

CITY OF CROSSVILLE, TENNESSEE

Storm Water Policy

Site Inspection and Violation Enforcement

Inspections shall be performed to ensure that vegetation, erosion and sediment control measures and other protective measures identified in the storm water pollution prevention plan are being maintained in good and effective operating condition.

Owner/Operator Inspections

Inspections required for all developments requiring a land disturbance permit.

- A. Inspections already required by other governing entities such as TDEC, TDOT, etc.
- B. Inspection documentation shall be submitted to the City of Crossville.
- C. Final storm water management best management practices (BMPs) shall be inspected and certified that they are in accordance with the approved plans prior to the issuance of a certificate of occupancy.

Additional inspections required for all major and minor subdivisions, site plans and other major developments:

- A. For all sites greater than one acre in size or being a part of a larger development, Pre-Construction storm water management BMPs shall be inspected and certified that they are in accordance with the approved plans by an engineer licensed in the State of Tennessee.
- B. For all sites with land disturbance activities greater than one (1) acre, Construction storm water management BMPs shall be inspected and certified that they are in accordance with the approved plans by an engineer licensed in the State of Tennessee, prior to the granting of a building permit.
- C. Post Construction storm water management BMPs shall be inspected and certified that they are in accordance with the approved plans by an engineer licensed in the State of Tennessee, prior to the release of surety.

City Inspections

- A. City inspections may include, but are not limited to, the following:
 1. An initial site inspection prior to storm water pollution prevention plan approval;
 2. A bury inspection prior to burial of any underground drainage structure(s);
 3. Erosion prevention and sediment control inspections as necessary to ensure effective control of erosion and sedimentation;
 4. Periodic inspections to ensure storm water facilities are being properly maintained; and
 5. Final inspection when all work, including installation of storm management facilities, has been completed.

Enforcement

- A. Enforcement authority. The City of Crossville shall have the authority to issue Notices of Violation and citations, to impose the civil penalties provided for in this section, and to institute appropriate actions or proceedings.
- B. Notification of Violation (NOV).

1. Written Notice. Whenever the Director of Engineering, the Storm Water Coordinator or his designee finds that an owner/operator or any other person discharging storm water has violated or continues to be in violation of these Regulations or permit or order issued hereunder, he may serve upon such person a written NOV. In addition to the NOV, whenever the Director of Engineering, the Storm Water Coordinator or his designee finds that any permittee, person, company or facility owning, occupying or operating on any premises has violated or continues to be in violation of these Regulations or permit or order issued hereunder, he may revoke said permit issued by the City. Any permit issued erroneously in violation of any applicable federal, state or local law or regulations may be revoked. Notice of such revocation shall be in accordance with the notification requirements for NOV's.


Within a date certain established by this Notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, shall be submitted to the City of Crossville. Said plan shall identify specific actions to be taken to correct the violation. Submission of this plan shall not relieve the discharger of liability for any violations

occurring before or after receipt of the NOV.


2. Consent Orders. The Director of Engineering, the Storm Water Coordinator or his designee is hereby empowered to enter into consent orders, assurances of voluntary compliance or any other similar document that establishes an agreement with the owner/operator or any other person responsible for the non-compliance. Such orders, assurances or similar documents shall identify specific actions to be taken to correct the non-compliance, within a date certain as specified by said orders, assurances or similar documents. Consent orders shall have the same force and effect as compliance orders issued pursuant to paragraph B.3.
3. Compliance Orders. Whenever the Director of Engineering, the Storm Water Coordinator or his designee finds that an owner/operator or any other person has violated or continues to be in violation of these Regulations or permit or order issued hereunder, he may issue a compliance order to the violator directing that, within a date certain, adequate structures or devices shall be installed or procedures implemented, and that said structures or devices are properly operating and said procedures are being complied with. Compliance orders may also contain such other requirements as may be reasonably necessary and appropriate to address the non-compliance, including the construction of appropriate structures, installation of devices, self-monitoring and management practices.
4. Cease and Desist Orders. Whenever the Director of Engineering, Storm Water Coordinator or his designee finds that an owner/operator or any other person has violated or continues to be in violation of these Regulations or permit or order issued hereunder, he may issue an order to cease and desist all such violations and direct those owners/operators or any other persons in non-compliance to:
 - a. Comply forthwith; or
 - b. Take such appropriate remedial or preventative action as may be necessary to properly address a continuing or threatened violation, including ceasing operations and terminating the discharge.
 - c. Conflicting standards. Where there is a conflict between any standards contained in these Regulations and the BMP manual adopted by the City of Crossville, pursuant to these Regulations, the strictest standards shall prevail.

Show Cause Hearing. The Director of Engineering, Storm Water Coordinator or his designee may order an owner/operator or any other person who violates these Regulations or permit or order issued hereunder, to show just cause as to why a proposed enforcement action should not be undertaken. Notice shall be served on said owner/operator or any other person specifying the date, time and location for the show cause hearing, the proposed enforcement action and the reasons for such action. The show cause meeting notice shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to said hearing.


ADOPTED, this 9th day of December, 2008.



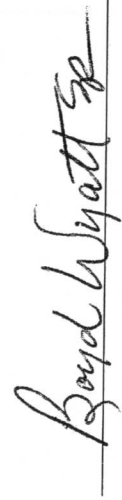
Mayor



Councilman



Councilman



Councilman



Councilman

ATTEST:



City Clerk