



Annual Report Form For Individual NPDES Permits For Municipal Separate Storm Sewer Systems (RULE 62-624.600(2), F.A.C.)

- This Annual Report Form must be completed and submitted to the Department to satisfy the annual reporting requirements established in Rule 62-621.600, F.A.C.
- Submit this fully completed and signed form and any REQUIRED attachments by email to the NPDES Stormwater Program Administrator or to the MS4 coordinator (<http://www.dep.state.fl.us/water/stormwater/npdes/contacts.htm>). Files larger than 10MB may be placed on the FTP site at: ftp://ftp.dep.state.fl.us/pub/NPDES_Stormwater/. After uploading files, email the MS4 coordinator or NPDES Program Administrator to notify them the report is ready for downloading; or by mail to the address in the box at right.
- Refer to the Form Instructions for guidance on completing each section.
- **Please print or type information in the appropriate areas below.**

Submit the form and attachments to:
 Florida Department of Environmental
 Protection
 Mail Station 3585
 2600 Blair Stone Road
 Tallahassee, Florida 32399-2400

SECTION I. BACKGROUND INFORMATION

A.	Permittee Name: Town of Highland Beach		
B.	Permit Name: Palm Beach County MS4		
C.	Permit Number: FLS000018-004		
D.	Annual Report Year: <input type="checkbox"/> Year 1 <input checked="" type="checkbox"/> Year 2 <input type="checkbox"/> Year 3 <input type="checkbox"/> Year 4 <input type="checkbox"/> Year 5 <input type="checkbox"/> Other, specify Year:		
E.	Reporting Time Period (month/year): October / 2017 through September / 2018		
F.	Name of the Responsible Authority: Marshall Labadie		
	Title: Town Manager		
	Mailing Address: 3614 S. Ocean Boulevard		
	City: Highland Beach	Zip Code: 33487	County: Palm Beach
	Telephone Number: 561-278-4548		Fax Number: 561-265-3582
	E-mail Address: mlabadie@highlandbeach.us		
G.	Name of the Designated Stormwater Management Program Contact (if different from Section I.F above): Pat Roman		
	Title: Utility Maintenance Superintendent		
	Department: Public Works		
	Mailing Address: 3614 S. Ocean Boulevard		
	City: Highland Beach	Zip Code: 33487	County: Palm Beach
	Telephone Number: 561-243-2084		Fax Number: 561-279-9040
	E-mail Address: proman@highlandbeach.us		

SECTION II. MS4 MAJOR OUTFALL INVENTORY (Not Applicable in Year 1)

A.	Number of outfalls ADDED to the outfall inventory in the current reporting year (insert "0" if none): 0 (Does this number include non-major outfalls? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable)
B.	Number of outfalls REMOVED from the outfall inventory in the current reporting year (insert "0" if none): 0 (Does this number include non-major outfalls? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable)
C.	Is the change in the total number of outfalls due to lands annexed or vacated? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable

SECTION III. PART V.B. ASSESSMENT PROGRAM

A.	<p>Provide a brief statement as to the status of water quality monitoring plan implementation. Status may include sampling frequency changes, monitoring location changes, or sampling waiver conditions. <i>DEP Note: If permittee participates in a collaborative monitoring plan, permittee may refer to a joint response as defined by the interlocal agreement.</i></p> <p>Name and date of the approved plan: Current approval of the Group Monitoring Plan is September 8, 2016 (with issuance of the Cycle 4 permit). The Town of Highland Beach's Assessment Plan was submitted in September 2017.</p> <p>Status: The Group Monitoring Report is included in the Cycle 4 Joint Annual Report. The Town of Highland Beach's individual Assessment Plan has been approved by FDEP.</p>
B.	<p>Provide a brief discussion of the monitoring and loading results to date which includes a summary of the water quality monitoring data and / or stormwater pollutant loading changes from the reporting year. <i>DEP Note: Results must be specific to the permittee's SWMP.</i></p> <p><i>Attached in Appendix B is a monitoring data summary and discussion.</i></p>
C.	<p>Attach a monitoring data summary as required by the permit. An analysis of the data discussing changes in water quality and/or stormwater pollutant loading from previous reporting years. <i>DEP Note: Analysis must be specific to the permittee's SWMP.</i></p> <p><i>Attached in Appendix B is a monitoring data summary and discussion.</i></p>

