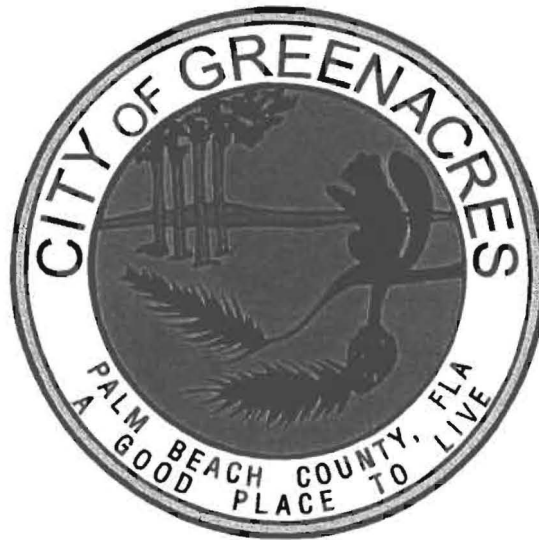


CITY OF GREENACRES

PALM BEACH COUNTY • FLORIDA



**PALM BEACH COUNTY NPDES
MUNICIPAL SEPARATE STORM SEWER SYSTEM
FIRST ANNUAL REPORT
FEBRUARY 1, 1997 TO JANUARY 31, 1998**

Engineering, Planning & Building Department

CITY OF GREENACRES • 5985 10TH AVENUE NORTH • GREENACRES • FLORIDA • 33463
(561)642-2055

APPENDIX 2

GREENACRES MUNICIPAL STORM WATER ORDINANCE

Sec. 7-58. Special permits.

The operational performance standards established by this article shall not apply to any use or activity being conducted in accordance with the provisions of a special permit granted by the city council or its duly authorized agent. Such relief may be granted for the following reasons:

- (1) Additional time is necessary for the applicant to alter or modify the activity or use in order to comply with the provisions of this article; or
 - (2) The activity or use will be temporary in nature; and
 - (3) No reasonable alternative is available to the applicant; and
 - (4) The applicant agrees to abide by the conditions of the permit.
- (Ord. No. 90-16, § 1, 9-10-90)

Sec. 7-59. Injunctive relief.

As an additional remedy, any emission of sound from any source in excess of the limitations established by this article shall be deemed and is hereby declared to be a public nuisance and may be subject to injunctive relief in order to abate such nuisance.

(Ord. No. 90-16, § 1, 9-10-90)

Sec. 7-60. Other remedies.

Nothing in this article shall be construed to impair any cause of action at law or in equity by any person for injury, damages or other injunctive relief due to violations of this article.

(Ord. No. 90-16, § 1, 9-10-90)

Secs. 7-61—7-99. Reserved.**ARTICLE IV. STORMWATER****Sec. 7-100. Purpose and intent.**

The purpose of this article is to promote the health, safety and general welfare of the inhabitants of the city. This article is intended to comply with federal and state law and regulations regarding water quality. This article shall be known

as the "City of Greenacres' Initial Stormwater Control Regulations" and may be so cited.
(Ord. No. 93-05, § 1, 4-26-93)

Sec. 7-101. Definitions.

[For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:]

Authorized official means any employee or agent of the city authorized in writing by the director to administer or enforce the provisions of this article.

Director means the director of engineering and building.

Discharge means any direct or indirect entry of any solid, liquid or gaseous matter.

Person means any natural individual, corporation, partnership, institution or other entity.

Site of industrial activity means any area or facility used for manufacturing, processing or raw material storage, as defined under 40 CFR Section 122.26(a)(14) of regulations of the U.S. Environmental Protection Agency, as amended.

Stormwater means any stormwater runoff, and surface runoff and drainage.

Stormwater system means the system of conveyances used for collecting, storing and transporting stormwater owned by the city but not including any facilities intended to be used in accordance with applicable law for collecting and transporting sanitary or other wastewater.
(Ord. No. 93-05, § 1, 4-26-93)

Sec. 7-102. Industrial activity.

(a) *General prohibitions.* Any discharge into the stormwater system in violation of any federal, state, county, municipal or other law, rule, regulation or permit is prohibited.

(b) *Specific prohibitions.* By adoption of industrial activity stormwater regulations or by issuance of industrial activity stormwater permits, or both, the director may impose reasonable limitations as to the quality of stormwater (including without limitation the designation of maximum levels of pollutants) discharged into the storm-

water system from sites of industrial activity. Any promulgation of such regulations and issuance of permits by the director shall be in accordance with applicable law.

(c) *Administrative orders.* The director may issue an order to any person to immediately cease any discharge determined by the director to be in violation of any provision of this article, or in violation of any regulation or permit issued hereunder.

(d) *NPDES permits.* Any person who holds a national pollutant discharge elimination system (NPDES) permit shall provide a copy of such permit to the director no later than the later of: sixty (60) calendar days after the effective date of this article or sixty (60) calendar days after issuance.

(Ord. No. 93-05, § 1, 4-26-93)

Sec. 7-103. Illicit discharges.

