| <input type="checkbox"/> | <input type="checkbox"/> | 37. Certification statement and signature of the permittee or the duly authorized representative as stated in section V.G.2.d. of the state general permit.*  |
| <input type="checkbox"/> | <input type="checkbox"/> | 38. An estimate of the runoff coefficient or peak discharge flow of the site prior to and after construction activities are completed.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 39. Indication that non-exempt activities shall not be conducted within the 25 or 50-foot undisturbed stream buffers as measured from the point of wooded vegetation without first acquiring the necessary variances and permits.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 40. Indication that the design professional who prepared the ES&PC Plan is to inspect the installation of the initial sediment storage requirements and perimeter control BMPs within 7 days after installation.*   |
| <input type="checkbox"/> | <input type="checkbox"/> | 41. Indication that amendment/exceptions to the ES&PC Plan which have a significant effect on BMPs with a hydraulic component must be certified by the design professional.*  |
| <input type="checkbox"/> | <input type="checkbox"/> | 42. Indication that waste materials shall not be discharged to waters of the State, except as authorized by a Section 40A permit.*  |
| <input type="checkbox"/> | <input type="checkbox"/> | 43. Documentation that the ES&PC Plan is in compliance with waste disposal, sanitary sewer, or septic tank regulations during and after construction activities have been completed.*   |
| <input type="checkbox"/> | <input type="checkbox"/> | 44. Provide complete requirements of inspections and record keeping by the primary permittee.*  |
| <input type="checkbox"/> | <input type="checkbox"/> | 45. Provide complete requirements of sampling frequency and reporting of sampling results.*   |
| <input type="checkbox"/> | <input type="checkbox"/> | 46. Provide complete details for retention of records as per Part IV.F. of the permit.*   |
| <input type="checkbox"/> | <input type="checkbox"/> | 47. Description of analytical methods to be used to collect and analyze the samples from each location.*  |
| <input type="checkbox"/> | <input type="checkbox"/> | 48. Appendix B rationale for outfall sampling points where applicable.*   |
| <input type="checkbox"/> | <input type="checkbox"/> | 49. Clearly note statement in bold letters - "The escape of sediment from the site shall be prevented by the installation of erosion and sediment control measures and practices prior to, or concurrent with, land disturbing activities."   |
| <input type="checkbox"/> | <input type="checkbox"/> | 50. Clearly note maintenance statement in bold letters - "Erosion control measures will be maintained at all times. If full implementation of the approved plan does not provide for effective erosion control, additional erosion and sediment control measures shall be implemented to control or treat the sediment source." |
| <input type="checkbox"/> | <input type="checkbox"/> | 51. Clearly note the statement in bold letters - "Any disturbed area left exposed for a period greater than 14 days shall be stabilized with mulch or temporary seeding."   |
| <input type="checkbox"/> | <input type="checkbox"/> | 52. Provide detailed drawings for all structural practices. Specifications must, at a minimum, meet the guidelines set forth in the Manual for Erosion and Sediment Control in Georgia.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 53. Provide vegetative plan, noting all temporary and permanent vegetative practices. Include species, planting dates and seeding, fertilizer, lime and mulching rates. Vegetative plan shall be site specific for appropriate time of year that seeding will take place and for the appropriate geographic region of Georgia.  |

\*If using this checklist for a project that is less than 1 acre and not part of a common development but within 200 ft of a perennial stream the \* checklist items would be N/A.

Effective January 1, 2012

**Document L**

**Construction Site Inspection Procedures  
and Site Disturbance Permit Checklist**

### Construction Site Inspection Procedures

- The inspector walks the entire job site, including active work areas and stabilized areas. If any deficiencies are found, the inspector will include his/her findings on the *Land Disturbance Permit Site Check List* form and document with photographs.
- Turbidity samples are only collected if a discharge is present during inspection. If a discharge is found that exceeds the approved limits for the job site, a copy of the inspection form is given to the job superintendent or their designee if present on site. If job superintendent or their designee isn't present on site a copy of the inspection form will be placed inside of the construction box on site.
- If the sample is within the approved limits, however, other deficiencies are found, a copy of the inspection form is given to the job superintendent or their designee if present on site. If job superintendent or their designee isn't present on site a copy of the inspection form will be placed inside of the construction box on site.
- Corrective actions are to be made within 48 hours of notification. In serious situations immediate attention is required.
- Follow up inspections are made to ensure that corrections have been made and working properly.
- Copies of the inspection report and detailed photographs of deficiencies are placed in the file for that project.

**Land Disturbance Permit Checklist**

Permit # \_\_\_\_\_ Date of Inspection: \_\_\_\_\_

Project Name: \_\_\_\_\_

Weather Conditions: \_\_\_\_\_

1. Are NPDES Records being properly kept? Y/N
2. Are CO's working properly? Y/N
  - a. If no, action required \_\_\_\_\_
3. Are all structural control measures working properly? Y/N
  - a. If no, identify malfunction: \_\_\_\_\_
  - b. Action required: \_\_\_\_\_
4. Any disturbed areas without proper stabilization? Y/N
  - a. If yes, Identify: \_\_\_\_\_
5. Areas where petroleum is being stored or used? Y/N
6. Is trash stored and/or disposed of properly? Y/N
  - a. If no, action required: \_\_\_\_\_
7. Do receiving waters show evidence of sediment? Y/N
  - a. If yes, water body: \_\_\_\_\_
8. Is there sediment entering storm drain system? Y/N
  - a. If no, action required: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Document M

## Construction Site Enforcement Procedures

### **Construction Site Enforcement Procedure– Jackson County Public Development**

- **All construction site inspections are documented using the Land Disturbance Permit Site Check List inspection form and must meet minimum requirement for Soil Erosion, Sedimentation and Pollution Control using best management practices (BMP's)**
  
- **If a construction site is found to have a violation/ non-compliance, then the inspector will document the findings and notify the site superintendent.**
  
- **Depending on the violation (working without an approved permit, BMP failure, etc), the following actions can be taken:**
  - **After the superintendent's initial notification of deficiencies, a follow up inspection is made within 24 hours.**
  
  - **If not corrected an official Notice of Violation (NOV) with seven days to comply is issued. Depending on the nature of the violation, a Stop Work order may be issued in addition.**
  
  - **If the site remains non-compliant after the time specified in the NOV, an order to Stop Work is automatically issued, all building inspections are suspended and a second NOV is issued with seven days to comply.**
  
  - **If the site remains non-compliant after the time specified in the second NOV, a citation shall be issued.**
  
- **Once the violation has been addressed, then the construction site activities can resume and/or final inspection can be issued.**

**Document N**

**Erosion and Sedimentation Complaint  
Response Procedures**

### **Erosion and Sedimentation Complaint Response Procedure**

- **Code Enforcement receives complaints by phone**
- **Information regarding the complaint is entered into an Excel database (date, type, location, etc.)**
- **Code Enforcement officer investigates the complaint immediately (within 24 hours)**
- **If BMP problem is found, written notice (listing the measures necessary to achieve compliance and the time within each measure must be completed) is given either to the Primary, Secondary or Tertiary Permittee**
- **The Excel database is updated by the Code Enforcement Officer with the results/resolution for the complaint**