SECTION IV. FISCAL ANALYSIS

A.	Total expenditures for the NPDES stormwater management program for the current reporting year: \$32,407.50
B.	Total budget for the NPDES stormwater management program for the subsequent reporting year: \$63,730.00
C.	<p>Did the current reporting year resources decrease from the previous year? Y <input type="checkbox"/> / N <input checked="" type="checkbox"/></p> <p>If program resources decreased, provide a discussion of the impacts on the implementation of the SWMP.</p> <p>N/A</p>

SECTION V. MATERIALS TO BE SUBMITTED WITH THIS ANNUAL REPORT FORM

Only the following materials are to be submitted to the Department along with this fully completed and signed Annual Report Form (check the appropriate box to indicate whether the item is attached or is not applicable):

Attached	N/A	Required Attachments	Permit Citation	Attachment Number/Title
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Any additional information required to be submitted in this current annual reporting year in accordance with Part III.A of your permit that is not otherwise included in Section VII below.	Part III.A	Appendix B Appendix C
<input type="checkbox"/>	<input checked="" type="checkbox"/>	An explanation of why the minimum inspection frequency in Table II.A.1.a. was not met, if applicable.	Part II.A.1	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	A list of the flood control projects that did not include stormwater treatment and an explanation for each of why it did not (if applicable).	Part III.A.4	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A monitoring data summary as directed in Section III.C above and in accordance with Rule 62-624.600(2)(c), F.A.C.	Part V.B.3	Refer to Joint Report
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 1 ONLY: An inventory of all known major outfalls and a map depicting the location of the major outfalls (hard copy or CD-ROM) in accordance with Rule 62-624.600(2)(a), F.A.C.	Part III.A.1	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	YEAR 2: A summary review of codes and regulations to reduce the stormwater impact from development.	Part III.A.2	Appendix A
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Year 3 ONLY: The estimates of pollutant loadings and event mean concentrations for each major outfall or each major watershed in accordance with Rule 62-624.600(2)(b), F.A.C.	Part V.A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 3: Summary of TMDL Monitoring Results (if applicable).	Part VIII.B.2	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 3: Bacteria Pollution Control Plan (if applicable).	Part VIII.B.3	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 4: A follow-up report on plan implementation of changes to codes and regulations to reduce the stormwater impact from development.	Part III.A.2	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 4: A report on any amendments to the applicable legal authority (if applicable).	Part III.A.7.a	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 4: Permit re-application information in accordance with Rule 62-624.420(2), F.A.C. <ul style="list-style-type: none"> The monitoring plan (with revisions, if applicable). If the total annual pollutant loadings have not decreased over the past two permit cycles, revisions to the SWMP, as appropriate. 	Part V.B.3 Part V.A.3	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 4: TMDL Supplemental SWMP (if applicable).	Part VIII.B.3	

DO NOT SUBMIT ANY OTHER MATERIALS
(such as records and logs of activities, monitoring raw data, public outreach materials, etc.)

SECTION VI. CERTIFICATION STATEMENT AND SIGNATURE

The Responsible Authority listed in Section I.F above must sign the following certification statement, as per Rule 62-620.305, F.A.C:

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.

