



11701 Community Center Dr., Northglenn, CO 80233 (303) 451-8326

## City of Northglenn

### Appendix B Stormwater Quality Enforcement Policy

#### Inspections

Stormwater inspections are to be performed by the Owner or Contractor as follows:

- (1) As required by the Colorado Department of Public Health & Environment (CDPHE) Water Quality Control Division permit for Stormwater Discharges Associated with Construction Activities
- (2) After a significant storm event that may cause erosion

It is the Contractor's responsibility to perform more frequent inspections when needed to effectively address maintenance and repair of Best Management Practices (BMPs). As part of the site's stormwater inspections the Contractor is required to fill out an Erosion and Sediment Control Measures Inspection Report or equivalent thereof. The report must be maintained on-site and made available to City Inspectors upon request.

In addition, to enable effective communication and quick response to any stormwater quality control deficiencies, the City encourages the Contractor to join and participate during City inspections. City inspections may be announced or unannounced. However, in general they may be performed on a monthly basis, but could be triggered more often due to complaints, spills or certain upcoming weather conditions.

#### Compliance

Maintenance, repair, or installation of any stormwater pollution prevention BMP that is noted during the Contractor's inspection and/or by the City Inspector must be completed immediately.

The following outlines typical non-compliance issues and possible enforcement actions.

For more detailed information, please refer to the City of Northglenn Municipal Code Article 17 of Chapter 16.

#### Non-Compliance Issues

- Failure to obtain a City of Northglenn Grading Permit for projects greater than or equal to one (1) acre; or for sites disturbing less than one (1) acre but which belong to a larger common plan of development that disturbs one (1) or more acres, or as otherwise specified in the City of Northglenn Municipal Code Article 17 of Chapter 16.
- Failure to obtain a State Stormwater Discharges Associated with Construction Activities Permit (SDP) from the Colorado Department of Public Health & Environment (CDPHE), Water Quality Control Division if the project is greater than or equal to one (1) acre; or for sites disturbing less than one (1) acre but which belong to a larger common plan of development that disturbs one (1) or more acres.
- Failure to abide by the conditions of the City's Grading Permit.
- Failure to properly install, maintain, and/or replace BMPs as necessary.
- Failure to remove temporary BMPs once such item is no longer necessary.
- Failure to implement the Erosion and Sediment Control Plan (ESCP), also referred to as a Storm Water Management Plan (SWMP).
- Failure to modify the ESCP/SWMP to reflect field changes.
- Direct discharge of pollutant(s) into a waterway, jurisdictional wetland or a storm sewer system.
- Work beyond limits of permit area.

### **Enforcement Actions**

If site conditions are found to be in violation of the Grading Permit or any other requirements set forth in the City of Northglenn Municipal Code Article 17 of Chapter 16 during an inspection by the City Inspector, one or all of the following actions may be taken:

- Verbal warning
- Written Compliance Order
- Suspension or Revocation of permit(s)
- Denial of further review or future inspections and/or permits
- Stop Work Order
- Hiring a private contractor and/or City crew to perform work. The cost of work will be deducted from the Performance Security collected at Grading Permit issuance.

### **Priority Violations**

Priority violations may include, but not be limited to:

- Work without a permit
- Failure to install and/or maintain critical BMPs
- Working beyond limits of permitted area
- Discharge of contaminated water into storm sewer system
- Discharge of contaminated water into a waterway
- Washing a roadway into a storm inlet
- Washing concrete trucks in unapproved locations
- Failure to correct routine violations

Priority violations will result in an immediate issuance of a Stop Work Order. Failure to repair or install critical BMPs will result in suspension or revocation of permit(s), denial of further review or future inspections and/or permits, or hiring a private contractor and/or City crew to perform the work.

### **Routine Violations**

Routine violations may include, but not be limited to:

- Failure to abide by the conditions of the Grading Permit
- Failure to properly install, maintain, and/or replace non-critical BMPs
- Failure to remove and properly dispose of BMPs when they are no longer needed

Routine violations may result in a written compliance order detailing non-compliant items. Failure to repair or install non-critical BMPs may result in suspension or revocation of permits, denial of further review or future inspections and/or permits, Stop Work Order, or hiring a private contractor and/or City crew to perform the work.

### **Right of Entry**

The City inspectors may, where reasonable cause exists, with or without a warrant issued by a court of competent jurisdiction, enter upon any property for examination of the same to ascertain whether a violation of the requirements set forth in the City of Northglenn Municipal Code Article 17 of Chapter 16 exists, and shall be exempt from any legal action or liability on account thereof.

**In addition to the above mentioned penalties, the penalties set forth in the City of Northglenn Municipal Code Section 16-17-19 shall apply.**