**Document O**  
**MS4 Certification List**

**MS4 Certification List (Public Development)**

<b>As of July 2014</b>		
<b>Staff</b>	<b>Certification</b>	<b>Expiration Date</b>
<b>Gina Roy</b>	<b>1B</b>	<b>8-14-15</b>
<b>John Deltoro</b>	<b>1B</b>	<b>4-17-16</b>
<b>Bradley Richards</b>	<b>1B</b>	<b>8-14-15</b>
<b>Toni Smith</b>	<b>2</b>	<b>4-28-17</b>
	<b>1B</b>	<b>10-28-16</b>
	<b>1A</b>	<b>9-22-16</b>

**Document P**

**Reserved**

**Document Q**

**Post Construction Stormwater Management  
Structure List**

**Post Construction Stormwater Management Structures  
Includes all Jackson County Ponds and  
Private Structures designed after March 7, 2014.**

Location	Type of Structure	Ownership Status	Year Constructed (appx)
Example: 129@Galilee Church Rd.	Detention Pond	Public/Private	2005

**As of July 2014, the urbanized area of Jackson County contained no stormwater management structures that fell within county jurisdiction or design date guidelines. This list will be updated and maintained as construction takes place or ownership changes.**

**Document R**

**Employee Training Program**

# **Jackson County Public Development Stormwater Management**

## **Training Program for County Employees**

### **Program Objective**

The purpose of this program is to provide stormwater pollution prevention training for Jackson County employees that are engaged in activities that could impact water quality.

### **Description of Training**

- The training program will take place annually and use a variety of training techniques, such as film, posters, and employee meetings, to teach employees about stormwater management, potential contaminant sources, and runoff pollution prevention.
- Training materials available from EPA, EPD, or other appropriate source will be used.
- Training will be targeted to each department based on results of the municipal operations inspections (another BMP included in the County's SWMP).

### **Employees Included in Training Program**

- Road Department
- Fleet Maintenance
- Parks & Recreation

### **Program Tracking/Reporting**

Training description, training dates and a list of employees attending training will be recorded and reported to EPD on the County's NPDES Phase II Annual Report.

**Document S**

**MS4 Structure Inspection Form and Waste  
Disposal Procedures**

## **MS4 Inspection and Waste Disposal Procedures**

### **Catch Basins and Storm Pipes**

- **A minimum of 20% of county maintained catch basins will be inspected annually, so that 100% are inspected within the 5-year period.**
- **Each inspection will be documented on a Stormwater System Inspection Form.**
- **If an issue with the catch basin and/or storm pipe is found (e.g. cleaning or repairs), a work order will be issued.**
- **Once work order is completed. The infrastructure will be reevaluated to determine if there are any structural problems.**
- **All final inspections and/or work orders will be turned into the Supervisor / Stormwater Manger and then converted into excel database.**

### **Ditches**

- **All county maintained ditches will be inspected annually.**
- **Obstructions found will be documented through a daily report and/or work order and removed.**
- **If a water quality problem is found, such as discoloration, fish kills, oily sheens, etc, the Supervisor / Stormwater Manager will be notified to determine if an investigation is needed.**
- **Maintenance will be provided twice a year to cut back overgrowth and remove trash, etc.**
- **Tree and shrub debris will be removed and taken to a landfill. Trash will be removed from the site and taken to a landfill.**
- **Inspection / maintenance will be documented through daily reports and/or work orders and turned into the Supervisor / Stormwater Manger and then converted into excel database.**

### **Ponds**

- **A minimum of 20% of county and private ponds will be inspected annually, so that 100% are inspected within a 5-year period.**
- **Each inspection will be documented on an Operation and Maintenance Inspection Report for Stormwater Management Ponds Form.**
- **The pond owner(s) will be notified by the Stormwater Technician if any maintenance and/or repairs are needed.**
- **Work orders will be issued for county owned ponds that require maintenance and/or repairs.**

- **All inspections will be documented and provided to the Stormwater Manager.**

### **Outfalls**

- **A minimum of 20% of county maintained outfalls will be inspected annually, so that 100% are inspected within the 5-year period.**
- **Each inspection will be documented on a Dry Weather Outfall Screening Form.**
- **Debris will be removed from the outfall to prevent obstruction of the flow.**
- **Storm pipes and the immediate downstream area will be inspected as part of the outfall inspection. If sediment, vegetation, and/or other blockages need to be removed, then a work order will be issued.**
- **Debris / waste collected will be removed from the site and then taken to a landfill.**
- **The infrastructure (e.g. outfall, headwall, etc) will be evaluated to determine if there are any structural problems. If an issue is found, then a work order will be issued**
- **If an illicit discharge is found, the Environmental Technician will determine if an investigation is needed.**
- **All final inspections and/or work orders will be turned into the Supervisor / Stormwater Manger and then converted into excel database.**

**Operation and Maintenance Inspection Report  
Stormwater Management Ponds**

Inspector Name			
Inspection Date			
Facility ID			
Normal Pool	Y	N	
Normally Dry	Y	N	

Inspection Items	Checked (Y/N)	Maintenance Needed (Y/N)	Inspection Frequency	Date Maintenance Completed (MM/DD/YY)	Comments
------------------	---------------	--------------------------	----------------------	---------------------------------------	----------

Pond Components					
1	Embankment and Emergency Spillway				
a.	Adequate vegetation and ground cover		A		
b.	Embankment erosion		A		
c.	Animal burrows		A		
d.	Unauthorized plantings		A		
e.	Cracking, bulging, or sliding of dam		A		
	Upstream face		A		
	Downstream face		A		
	At or beyond toe - U/S		A		
	At or beyond toe - D/S		A		
	Emergency Spillway		A		
f.	Pond, toe & chimney drains clear and functioning		A		
g.	Leaks on downstream fact		A		
h.	Abutment protection or riprap failures		A		
i.	Visual settlement or horizontal misalignment of top of dam		A		
j.	Emergency spillway clear of debris		A		
k.	Other (specify)		A		

2		Riser and principal spillway		
	Type: Reinforced concrete	<input type="checkbox"/>		
	Type: Corrugated Pipe	<input type="checkbox"/>		
	Type: Masonry	<input type="checkbox"/>		
a.	Low flow orifice obstructed			A
b.	Low flow trash rack			A
	Debris removal necessary			A
	Corrosion control			A
c.	Weir trash rack			A
	Debris removal necessary			A
	Corrosion control			A
d.	Excessive sediment accumulation inside riser			A
e.	Concrete/Masonry condition Riser and barrels			A
	Cracks or displacement			A
	Minor spalling (<1")			A
	Major spalling (rebars exposed)			A
	Joint failures			A
	Water tightness			A
f.	Metal pipe condition			A
g.	Control Valve			A
	Operational/exercised			A
	Chained and locked			A
h.	Pond drain valve			A
	Operational/exercised			A
	Chained and locked			A
i.	Outfall channels flowing			A
j.	Other (specify)			A
3		Permanent pool (wet ponds)		
a.	Undesirable vegetative growth			M
b.	Floating or floatable debris removal required			M
c.	Visible pollution			M
d.	High water marks			M
e.	Shoreline problems			M
f.	Other (specify)			M
4		Sediment forebays		
a.	Sedimentation Noted			M
b.	Sediment removal when depth >50% design depth			M