Name of Responsible Authority (type or print): Marshall Labadie

Title: Town Manager

Signature: 

Date: 6/19/2019

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE									
A.	B.					C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity					Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.1	Structural Controls and Stormwater Collection Systems Operation								
	Report the current known inventory.								
	Report the number of inspection and maintenance activities conducted for each applicable type of structure included in Table II.A.1.a, and the percentage of the total inventory of each type of structure inspected and maintained.								
	<i>Note: Delete structures that are not in your MS4's inventory. The permittee may choose its own unit of measurement for each structural control to be consistent with the unit of measurement in the documentation. Unit options include: miles, linear feet, acres, etc.</i>								
	Type of Structure	Number of Structures	Number of Inspections	Percent Inspected	Number of Maintenance Activities	Percent Maintained			
	Pipes / culverts (linear feet)	4,655	6	30%	1	30%	Pipes/Culverts – Structural Control Inspection; MS4 Maintenance Log	Public Works Department	Town contracted with Shenandoah Construction to clean and CCTV all Town-owned stormwater pipes, outfalls and catch basins every year as part of CIP budget.
	Inlets / catch basins / grates	89	5	80%	0	55%	MS4 Maintenance Log	Public Works Department	
	If the minimum inspection frequencies set forth in Table II.A.1.a. were not met, provide as an attachment an explanation of why they were not and a description of the actions that will be taken to ensure that they will be met.	N/A					N/A	N/A	Minimum Inspection Frequencies Met

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.1 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	Strengths: Town performs inspections bi-annually and maintenance is performed as needed.				
	Limitations: None.				
	SWMP revisions implemented to address limitations: N/A				
Part III.A.2	Areas of New Development and Significant Redevelopment				
	Report the number of significant development projects, including new and redevelopment, reviewed and approved by the permittee for post-development stormwater considerations.				
	Number of significant development projects reviewed	0		Town Building Department	The Town Building Department did not provide any records of any development projects that met the significant threshold requirements.
	Number of significant development projects approved	N/A	N/A		
	Provide in the Year 2 Annual Report the summary report of the review activity. Provide in the Year 4 Annual Report the follow-up report on plan implementation.				
	Year 2 ONLY: Attach the summary report of the review activity	<input checked="" type="checkbox"/>	Summary Report attached in Appendix A	Town	
	Year 4 ONLY: Attach the follow-up report on plan implementation	<input type="checkbox"/>	N/A	N/A	
Part III.A.2 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	Strengths: The Town Building Department reviews all development projects.				
	Limitations: The Town Building Department does not always provide documentation of reviews.				
	SWMP revisions implemented to address limitations: The Town will work with the Building Department to ensure that all development projects reviewed are logged and documented.				
Part III.A.3	Roadways				
	Report on the litter control program, including the frequency of litter collection, an estimate of the total number of road miles cleaned or amount of area covered by the activities, and an estimate of the quantity of litter collected. <i>Note: If the permittee does not contract activities, delete CONTRACTOR activities.</i>				

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE

A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	PERMITTEE Litter Control: Frequency of litter collection	3 x's/week	Litter Collection Log	Public Works Department	Litter Collection Program
	PERMITTEE Litter Control: Estimated amount of area maintained (lf)	21,952	SR A1A / South Ocean Blvd.	Public Works Department	Map on file
	PERMITTEE Litter Control: Estimated amount of litter collected (cy)	3,120 / year	Litter Collection Program	Public Works Department	Per the Town's Litter Collection Program, the Town estimates that 60 bags/week are collected.
	CONTRACTOR Litter Control: Frequency of litter collection	0			Town Public Works Dept. performed this work
	CONTRACTOR Litter Control: Estimated amount of area maintained (lf)	0			Town Public Works Dept. performed this work
	CONTRACTOR Litter Control: Estimated amount of litter collected (cy)	0			Town Public Works Dept. performed this work
	OPTIONAL: If an Adopt-A-Road or similar program is implemented, report the total number of road miles cleaned and an estimate of the quantity of litter collected. If you do not participate in an Adopt-A-Road program, report "0".				
	Trash Pick-up Events: Total miles cleaned	0	N/A	N/A	No Town trash pick-up events held this year
	Trash Pick-up Events: Estimated amount of litter collected (cy)	0	N/A		
	Adopt-A-Road: Total miles cleaned	0	N/A	N/A	
	Adopt-A-Road: Estimated amount of litter collected (cy)	0	N/A		
	Report on the street sweeping program, including the frequency of the sweeping, total miles swept, an estimate of the quantity of sweepings collected, and the total nitrogen and total phosphorus loadings that were removed by the collection of sweepings. If no street sweeping program is implemented, provide the explanation of why not in column F.				
	Frequency of street sweeping	0	Town streets do not have curb and gutters so Town does not perform street sweeping. S.R. A.1.A. is owned and maintained by FDOT.		
	Total miles swept	0			
	Estimated quantity of sweeping material collected (cy / tons)	0			
	Total phosphorous loadings removed (pounds)	0			