(a) *General prohibitions.* Except as set forth under section 7-103(c) of this article or as in accordance with the valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.

(b) *Specific prohibitions.* Any discharge to the stormwater system containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal or other laws, rules, regulations, order or permits, is prohibited.

(c) *Authorized exceptions.* Unless the director determines that it is not properly managed or otherwise is not acceptable, the following discharges are exempt from the general prohibition set forth under section 7-103(a) of this article: flows from firefighting, water line flushing and other contributions from potable water sources, landscape irrigation and lawn watering, irrigation water, diverted stream flows, rising groundwaters, direct infiltration to the stormwater system, uncontaminated pumped groundwater, foundation and footing drains, water from crawl space pumps, air conditioning condensation, springs, individual residential car washings, flows from riparian habitats and wetlands and dechlorinated swimming pool contributions.

(d) *Illicit connections.* No person may maintain, use or establish any direct or indirect connection to the stormwater system that results in any discharge in violation of this article. This prohibition is retroactive and applies to connections made in the past, regardless of whether made under a permit, or other authorization, or whether permissible under laws or practices application or prevailing at the time the connection was made.

(e) *Administrative order.* The director may issue an order to any person to immediately cease any discharge, or any connection to the stormwater system, determined by the director to be in violation of any provision of this article, or in violation of any regulation or permit issued hereunder. (Ord. No. 93-05, § 1, 4-26-93)

Sec. 7-104. Spills and dumping.

(a) *General prohibitions.* Except as set forth under section 7-103(c) of this article or as in accordance with a valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.

(b) *Specific prohibitions.* Any discharge to the stormwater system containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal or other laws, rules, regulations orders or permits, is prohibited.

(c) *Notification of spills.* As soon as any person has knowledge of any discharge to the stormwater system in violation of this article, such person shall immediately notify the director by telephoning 407-642-2055, and if such person is directly or indirectly responsible for such discharge, then such person shall also take immediate action to ensure the containment and clean up of such discharge and shall confirm such telephone notification in writing to the director at 5985 10th Avenue North, Greenacres, FL 33463, within three (3) calendar days.

(d) *Administrative order.* The director may issue an order to any person to immediately cease any discharge, or connection to the stormwater system, determined by the director to be in violation of

any provision of this article, or in violation of any regulation or permit issued hereunder.
(Ord. No. 93-05, § 1, 4-26-93)

Sec. 7-105. Enforcement.

(a) *Injunctive relief.* Any violation of any provision of this article, or of any regulation or order issued hereunder, shall be subject to injunctive relief if necessary to protect the public health, safety or general welfare.

(b) *Continuing violation.* A person shall be deemed guilty of a separate violation for each and every day during any continuing violation of any provision of this article, or of any regulation or permit issued hereunder.

(c) *Enforcement actions.* The director may take all actions necessary, including the issuance of notices of violation, the filing of court actions and/or referral of the matter to the local code enforcement board to require and enforce compliance with the provisions of this article and with any regulation or permit issued hereunder.
(Ord. No. 93-05, § 1, 4-26-93)

Sec. 7-106. Inspections and monitoring.

(a) *Authority for inspections.* Whenever necessary to make an inspection to enforce any of the provisions of this article, or regulation or permit issued hereunder, or whenever an authorized official has reasonable cause to believe there exists any condition constituting a violation of any of the provisions of this article, or regulation or permit issued hereunder, any authorized official may enter any property, building or facility at any reasonable time to inspect the same or to perform any duty related to enforcement of the provisions of this article or any regulations or permits issued hereunder; provided that (1) if such property, building or facility is occupied, such authorized official shall first present proper credentials and request permission to enter, and (2) if such property, building or facility is unoccupied, such authorized official shall make a reasonable effort to locate the owner or other person having charge or control of the property, building or facility, and shall request permission to enter. Any request for permission to enter made hereunder shall state that the owner or person in control has

the right to refuse entry, and that in such event that entry is refused, the authorized official may enter to make inspection only upon issuance of a search warrant by a duly authorized magistrate. If the owner or person in control refuses permission to enter after such request has been made, the authorized official is hereby authorized to seek assistance from any court of competent jurisdiction in obtaining entry. Routine or area-wide inspections shall be based upon such reasonable selection processes as may be necessary to carry out the purposes of this article, including but not limited to random sampling and sampling in areas with evidence of stormwater contamination, non-stormwater discharges or similar factors.

(b) *Authority for monitoring and sampling.* Any authorized official may establish on any property such devices as are necessary to conduct sampling or metering of discharges to the stormwater system. During any inspections made to enforce the provisions of this article, or regulations or permits issued hereunder, any authorized official may take any samples deemed necessary.

(c) *Requirements for monitoring.* The director may require any person engaged in any activity or owning any property, building or facility (including but not limited to a site of industrial activity) to undertake such reasonable monitoring of any discharge(s) to the stormwater system and to furnish periodic reports.
(Ord. No. 93-05, § 1, 4-26-93)