5		Dry pond areas			
	a.	Vegetation adequate			M
	b.	Undesirable vegetative growth			M
	c.	Undesirable woody vegetation			M
	d.	Low flow channels clear of obstructions			M
	e.	Standing water or wet spots			M
	f.	Sediment and/or trash accumulation			M
	g.	Other (specify)			M
6		Condition of outfalls into pond			
	a.	Riprap failures			A,S
	b.	Blope erosion			A,S
	c.	Storm drain pipes			A,S
	d.	Endwalls/headwalls			A,S
	e.	Other (specify)			A,S
7		Other			
	a.	Encroachments on ponds or easement area			M
	b.	Complaints from residents (describe)			M
	c.	Aesthetics			M
		Grass height			M
		Graffiti removal necessary			M
		Other (specify)			M
	d.	Any public hazards (specify)			M
	e.	Maintenance access			M
8		Constructed wetland areas			
	a.	Vegetation healthy and growing			A
	b.	Evidence of invasive species			A
	c.	Excessive sedimentation in wetland area			A
Summary					
Inspector Remarks					
		Overall Condition of Facility			
		Acceptable <input type="checkbox"/>			
		Unacceptable <input type="checkbox"/>			
		Dates any maintenance must be completed by:			
		Inspector Signature			

Operation and Maintenance Inspection Report							
Filtration Facility							
Inspector Name							
Inspection Date							
Facility ID							
As-built Plans Available	Y	N					
Inspection Items			Checked (Y/N)	Maintenance Needed (Y/N)	Inspection Frequency	Date Maintenance Completed (MM/DD/YY)	Comments
1	Debris removal						
	a.	Adjacent area clear of debris			M		
	b.	Inlet and outlets clear of debris			M		
	c.	Filtration facility free of debris			M		
2	Vegetation						
	a.	Adjacent area stabilized			M		
	b.	Grass mowed			M		
	c.	Any evidence of erosion			M		

3	Oil and Grease					
a.	Any evidence of filter clogging				M	
4	Water retention where required					
a.	Water holding chambers at normal pool				M	
b.	No evidence of leakage				M	
5	Sediment deposition					
a.	Filtration chamber clean of sediments				A	
b.	Water chambers not more than 1/2 full of sediment				A	
6	Structural components					
a.	Any evidence of structural deterioration				A	
b.	Grates in good condition				A	
c.	Any evidence of spalling or cracking of structural parts				A	
7	Outlets/overflow spillway					
a.	Good condition (no need for repair)				A	
b.	Any evidence of erosion				A	
8	Overall function of facility					
a.	Any evidence of flow bypassing facility				A	
b.	Any noticeable odors outside of facility				A	
9	Pump (Where applicable)					
a.	Catalog cuts and wiring diagram for pump available				A	
b.	Waterproof conduits for wiring appear to be intact				A	
c.	Panel box is well marked				A	
d.	Any evidence of pump failure (excess water to pump well, etc.)				A	

Summary		
Necessary Action:		
If any of the above items were answered "yes" for "Maintenance Needed", a time frame needs to be established for repair or correction.		
	No action necessary. Continue routine inspections.	<input type="checkbox"/>
	Correct noted facility deficiencies by (date)	
Facility repairs were previously indicated and completed. Site reinspection is necessary to verify correction or improvements.		
	Site reinspection completed on (date)	
	<u>Site reinspection was satisfactory</u>	<input type="checkbox"/>
	Next routine inspection is scheduled for approximately (date)	
Inspector Signature		

Operation and Maintenance Inspection Report							
Infiltration Trenches							
Inspector Name							
Inspection Date							
Facility ID							
As-built plans available	Y	N					
Inspection Items			Checked (Y/N)	Maintenance Needed (Y/N)	Inspection Frequency	Date Maintenance Completed (MM/DD/YY)	Comments
<b>Infiltration Trenches</b>							
	1	Debris removal					
	a.	Trench surface clear of debris			M		
	b.	Inlets clear of debris			M		
	c.	Inflow pipes clear of debris			M		
	d.	Overflow spillway clear of debris			M		

2	Sediment traps, forebays, or pretreatment swales			
a.	Obviously trapping sediment			A
b.	Greater than 50% of original storage volume remaining			A
3	Vegetation			
a.	Moving done when necessary			M
b.	Fertilized per specification			M
c.	Any evidence of erosion			M
d.	Contributing drainage area stabilized			M
4	Dewatering			
a.	Trench dewaterers between storm			M
5	Sediment removal of trench			
a.	Any evidence of sedimentation in trench			A
b.	Does sediment accumulation currently require removal			A
6	Inlet			
a.	Good condition			A
b.	Any evidence of erosion			A
7	Outlets/overflow spillway			
a.	Good condition (no need for repair)			A
b.	Any evidence of erosion			A
8	Aggregate repairs			
a.	Surface of aggregate clean			A
b.	Top layer of stone in need of replacement			A
c.	Trench in need of rehabilitation			A

9		Vegetated surface			
a.	Evidence of erosion present			M	
b.	Perforated inlet functioning adequately			M	
c.	Does water stand on vegetated surface			M	
d.	Does good vegetative cover exist			M	
10		Overall function of facility			
a.	Any evidence of flow bypassing facility			S	
Summary					
Necessary Action:					
If any of the above items were answered "yes" for "Maintenance Needed", a time frame needs to be established for repair or correction.					
		No action necessary. Continue routine inspections.		<input type="checkbox"/>	
		Correct noted facility deficiencies by (date)			
Facility repairs were previously indicated and completed. Site reinspection is necessary to verify correction or improvements.					
		Site reinspection completed on (date)			
		Site reinspection was satisfactory		<input type="checkbox"/>	
		Next routine inspection is scheduled for approximately (date)			
Inspector Signature					

Operation and Maintenance Inspection Report						
Enhanced Swales, Grass Channels, Filter Strips						
Inspector Name						
Inspection Date						
Facility ID						
Normal Pool	Y	N				
Normally Dry	Y	N				
Inspection Items			Checked (Y/N)	Maintenance Needed (Y/N)	Inspection Frequency	Date Maintenance Completed (MM/DD/YY)
<b>Enhanced Swales, Grass Channels, Filter Strips</b>						
	1	Debris removal				
	a.	Facility and adjacent area clear of debris			M	
	b.	Inlets and outlets clear of debris			M	
	c.	Any dumping of yard wastes into facility			M	
	d.	Has litter (branches, etc) been removed			M	

2	Vegetation				
a.	Adjacent area stabilized			M	
b.	Grass mowed			M	
c.	Plant height not less than design water depth			M	
d.	Fertilized per specifications			M	
e.	Any evidence of erosion			M	
f.	Is plant composition according to approved plans			M	
g.	Any unauthorized or inappropriate plantings			M	
h.	Any dead or diseased plants			M	
i.	Any evidence of plant stress from inadequate watering			M	
j.	Any evidence of deficient stakes or wires			M	
3	Oil and grease				
a.	Any evidence of filter clogging			M	
4	Dewatering				
a.	Facility dewaterers between storms			M	
5	Check dams/energy dissipators/sumps				
a.	Any evidence of sedimentation buildup			A, S	
b.	Are sumps greater than 50% full of sediment			A, S	
c.	Any evidence of erosion at downstream toe of drop structures			A, S	
6	Sediment deposition				
a.	Swale clear of sediments			A	
b.	Sediments should not be > than 20% of swale design depth			A	





**Document T**  
**Codes and Ordinances Worksheet**

# Codes and Ordinances Worksheet

Acquired from the Center for Watershed Protection  
[http://www.cwp.org/COIW\\_worksheet.htm](http://www.cwp.org/COIW_worksheet.htm)

## 1. Street Width

a. What is the minimum pavement width allowed for streets in low density residential developments that have less than 500 average daily trips (ADT)?