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	Total nitrogen loadings removed (pounds)	N/A			
	Report the equipment yards and maintenances shops that support road maintenance activities, and the number of inspections conducted for each facility.				
	Name of Facility	Number of Inspections			
	0	0	N/A	N/A	No municipal maintenance yards / maintenance shops
Part III.A.3 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	Strengths: Town-owned roadways (Highland Beach Drive, Bel Lido Drive, Intracoastal Drive, Tranquility Drive, Bel Air Drive and Russell Drive) were milled and overlaid as part of a water main improvements project during the previous reporting period.				
	Limitations: None				
	SWMP revisions implemented to address limitations: N/A				
Part III.A.4	Flood Control Projects				
	Report the total number of flood control projects that were constructed by the permittee during the reporting period and the number of those projects that did NOT include stormwater treatment. The permittee shall provide a list of the projects where stormwater treatment was not included with an explanation for each of why it was not.				
	Report on any stormwater retrofit planning activities and the associated implementation of retrofitting projects to reduce stormwater pollutant loads from existing drainage systems that do not have treatment BMPs.				
	Flood control projects completed during the reporting period	0	N/A		
	Flood control projects completed that did <u>not</u> include stormwater treatment	0	N/A		
	Stormwater retrofit projects planned/under construction	0	N/A		None planned
	Stormwater retrofit projects completed	0	N/A		
	If there were projects that did not include stormwater treatment, provide as an attachment a list of the projects and an explanation for each of why it did not.	N/A	N/A		
Part III.A.4 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	Strengths: There are no large areas of single ownership within the Town and no need for flood control projects.				
	Limitations: None				
	SWMP revisions implemented to address limitations: N/A				

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.5	Municipal Waste Treatment, Storage, and Disposal Facilities Not Covered by an NPDES Stormwater Permit				
	Report the applicable facilities and the number of the inspections conducted for each facility.				
	Name of Facility	Number of Inspections			
	0	0	N/A	N/A	No municipal waste treatment, storage or disposal facilities within Town.
Part III.A.5 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	Strengths: There are no Waste TSD facilities within the Town.				
	Limitations: None				
	SWMP revisions implemented to address limitations: N/A				
Part III.A.6	Pesticides, Herbicides, and Fertilizer Application				
	Report the number of permittee personnel applicators and contracted commercial applicators of pesticides and herbicides who are FDACS certified / licensed.				
	Report the number of permittee personnel who have been trained through the Green Industry BMP Program and the number of contracted commercial applicators of fertilizer who are FDACS certified / licensed.				
	PERSONNEL: FDACS public applicators of pesticides/herbicides	0	N/A	N/A	Town contracts out pesticide / herbicide application
	CONTRACTORS: FDACS commercial applicators of pesticides/ herbicides	2	FDACS ID Card	Theo Treuren; Home & Garden Pest Control, Inc.	
	PERSONNEL: Green Industry BMP Program training completed	0	N/A		
	CONTRACTORS: FDACS certified / licensed applicators of fertilizer	1	FDACS ID Card	Silverio Misael Momotic	
	Provide a copy of the adopted ordinance with the Year 2 Annual Report. If this provision is not applicable because the permittee is not within the watershed of a nutrient-impaired water body, indicate that in Column F.				
	Year 2 ONLY: Attach copy of adopted Florida-friendly ordinance	0			No discharge to impaired nutrient water body
	Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage citizens				

