

for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this ordinance is occurring or has occurred, and to enter when necessary for abatement of a public nuisance or correction of a violation of this ordinance.

(17). Inspection of stormwater management facilities. Periodic inspections of facilities shall be performed as provided for in Section 6 of the City of Hendersonville Land Disturbance Ordinance and the Hendersonville Construction Manual.

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(18). Records of installation and maintenance activities. Parties responsible for the operation and maintenance of a stormwater management facility shall make weekly records during construction and monthly records after acceptance of the installation of the stormwater facility, and of all maintenance and repairs to the facility, and shall retain the records for at least three (3) years. These records shall be made available to the City during inspection of the facility and at other reasonable times upon request.

(19). Failure to meet or maintain design or maintenance standards. If a responsible party fails or refuses to meet the design or maintenance standards required for stormwater facilities under this ordinance, the City Engineer, after twenty day (20) notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the stormwater management facility becomes a danger to public safety or public health, the City Engineer shall notify in writing the party responsible for maintenance of the stormwater management facility. Upon receipt of that notice, the responsible person shall have ten (10) days to effect maintenance and repair of the facility in an approved manner. In the event that corrective action is not undertaken within that time, the City Engineer may take necessary corrective action. The cost of any action by the City under this section shall be charged to the responsible party and /or impose a minimum fine of five hundred (500) dollars per day up to ten thousand (10,000) dollars per day.

**13-308. Illicit discharges.** (1). Prohibition of Illegal Discharges. No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water.

The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

- (a) Uncontaminated discharges from the following sources:
  - (1) Water line flushing or other potable water sources,
  - (2) Lawn watering with potable water,

- (3) Diverted stream flows,
- (4) Rising ground water,
- (5) Groundwater infiltration to storm drains,
- (6) Pumped groundwater,
- (7) Foundation or footing drains,
- (8) Crawl space pumps,
- (9) Air conditioning condensation,

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- (10) Springs,
- (11) Non-commercial washing, for example vehicles,
- (12) Natural riparian habitat or wet-land flows,
- (13) Swimming pools (if de-chlorinated - typically less than one PPM chlorine),
- (14) Fire fighting activities such as hydrant testing, and
- (15) Any other uncontaminated water source.

(b) Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety.

(c) Biodegradable dye testing is an allowable discharge, but requires a verbal notification to the authorized enforcement agency prior to the time of the test and may require a permit from other agencies.

(d) The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

(2). Prohibition of Illicit Connections.

(a) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

(b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(c) A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

(3). Reduction of stormwater pollutants by the use of best management practices. Any person responsible for a property or premises, which is, or may be, the