If the answer is between 10-22 feet, award 4 points

b. At higher densities, are parking areas allowed to also serve as traffic lanes (i.e., queuing streets)?

If the answer is YES, award 3 points

## 2. Street Length

a. Do street standards promote the most efficient street layouts that reduce overall street lengths?

If the answer is YES, award 1 point

## 3. Right-of-Way Width

a. What is the minimum right-of-way (ROW) width for a residential street?

If the answer is less than 65 feet, award 3 points

b. Does the code allow utilities to be placed under the paved section of the ROW?

If the answer is YES, award 1 point

## 4. Cul-de-Sacs

a. What is the minimum radius allowed for cul-de-sacs?

If the answer is less than 35 feet, award 3 points

If the answer is 35 feet to 46 feet, award 1 point

b. Can a landscaped island be created within the cul-de-sac?

If the answer is YES, award 1 point

c. Are alternative turn arounds such as "hammerheads" allowed on short streets in low density residential developments?

If the answer is YES, award 1 point

## 5. Vegetated Open Channels

a. Are curbs and gutters required for most residential street sections?

If the answer is NO, award 2 points

b. Are there established design criteria for swales that can provide stormwater quality treatment (i.e., dry swales, biofilters, or grass swales)?

If the answer is YES, award 2 points

### 6. Parking Ratios

a. What is the minimum parking ratio for a professional office building (per 1,000 ft<sup>2</sup> of gross floor area)?

If the answer is less than 3.0 spaces, award 1 point

b. What is the minimum required parking ratio for shopping centers (per 1,000 ft<sup>2</sup> gross floor area)?

If the answer is 4.5 spaces or less, award 1 point

c. What is the minimum required parking ratio for single family homes (per home)?

If the answer is less than or equal to 2.0 spaces, award 1 point

d. Are the parking requirements set as maximum or median (rather than minimum) requirements?

If the answer is YES, award 2 points

### 7. Parking Codes

a. Is the use of shared parking arrangements promoted?

If the answer is YES, award 1 point

b. Are model shared parking agreements provided?

If the answer is YES, award 1 point

c. Are parking ratios reduced if shared parking arrangements are in place?

If the answer is YES, award 1 point

d. If mass transit is provided nearby, is the parking ratio reduced?

If the answer is YES, award 1 point

### 8. Parking Lots

a. What is the minimum stall width for a standard parking space?

If the answer is 9 feet or less, award 1 point

b. What is the minimum stall length for a standard parking space?

If the answer is 18 feet or less, award 1 point

c. Are at least 80% of the spaces at larger commercial parking lots required to have smaller dimensions for compact cars?

If the answer is YES, award 1 point

d. Can pervious materials be used for spillover parking areas?

If the answer is YES, award 2 points

**9. Structured Parking**

a. Are there any incentives to developers to provide parking within garages rather than surface parking lots?

*If the answer is YES, award 1 point*

**10. Parking Lot Runoff**

a. Is a minimum percentage of a parking lot required to be landscaped?

*If the answer is YES, award 2 points*

b. Is the use of stormwater islands and other stormwater practices within landscaped areas or setbacks allowed?

*If the answer is YES, award 2 points*

**11. Open Space Design**

a. Are open space or cluster development designs allowed in the community?

*If the answer is YES, award 3 points*

*If the answer is NO, skip to question No. 12*

b. Is land conservation or impervious cover reduction a major goal or objective of the open space design ordinance?

*If the answer is YES, award 2 point*

c. Are the submittal or review requirements for open space design greater than those for conventional development?

*If the answer is NO, award 1 point*

d. Is open space or cluster design a by-right form of development?

*If the answer is YES, award 1 point*

e. Are flexible site design criteria available for developers that utilize open space or cluster design options (e.g., setbacks, road widths, lot sizes)?

*If the answer is YES, award 2 points*

**12. Setbacks and Frontages**

a. Are irregular lot shapes (e.g., pie-shaped, flag lots) allowed in the community?

*If the answer is YES, award 1 point*

b. What is the minimum requirement for front setbacks for a one-half (1/2) acre residential lot?

*If the answer is 20 feet or less, award 1 point*

c. What is the minimum requirement for rear setbacks for a one-half (1/2) acre residential lot?

*If the answer is 25 feet or less, award 1 point*

d. What is the minimum requirement for side setbacks for a one-half (1/2) acre residential lot?

*If the answer is 8 feet or less, award 1 point*

a. What is the minimum frontage distance for a one-half (1/2) acre residential lot?

If the answer is less than 80 feet, award 2 points

### 13. Sidewalks

a. What is the minimum sidewalk width allowed in the community?

If the answer is 4 feet or less, award 2 points

b. Are sidewalks always required on both sides of residential streets?

If the answer is NO, award 2 points

c. Are sidewalks generally sloped so they drain to the front yard rather than the street?

If the answer is YES, award 1 point

d. Can alternate pedestrian networks be substituted for sidewalks (e.g., trails through common areas)?

If the answer is YES, award 1 point

### 14. Driveways

a. What is the minimum driveway width specified in the community?

If the answer is 9 feet or less (one lane) or 18 feet (two lanes), award 2 points

b. Can pervious materials be used for single family home driveways (e.g., grass, gravel, porous pavers, etc)?

If the answer is YES, award 2 points

c. Can a "two truck" design be used at single family driveways?

If the answer is YES, award 1 point

d. Are shared driveways permitted in residential developments?

If the answer is YES, award 1 point

### 15. Open Space Management

a. Does the community have enforceable requirements to establish associations that can effectively manage open space?

If the answer is YES, award 2 points

b. Are open space areas required to be consolidated into larger units?

If the answer is YES, award 1 point

c. Does a minimum percentage of open space have to be managed in a natural condition?

If the answer is YES, award 1 point

d. Are allowable and unallowable uses for open space in residential developments defined?

If the answer is YES, award 1 point

e. Can open space be managed by a third party using land trusts or conservation easements?

If the answer is YES, award 1 point

#### 16. Rooftop Runoff

a. Can rooftop runoff be discharged to yard areas?

If the answer is YES, award 2 points

b. Do current grading or drainage requirements allow for temporary ponding of stormwater on front yards or rooftops?

If the answer is YES, award 2 points

#### 17. Buffer Systems

a. Is there a stream buffer ordinance in the community?

If the answer is YES, award 2 points

b. If so, what is the minimum buffer width?

If the answer is 75 feet or more, award 1 point

c. Is expansion of the buffer to include freshwater wetlands, steep slopes or the 100-year floodplain required?

If the answer is YES, award 1 point

#### 18. Buffer Maintenance

a. Does the stream buffer ordinance specify that at least part of the stream buffer be maintained with native vegetation?

If the answer is YES, award 2 points

b. Does the stream buffer ordinance outline allowable uses?

If the answer is YES, award 1 point

c. Does the ordinance specify enforcement and education mechanisms?