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	to reduce their use of pesticides, herbicides and fertilizers including the type and number of activities conducted, the type and number of materials distributed, and the number of Web site visits (if applicable).				
	Public Education and Outreach Program	The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the public education and outreach information.			
Part III.A.6 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	Strengths: The Town contracts with Home & Garden Pest Control, Inc. for pesticide treatment and Silverio Misael Momotic for fertilizer application. The Town personnel monitor the respective contractors' performance. Home & Garden Pest Control, Inc. and Silverio Misael Momotic are properly licensed through the Florida Department of Agriculture. The Town has notified the contractors of the need for Green Industry BMP training.				
	Limitations: None				
	SWMP revisions implemented to address limitations: N/A				
Part III.A.7.a	Illicit Discharges and Improper Disposal — Inspections, Ordinances, and Enforcement Measures				
	Report amendments in Year 4.				
	Year 4 ONLY: Attach a report on amendments to applicable legal authority	<input type="checkbox"/>	N/A	N/A	
Part III.A.7.c	Illicit Discharges and Improper Disposal — Investigation of Suspected Illicit Discharges and/or Improper Disposal				
	Report on the proactive inspection program, including the number of inspections conducted by the permittee, the number of illicit activities found, and the number and type of enforcement actions taken.				
	Proactive inspections for suspected illicit discharges	5	MS4 Maintenance Log	Public Works Department	Inspections were performed per Town's SOP
	Illicit discharges found during a proactive inspection	0			The Town stated that no illicit discharges occurred during this reporting period
	Report on the reactive investigation program as it relates to responding to reports of suspected illicit discharges, including the number of reports received, the number of investigations conducted, the number of illicit activities found, and the number and type of enforcement actions taken.				
	Reports of suspected illicit discharges received	0	0	Town Staff	No reports of suspected illicit discharges received during reporting period

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	Reactive investigations of reports of suspected illicit discharges etc.	0	0		
	Illicit discharges etc. found during reactive investigation	0	0		
	NOV/WL/citation/fines issued for illicit discharges etc. found during reactive investigation	0	0		
	Report the type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training) within the reporting year.				
	Personnel trained	1	FSA Stormwater Operator – Level 1 Certificate (Ed Soper)	Florida Stormwater Association	Training consists of the following topics: erosion and sediment control, IDDE, Spill Prevention and Remediation, Good Housekeeping Practices, and High Risk Facilities
	Contractors trained	0	N/A	N/A	
Part III.A.7.d	Illicit Discharges and Improper Disposal — Spill Prevention and Response				
	Report on the spill prevention and response activities, including the number of spills addressed.				
	Hazardous and non-hazardous material spills responded to	0	N/A	Town Staff	No spills were reported during this reporting period
	Report the type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training) within the reporting year.				
	Personnel trained	1	FSA Stormwater Operator – Level 1 Certificate (Ed Soper)	Florida Stormwater Association	Training consists of the following topics: erosion and sediment control, IDDE, Spill Prevention and Remediation, Good Housekeeping

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					Practices, and High Risk Facilities
	Contractors trained	2	Town of Highland Beach Reactive Inspection Program (Appendix C)	City of Delray Beach Fire Department; S.W.S.	The Town contracts with the City of Delray Beach Fire Dept. and S.W.S. for spill clean-up. The Town has updated its SOP to reflect this spill response contact information.
Part III.A.7.e	Illicit Discharges and Improper Disposal — Public Reporting				
	Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee’s jurisdiction to encourage the public reporting of suspected illicit discharges and improper disposal of materials, including the type and number of activities conducted, the type and number of materials distributed, and the number of Web site visits (if applicable).				
	Public Education and Outreach Program	The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the public education and outreach information.			
Part III.A.7.f	Illicit Discharges and Improper Disposal — Oils, Toxics, and Household Hazardous Waste Control				
	Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee’s jurisdiction to encourage the proper use and disposal of oils, toxics, and household hazardous waste, including the type and number of activities conducted, the type and number of materials distributed, the amount of waste collected / recycled / properly disposed, and the number of Web site visits (if applicable).				
	Public Education and Outreach Program	The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the public education and outreach information.			
	Newspapers & newsletters: Number of articles/notices published	4	Town Newsletters	Town Clerk	Town newsletters are in display rack at Town Hall. Town Newsletters include