If the answer is YES, award 1 point

#### 19. Clearing and Grading

a. Is there any ordinance that requires or encourages the preservation of natural vegetation at residential developments sites?

If the answer is YES, award 2 points

b. Do reserve slope field areas need to be cleared of trees at the time of development?

If the answer is NO, award 1 point

#### 20. Tree Conservation

a. If forests or specimen trees are present at residential development sites, does some of the land have to be preserved?

If the answer is YES, award 2 points

b. Are the limits of disturbance shown on construction plans adequate for preventing clearing of natural vegetative cover during construction?

If the answer is YES, award 1 point

1	0
---	---

**21. Land Conservation Incentives**

a. Are there any incentives to developers or landowners to conserve non-regulated land (open space design, density bonuses, stormwater credits or lower property tax rates)?

If the answer is YES, award 2 points

2	0
---	---

b. Is flexibility to meet regulatory or conservation restrictions (density compensation, buffer averaging, transferable development rights, off-site mitigation) offered to developers?

If the answer is YES, award 2 points

2	0
---	---

**22. Stormwater Outfalls**

a. Is stormwater required to be treated for quality before it is discharged?

If the answer is YES, award 2 points

2	0
---	---

b. Are there effective design criteria for stormwater best management practices (BMPs)?

If the answer is YES, award 1 point

1	0
---	---

c. Can stormwater be directly discharged into a jurisdictional wetland without pretreatment?

If the answer is NO, award 1 point

1	0
---	---

d. Does a floodplain management ordinance that restricts or prohibits development within the 100 year floodplain exist?

If the answer is YES, award 2 points

2	0
---	---

**TOTAL 74**

# **Document U**

## **County Street Maintenance Contract (Corrections Department)**

## INTERGOVERNMENTAL AGREEMENT COUNTY CAPACITY

THIS AGREEMENT is entered into the 16th day of June, 2014, by and between the GEORGIA DEPARTMENT OF CORRECTIONS, an agency of the State of Georgia (“Department”), and JACKSON COUNTY, a political subdivision of the State of Georgia (“County”), acting by and through its Board of County Commissioners, referred to individually as “Party” or together as “Parties.”

WHEREAS, Department desires to contract with County for appropriate care and custody of certain offenders for which Department is responsible, (“State Offenders”); and

County desires to provide appropriate care and custody of State Offenders at a correctional institution operated by County (“Services”).

NOW, THEREFORE, in consideration of these premises and the mutual promises and agreements hereinafter set forth, the parties hereby agree as follows:

1. Care and Custody. County agrees to provide complete care and custody of up to 150 State Offenders daily, for the Term of this Agreement and in accordance with all applicable state and federal laws, rules, and regulations. Without limiting the generality of the foregoing, County specifically agrees that no State Offender labor shall benefit private persons or corporations.

2. Recording Offender Movement in SCRIBE. County agrees to enter any and all movement of State Offenders transferred in and out of the County facility by recording the movement in Department’s SCRIBE system on the same day the movement occurs. Movements that are not entered in SCRIBE on the day the movement occurs will not show as an adjustment and result in an inaccurate daily count. County is solely responsible for implementing procedures to ensure that SCRIBE entries are made accurately and in a timely manner. County is responsible for verifying the State Offender count and all movements in and out of the County facility in SCRIBE on a daily basis to ensure that the count is accurate. County understands that the count reflected in SCRIBE is the official count for purposes of calculating payment under this Agreement. Late documentation, lack of documentation, or inaccurate documentation may result in delayed payment or non-payment under this Agreement. County agrees to grant Department access to County’s records, documentation procedure, and personnel for purposes of auditing SCRIBE entries and verifying State Offender count at any time upon Department’s request.

3. Notification of Medical Treatment. County shall notify Department of any State Offender that the County transfers to a hospital for treatment that will require an overnight stay or for whom

treatment is likely to cost in excess of One Thousand Dollars (\$1,000.00). Said notification shall be provided via telephone contact within Twenty-Four (24) hours of offender being admitted for treatment on an outpatient or inpatient basis. County shall notify Department pursuant to this paragraph by calling the Department's "On Call Utilization Management Nurse" at 404-863-3079 at any time of day or night.

4. Compensation. Department agrees to pay County the sum of Twenty Dollars (\$20.00) per State Offender per day for the duration of this Agreement. County agrees to invoice Department monthly, in compliance with all billing procedures established by Department. Department shall endeavor to pay County for Services within Forty-Five (45) days of invoice receipt in approved form. County acknowledges and agrees that the Commissioner of Corrections shall have sole authority with respect to the transfer of State Offenders to and from the County correctional institution and Department shall not incur charges for State Offenders not under the care and custody of County. A State Offender is not under the care and custody of County when a State Offender is not housed at the County facility including when a State Offender is out to court or sent to a Department facility for medical or mental health evaluation.

5. Term of Agreement. The term of this Agreement shall be from July 1, 2014 until 11:59 p.m. on June 30, 2015 (the "Term"). The Parties may, by mutual agreement in writing, extend the Term for additional time periods.

6. Termination. Department may at any time and for any reason terminate this Agreement by providing written notice in advance of such termination to County. In the event of termination under this paragraph, Department shall pay County for Services performed prior to the effective date of termination; provided, however, that payments otherwise due County may be applied by Department against amounts due or claimed to be due to Department. In the event that County fails to comply with the provisions of this Agreement, Department may terminate this Agreement for cause and without notice. If termination is for cause, payments may be withheld by Department on account of the Services being deemed deficient and not remedied by County prior to the effective date of termination. County shall be liable to Department for any additional cost incurred by Department as a result of deficiencies in the Services to be provided hereunder.

7. Prison Rape Elimination Act. County agrees that it is aware of and will comply with 28 C.F.R. 115, entitled the Prison Rape Elimination Act ("PREA"). County further agrees to cooperate with Department in any audit, inspection, or investigation by Department or other entity relating to County's compliance with PREA. Department has the right to inspect any documents or records relating to such audit, inspection or investigation and County will provide such documents or records at Department's request. County acknowledges that failure to comply with PREA is a material breach of this Agreement and is cause for termination of this Agreement.

8. Notices. Any notice under this Agreement, other than those referenced in Paragraph 3, "Notification of Medical Treatment," shall be deemed duly given if delivered by hand (against receipt) or if sent by registered or certified mail, return receipt requested, to a Party hereto at the address set forth below or to such other address as the Parties may designate by notice from time to time in accordance with this Agreement.

If to the County: Jackson County Board of Commissioners  
Chairman, Tom Crow  
67 Athens Street  
Jefferson, GA 30549

With a copy to: Jackson County Prison  
Warden, Johnny Weaver  
225 Curtis H. Spence Dr.  
Jefferson, GA 30549

If to the Department: Robert E. Jones  
General Counsel  
Georgia Department of Corrections  
State Office South, Gibson Hall, 3<sup>rd</sup> Floor  
P.O. Box 1529  
Forsyth, Georgia 31029

With a copy to: Rick Jacobs  
Facilities Director  
Georgia Department of Corrections  
State Office South, Gibson Hall, 1<sup>st</sup> Floor  
P.O. Box 1529  
Forsyth, Georgia 31029

9. Reimbursement of Medical Costs.

- a. Department agrees to reimburse County for certain costs of medical services required for emergency medical conditions posing an immediate threat to life or limb if a State Offender cannot be placed in a state institution for the receipt of this care, (hereafter "Emergency Medical Services"), provided, however, that Department's obligation arises only when the cost per State Offender per incident exceeds One Thousand Dollars (\$1,000.00), and Department shall only be liable for the amount in excess of One Thousand Dollars (\$1,000.00), subject to the limitations of this paragraph and other applicable laws and regulations.