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
					information regarding garbage, yard waste and recycling collection frequencies.
Part III.A.7.g	Illicit Discharges and Improper Disposal — Limitation of Sanitary Sewer Seepage				
	Report on the type and number of activities undertaken to reduce or eliminate SSOs and inflow/ infiltration, the number of SSOs or inflow / infiltration incidents found and the number resolved, and the name of the owner of the sanitary sewer system within the permittee's jurisdiction. Report only the SSOs and inflow / infiltration incidents into the MS4.				
	Owner of the sanitary sewer system	Town of Highland Beach Collection System (discharges to SCRWWTP in Delray Beach)			
	Activity to reduce/eliminate SSOs and I&I:	0	N/A	Public Works Department	No activities to reduce / eliminate SSOs and I&I occurred during this reporting period. MH lining is budgeted for next reporting period.
	SSO incidents discovered	0	N/A	Public Works Department	No SSO incidents were discovered during this reporting period
	SSO incidents resolved	0	N/A		
	Inflow / infiltration incidents discovered	0	N/A	Public Works Department	No I/I incidents were discovered during this reporting period
	Inflow / infiltration incidents resolved	0	N/A		

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Part III.A.7 Summary	For activities required by Part III.A.7: Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.						
	Strengths: Town personnel inspects control structures bi-weekly and the Delray Sands Hotel bi-annually.						
	Limitations: The Town performs inspections per SOP, but inspections are not always documented.						
	SWMP Revisions implemented to address limitations: The Town is working to ensure proper documentation is provided for all inspections.						
Part III.A.8.a	Industrial and High-Risk Runoff — Identification of Priorities and Procedures for Inspections						
	Report on the high-risk facilities inventory, including the type and total number of high risk facilities and the number of facilities newly added each year.						
	Report on the high-risk facilities inspection program, including the number of inspections conducted and the number and type of enforcement actions taken.						
	Type of Facility	Number of Facilities	Number of Inspections	Enforcement Actions			
	Operating municipal landfills	0	N/A	N/A	N/A	N/A	No operating municipal landfill facilities in Town
	Hazardous waste treatment, storage, disposal and recovery (HWTSDR) facilities	0	N/A	N/A	N/A	N/A	No HWTSDR facilities in Town
	EPCRA Title III, Section 313 facilities (TRI)	0	N/A	N/A	N/A	N/A	No EPCRA Title III facilities in Town
	Facilities determined as high risk by the permittee	0	N/A	N/A	N/A	Public Works Staff	None found
Part III.A.8.b	Industrial and High-Risk Runoff — Monitoring for High Risk Industries						
	Report the number of high risk facilities sampled.						
	High risk facilities sampled	0			RCRAInfo, TRI database, and CERCLIS database	Town	No existing or new high risk facilities within the Town's MS4

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.8 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	Strengths: There are no high-risk facilities within the Town. This is confirmed annually during this report preparation.				
	Limitations: None				
	SWMP revisions implemented to address limitations: N/A				
Part III.A.9.a	Construction Site Runoff — Site Planning and Non-Structural and Structural Best Management Practices				
	Report the number of permittee and private pre-construction site plans reviewed for stormwater, erosion, and sedimentation controls, and the number approved.				
	PERMITTEE SITES: Construction site plans reviewed	0	N/A	Town Staff	The Town focused on maintenance and upgrades to the WTP during this reporting period.
	PERMITTEE SITES: Construction site plans approved	0	N/A	N/A	
	PRIVATE SITES: Construction site plans reviewed	0	N/A	Town Building Department	Town Building Department did not provide a log of site plans reviewed
	PRIVATE SITES: Construction site plans approved	N/A	N/A		
	Report the number of development permit applicants notified of the ERP and CGP, and the number of applicants who confirmed ERP and CGP coverage.				
	Notified of ERP stormwater permit requirements	0	N/A	Town Public Works Department / Building Department	No Town projects that met the threshold for ERP occurred during this reporting period. The Town Building Dept. did not provide a log of any private sites reviewed.
	Confirmed ERP coverage	0	N/A		
	Notified of CGP stormwater permit requirements	0	N/A	Town Public Works	No Town projects that

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
				Department / Building Department	met the threshold for CGP occurred during this reporting period. The Town Building Dept. did not provide a log of any private sites reviewed.
	Confirmed CGP coverage	0	N/A		
Part III.A.9.b	Construction Site Runoff — Inspection and Enforcement				
	Report on the inspection program for privately-operated and permittee-operated construction sites, including the number of active construction sites during the reporting year, the number of inspections of active construction sites, the percentage of active construction sites inspected, and the number and type of enforcement actions / referrals taken.				
	PERMITTEE SITES: Active construction sites	0		Town Public Works Department / Building Department	No Town projects that met the threshold for CGP occurred during this reporting period.

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	PERMITTEE SITES: Pre-, During, and Post inspections of active construction sites for E&S and waste control BMPs	0		Town Public Works Department / Building Department	No Town projects that met the threshold for CGP occurred during this reporting period.
	PERMITTEE SITES: Percentage of active construction sites inspected	0		Town Public Works Department / Building Department	No Town projects that met the threshold for CGP occurred during this reporting period.
	PRIVATE SITES: Active construction sites	0	N/A	Town Building Department	Town Building Department did not provide a log of active private construction sites
	PRIVATE SITES: Pre-, During, and Post inspections of active construction sites for E&S and waste control BMPs	0	N/A	Town Building Department	Town Building Department did not provide a log of active private construction sites
	PRIVATE SITES: Percentage of active construction sites inspected	0	N/A		
	Enforcement Action	0	N/A		
		0	N/A	Town Building Department	No NOVs, Stop Work Orders, Fines, etc. reported by Town's Building Department

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.9.c	Construction Site Runoff — Site Operator Training				
	Report the type of training activities, the number of inspectors, site plan reviewers and site operators trained (both in-house and outside training).				
		DEP Certification	Annual Training		
	Permittee construction site inspectors	0	1	N/A	N/A
	Permittee construction site plan reviewers		0	N/A	N/A
	Permittee construction site operators		0	N/A	N/A
Part III.A.9 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	Strengths: Private construction sites inspected by the Town's Building Department. The Town contracts out CEI for infrastructure and utility projects. The Town requires that the Town's Construction Site Management Handbook be posted at job site with Town Building Permit. The Town's Construction Site Management Handbook includes pre-construction meeting requirements, erosion and stormwater control requirements, and NPDES regulations.				
	Limitations: DEP requires training for inspectors, site plan reviewers and permittee operators for erosion and sedimentation control at construction sites. The permittee did not have in-house staff with the required training during the reporting period.				
	SWMP revisions implemented to address limitations: With recent staff turnover, the Town has had the appropriate staff attend the required DEP Certification Training during the Year 3 reporting period.				