- b. County agrees to invoice Department monthly for the actual cost of Emergency Medical Services paid by County. If there existed any rate agreement between County and the hospital or hospital authority at the time Emergency Medical Services were rendered, the invoice must reflect such rate. All invoices from County must include an invoice or receipt from the hospital that clearly shows the actual cost of Emergency Medical Services paid by County.
- c. Department is not liable to County for any late fees or charges imposed by the hospital or hospital authority (collectively, "Late Fees") for late or nonpayment by the County. County agrees to exclude Late Fees from its invoices to Department.
- d. If Department reasonably determines that there is a difference between the actual cost incurred by County and the invoice sent to Department, Department may assess an administrative fee of one-half (1/2) of the difference to cover the administrative costs incurred by the Department. Department shall send County written notice of any administrative fees, and County shall have Thirty (30) days to make payment or to dispute the fee in writing. If County does not make payment of undisputed administrative fees by the due date, Department is entitled to a setoff of the same amount against future payments owing to County.
- e. Pursuant to O.C.G.A. § 42-5-2(c), Department shall reimburse County no more than the applicable Georgia Medicaid Rate for Emergency Medical Services provided to a State Offender by a hospital authority or hospital. Department shall not be liable to County for any amount paid by County to a hospital or hospital authority over the Medicaid Rate for emergency services provided to a State Offender.

10. Entire Agreement. This Agreement constitutes the entire agreement and understanding between the parties hereto and replaces, cancels and supersedes any prior agreements and understandings relating to the subject matter hereof, and all prior representations, agreements, understandings and undertakings between the parties hereto with respect to the subject matter hereof are merged herein.

11. Sole Benefit. Department and County enter into this Agreement for their sole benefit. Department and County do not intend to give any rights pursuant to this Agreement to any other parties.

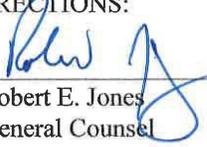
12. Amendment. The Parties recognize and agree that it may be necessary or convenient for the Parties to amend this Agreement and the Parties agree to cooperate fully in connection with such amendments if and as necessary. However, no change, modification or amendment to this

Agreement shall be effective unless the same is reduced to writing and signed by the Parties.

13. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute one agreement. No Party shall be bound by this Agreement until all Parties have executed it.

IN WITNESS WHEREOF, the parties have caused the authorized representatives of each to execute this Agreement on the day and year first above written.

GEORGIA DEPARTMENT OF  
CORRECTIONS:

By:   
Robert E. Jones  
General Counsel

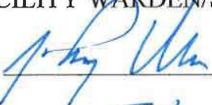
COUNTY:

By: 

Print Name: Tom Crow

Title: Chairman, Jackson County

FACILITY WARDEN/SUPERINTENDENT

By: 

Print Name: Johnny Weaver

# **Document V**

## **Flood Management Design Checklist and Water Quality Improvement Guide (New Projects)**

### FLOOD MANAGEMENT PROJECT DESIGN CHECKLIST

FACILITY NAME:	ANALYSIS BY:
FACILITY LOCATION:	FACILITY TYPE:
BASIN AREA TO FACILITY:	BASIN OUTFALL FLOWS TO WATER OF THE STATE:
DATE OF ANALYSIS:	

1. The Water Quality Improvement Worksheets have been utilized to analyze the project's potential to address water quality. Yes  No
2. The project design adheres to the requirements of the Georgia Stormwater Management Manual. Yes  No
3. The Design adheres to the requirements of local post construction runoff regulations and design standards. Yes  No

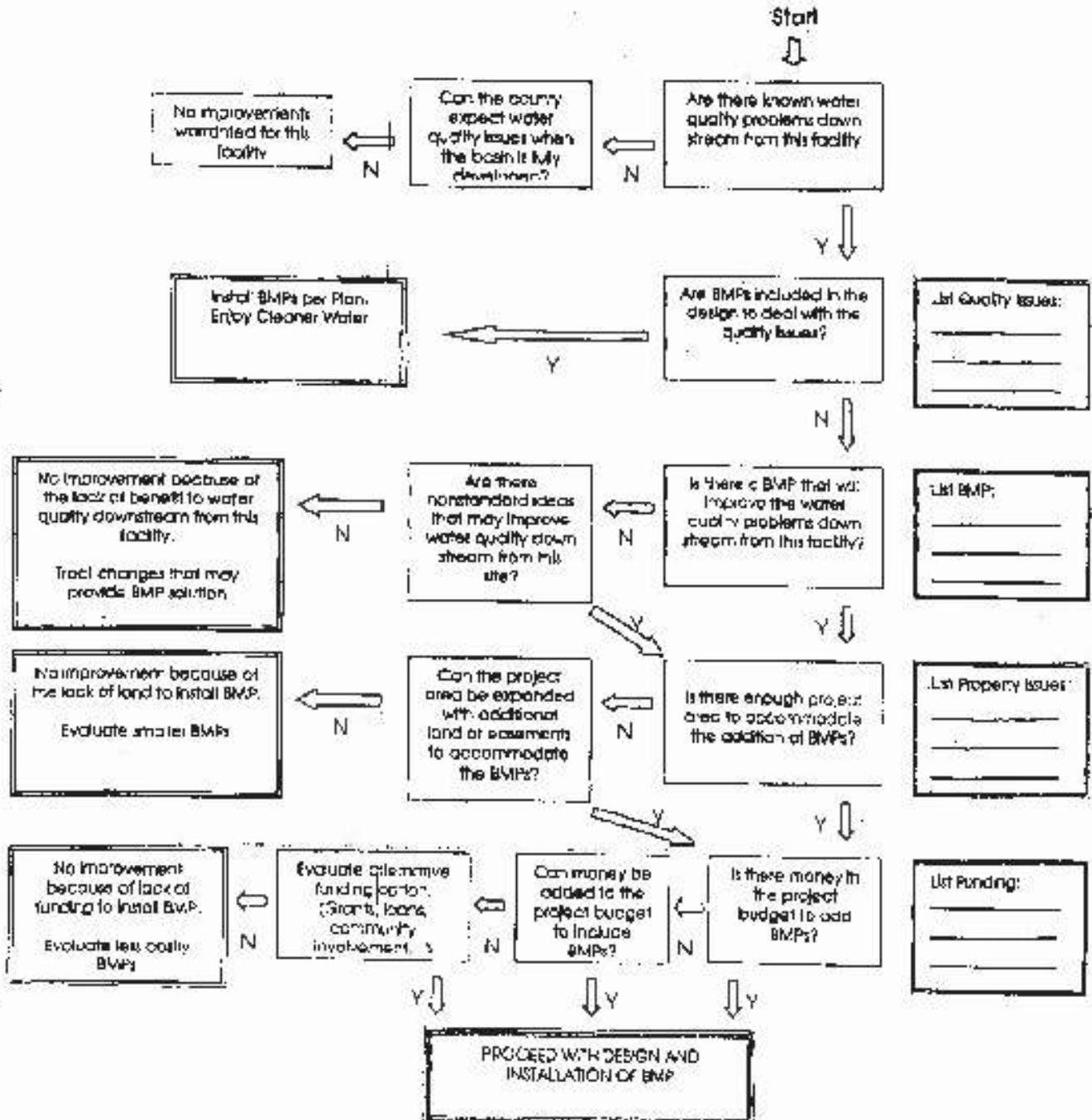
4. Describe how the design of the flood management project addresses water quality: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5. If the design does not address water quality, or if a retrofit of an existing project is not feasible, please explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Name and Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

## WATER QUALITY IMPROVEMENT WORKSHEET: PROPOSED MS4 FACILITY

FACILITY NAME:	ANALYSIS BY:
FACILITY LOCATION:	FACILITY TYPE:
BASIN AREA TO FACILITY:	BASIN OUTFALL FLOWS TO WATER OF THE STATE:
DATE OF ANALYSIS:	

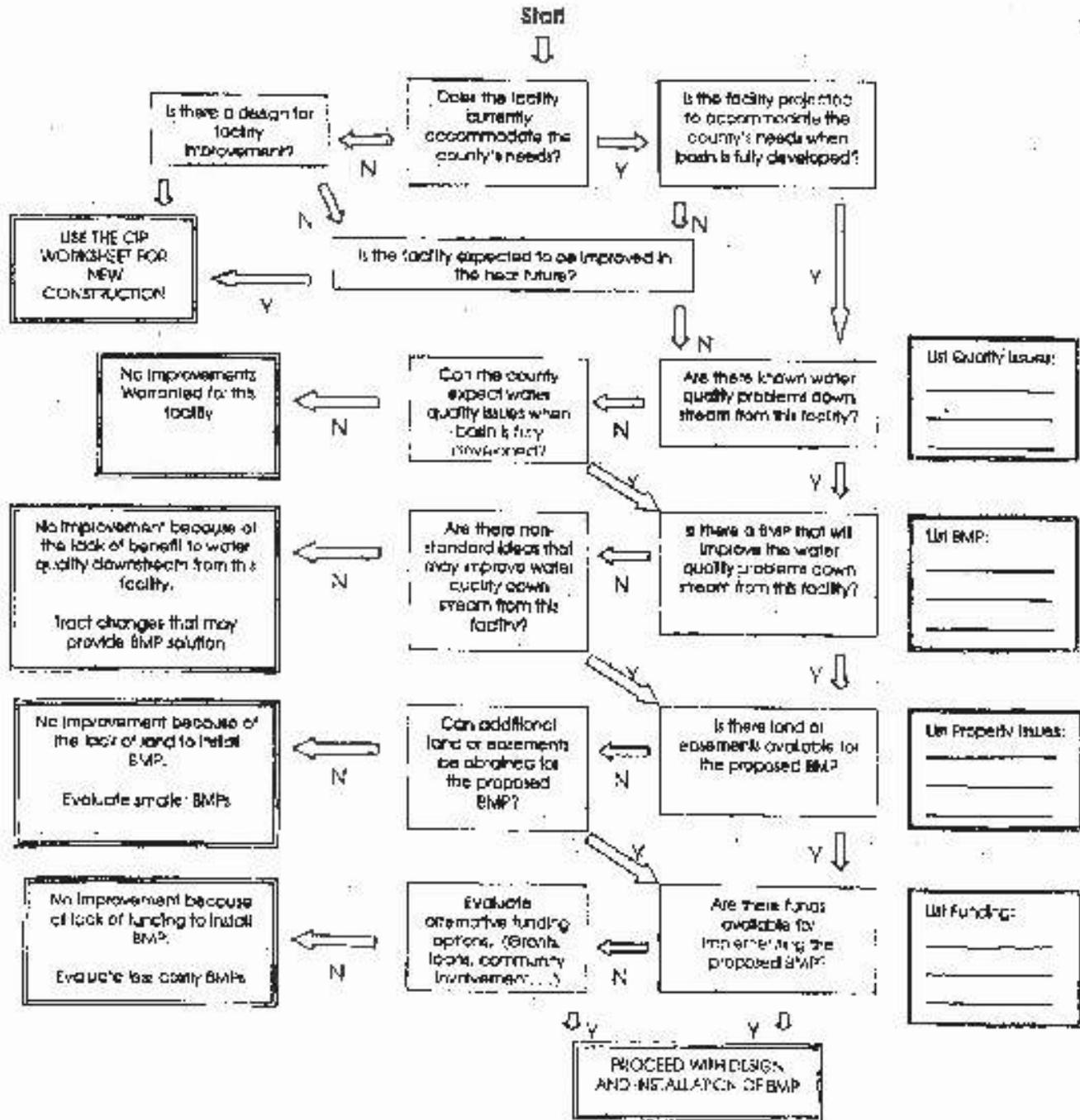


**Document W**

**Water Quality Improvement Guide (Existing  
Projects)**

## WATER QUALITY IMPROVEMENT WORKSHEET: EXISTING MS4 FACILITY

Facility Name:	Analysis By:
Facility Location:	Facility Type:
Basin Area to Facility:	Basin Outfall flows to Water of the State
Date of Analysis:	



# **Document X**

## **Municipal Facilities Inspection List**

**Municipal Facilities Inspection List  
(July 2014)**

<b>Name</b>	<b>Address</b>
<b>Example: Pleasantville Police Station</b>	<b>123 Main Street</b>

**\*as of July 2014, the census declared urbanized area of Jackson County did not contain any county owned municipal facilities. This list will be properly maintained as new facilities are constructed or ownership changes.**

**Document Y**

**Municipal Operations Inspection Form**

**Jackson County Public Development  
Municipal Operations Inspection:**

<b>Inspection Items</b>	<b>Acceptable</b>	<b>Needs Work</b>	<b>Immediate Problem</b>
<b>Leaks or spills from vehicles or equipment onsite</b>			
<b>Proper materials storage</b>			
<b>Proper waste handling and storage</b>			
<b>Regular garbage removal</b>			
<b>Proper cleanup procedures for spilled material</b>			
<b>Outside area free of debris/litter</b>			

**Comments:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Recommended Action:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Document Z**

**Residential Stormwater Maintenance  
Agreement**

**RESIDENTIAL STORMWATER MANAGEMENT  
INSPECTION AND MAINTENANCE AGREEMENT**

**THIS AGREEMENT**, made and entered into this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between (*Insert Full Name of Owner*) \_\_\_\_\_ hereinafter called the "Landowner", and Jackson County, a political subdivision of the State of Georgia, hereinafter called the "County",

**WITNESSETH,**

**WHEREAS**, the Landowner is the owner of certain real property described as (*Insert Jackson County Tax Map/Parcel Identification Number*) \_\_\_\_\_ as recorded by deed in the land records of Jackson County, Georgia, Deed Book \_\_\_\_\_ Page \_\_\_\_\_, hereinafter called the "Property".

**WHEREAS**, the Landowner is proceeding to build on and develop the property; and

**WHEREAS**, the Site Plan/Subdivision Plan known as (*Insert Name of Plan/Development*) \_\_\_\_\_, hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the County, provides for detention of stormwater within the confines of the property; and

**WHEREAS**, the County and the Landowner, including the (*Insert Name of Homeowners Association*) \_\_\_\_\_ Homeowners Association, (the "HOA") agree that the health, safety, and welfare of the residents of Jackson County, Georgia, require that on-site stormwater management facilities and Best Management Practices (BMPs) be constructed and maintained on the Property; and

**WHEREAS**, the County requires that on-site stormwater management facilities and BMPs as shown on the Plan be constructed and adequately maintained by the Landowner, its successors and assigns, including the HOA.

**NOW, THEREFORE**, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

- 1. The on-site stormwater management facilities and BMPs shall be constructed by the Landowner in accordance with the plans and specifications identified in the approved Plan.**
- 2. The Landowner shall adequately maintain the stormwater management facilities and BMPs. This includes all pipes and channels designated as private facilities built to convey stormwater to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance is herein defined as good working condition so that these facilities are performing their designed functions.**
- 3. The Landowner shall inspect the stormwater management facilities and BMPs and submit an inspection report annually by July 1<sup>st</sup> to the Jackson County Public Development Department. The purpose of the inspection is to assure safe and proper functioning of the facilities. The inspection shall cover the entire facilities, berms, outlet structure, pond areas, access roads, etc. Deficiencies shall be noted in the inspection report.**

- 4. The Landowner will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the stormwater management facilities and BMPs (including sediment removal) is outlined on the approved plans, the schedule will be followed. The lack of a maintenance schedule on the approved plans shall not be construed that maintenance is not necessary or used as a defense that maintenance activities were not performed.**
- 5. The Landowner hereby grants permission to the County, its authorized agents and employees, to enter upon the Property and to inspect the stormwater management facilities and BMPs whenever the County deems necessary. The purpose of inspection is to follow-up on reported deficiencies and/or to respond to citizen complaints, or to conduct routine inspections. The County shall provide the Landowner copies of the inspection findings and a directive, including a compliance schedule, to commence the necessary repairs.**
- 6. In the event the Landowner fails to maintain the stormwater management/BMP facilities in good working condition acceptable to the County, the County may enter upon the Property and take whatever steps necessary to correct deficiencies identified in the inspection report and to charge the costs of such repairs to the Landowner. This provision shall not be construed to allow the County to erect any structure of a permanent nature on the land of the Landowner outside of the easement for the stormwater management/BMP facilities. It is expressly understood and agreed that the County is under no obligation to routinely maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the County.**
- 7. In the event the County, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the County upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the County hereunder. If payment is not made, it is understood that the County may create a Special Tax District and assess each landowner in the development to reimburse the cost of repairs plus reasonable administrative costs associated with the creation of the Special Tax District.**
- 8. This Agreement imposes no liability of any kind whatsoever on the County and the Landowner agrees to save and hold the County harmless from any liability in the event the stormwater management/BMP facilities fail to operate properly.**
- 9. This Agreement shall be recorded among the land records of Jackson County, Georgia, and shall constitute a covenant running with the land, and shall be binding on the Landowner, its administrators, executors, assigns, heirs and any other successors in interests, including any homeowners association.**
- 10. At such time as Landowner conveys the stormwater structure or retention pond to the HOA (or the landowner's other successor in interest) and transfers the responsibility for operation and maintenance to the HOA (or the landowner's other successor in interest), and such time as the stormwater management facilities and the BMPs are in proper working order, Landowner shall have no further personal responsibility for the maintenance required herein. After legally binding arrangements have been made to pass the inspection and maintenance responsibility to the appropriate successors in title as required by Section 1109(b)(3) of the Jackson County Unified Development Code, such maintenance shall then be the responsibility of the HOA or the Landowner's other successor in interest.**
- 11. At such time as the stormwater structure or retention pond is conveyed to another party, the new owner's contact information must be presented to the Jackson County Public Development Director along with the deed transferring ownership.**

In witness whereof the Landowner has set its hand, affixed its seal and delivered these presents, the date and year written above.

-----  
**Company/Corporation/Partnership Name (Seal)**

**By:** \_\_\_\_\_  
**(Type/Print Name and title)**

**Attest:** \_\_\_\_\_  
**(Type/Print Name and title)**

**Signed sealed and delivered in  
the presence of:**

-----  
**Unofficial Witness**

-----  
**Notary Public,**

**Accepted:**

**Jackson County**

**By** \_\_\_\_\_  
**Chairman of the Board of Commissioners**

# Document AA

## **Municipal Structural Control Inspection & Maintenance**

## **Municipal Structural Control Inspection & Maintenance Jackson County**

Jackson County is responsible for maintenance of all drainage structures and systems within the County's public right-of-way and easements and any county-owned land. Structural controls located on State or County routes will, remain the responsibility of those entities.

Staff will inspect all county-owned drainage structures and systems and perform any maintenance activities that are required to keep these structures functioning at current levels or better. See Document S for inspection and maintenance forms. All material removed will be disposed of at the Banks County landfill. If certain standards are not met during inspection, as defined below, staff will perform applicable maintenance procedures.

### **Inspection Schedule**

- 20% of municipal ponds will be inspected per year and maintenance will be performed in accordance with the general standards outlined below.
- Open Drainage System ditches and swales will be inspected and maintained once every five years or 20% per year.
- Closed Drainage Systems will be inspected once every five years or 20% per year. Maintenance will be performed as needed.

### **Standards for Required Maintenance**

- Sediment will be removed before 50% of the capacity has been lost (typically every five to seven years).
- Storm water structural control facilities will be maintained according to criteria or procedures presented in Article 11 of the Jackson County UDC or the Georgia Stormwater Management Manual, v.2.

### **Public Drainage System Inspection & Maintenance**

Staff will inspect the storm sewer lines, culverts, catch basins, outfalls and any other elements of the closed drainage system. The MS4 will be inspected based on a prioritized schedule. This will not prevent staff from inspecting a suspected problem area, even if it is not within a scheduled area. If certain standards are not met during inspection (as defined below), staff will perform applicable maintenance procedures including removal of litter, debris, or sediment; re-grading; minor repair; replacement; etc.

#### ***Open Drainage System***

- Jackson County will maintain the open drainage system through the following procedures:
  - Staff will inspect the length of the ditch/swale identified as being a responsibility of the County. Staff will maintain open drainage structures

identified as being part of the County's maintenance responsibilities through the following procedures:

- Staff will remove manmade and natural objects that are causing or could potentially cause a blockage to the system.
- Staff will manually remove excess emergent vegetation. Bankside vegetation and vegetation in the maintenance right-of-way will be mowed or trimmed, but not removed to protect against erosion. Staff will remove litter prior to mowing/trimming of vegetation.
- If the ditch is not draining properly, or exceeds the condition driven maintenance standard for sediment, Staff will address the issue.
- Ditches and swales will be inspected and maintained once every five years or 20% per year.

#### ***Closed Drainage Systems***

- The remaining closed drainage systems (i.e. pipes, catch basins, culverts, etc.) in Jackson County will be inspected on a 5-year rotational basis, or 20% each year over five years, totaling 100% of the system. Staff will assess the system for condition, material, water quality issues, and structural issues. Maintenance activities will be conducted as needed based on the results of the inspection and the condition driven maintenance standards listed below.