SECTION VIII. CHANGES TO THE STORMWATER MANAGEMENT PROGRAM (SWMP) ACTIVITIES (Not Applicable in Year 4)

A.	Permit Citation/ SWMP Element	Proposed Changes to the Stormwater Management Program Activities Established as Specific Requirements Under Part III.A of the Permit (Including the Rationale for the Change) — REQUIRES DEP APPROVAL PRIOR TO CHANGE IF PROPOSING TO REPLACE OR DELETE AN ACTIVITY.
		N/A
B.	Permit Citation/ SWMP Element	Changes to the Stormwater Management Program Activities NOT Established as Specific Requirements Under Part III.A of the Permit (Including the Rationale for the Change)
		N/A

SECTION IX. TMDL Status Report

A.	YEAR 1 Provide a table summarizing the status of the TMDL process. Include a list of prioritized TMDLs and their monitoring and implementation schedule; and include the Identification number of the outfall prioritized for TMDL monitoring.								
	WBID Number	Segment/ Waterbody/ Basin	Pollutant of Concern	TMDL DEP / EPA	Percent Reduction (WLA)	Priority Rank	Priority Outfall	Monitoring Summary / BPCP Due Date	Supplemental SWMP Due Date
	N/A			<input type="checkbox"/> / <input type="checkbox"/>				(Year 3 AR)	(Year 4 AR; N/A) if BPCP)
				<input type="checkbox"/> / <input type="checkbox"/>					
B.	YEAR 3 and annually thereafter, provide a summary of the estimated load reductions that have occurred for the pollutant(s) of concern being discharged from the MS4 to the TMDL water body during the reporting period and cumulatively since the date the Supplemental SWMP was implemented. Year 3: Submit a Monitoring data summary or BPCP (if applicable). Year 4: Submit a Supplemental SWMP (if applicable).								
	WBID Number	Pollutant of Concern	Monitoring Summary / BPCP Submitted	Supplemental SWMP Submitted	Projected load reductions OR Actual load reductions to date				
	N/A		(Year 3 AR)	(Year 4 AR; N/A if BPCP)					
C.	Provide a brief statement as to the status of TMDL implementation according to Part VIII.B of the permit (e.g. status of monitoring to validate WLA): No discharge to a TMDL WBID at the time of permit issuance.								

Town of Highland Beach - NPDES Permit No. FLS000018 - Cycle 4, Year 2

Appendix A – Summary Review of Local Codes

Review of Local Codes and Ordinances - Town of Highland Beach

Code Section

Description

Chapter 5 - BEACHES AND BOATS

Section 5-9. - Littering

It is unlawful to litter at both public and private beaches within the Town's MS4.

Chapter 6 - BUILDINGS AND STRUCTURES

Section 6-26. - Code adopted

Requires all construction to be performed in accordance with the Florida Building Code and approved and accepted by the Town's Building Department

Section 6-31. - Special flood hazard area provisions

Requires planning and building administrator to review flood elevation relative to proposed finished floor elevations.

Chapter 12 - CONSTRUCTION SITES

Section 12-4. - Temporary construction fences

Temporary construction fences are required to be maintained throughout construction to ensure adequate performance and to maintain the public health, safety and welfare

Section 12-9. - National Pollutant Discharge Elimination System (NPDES)

All NPDES requirements applicable to the Town's MS4 are incorporated as requirements for construction sites

Section 12-11. Construction site management handbook; application of Code; appeals

Town adopted construction site management handbook that requires appropriate erosion and stormwater control plans be set in place during construction in accordance with Section 30-68(r) of the Town Code

Chapter 14 - LAND FILLING

Section 14-1. - Permit - Application

Land filling permits are required for addition or extension of any lands, including submerged lands.

Review of Local Codes and Ordinances - Town of Highland Beach

Code Section

Description

Chapter 20 - PLANNING & DEVELOPMENT

Article I. - In General

Section 20-2. - Open space and recreational land dedication

Requires the dedication of open / pervious surface for any new development prior to issuance of a Town Building Permit

Article IV. Resource Protection Standards

Section 20-202. - Creation of protected environmentally sensitive zones

Defines Coastal Protection Zone and Wetlands Protection Zone and the special restrictions on development within these respective zones

Article V. - Consistency and Concurrency Determinations

Section 20-326. - Adopted levels of service

All residential development activities must demonstrate that there is sufficient available capacity to sustain a three-year design storm and 10-minute concentration with one foot freeboard below gutter elevation in order to obtain Town approval

Article VI. - Floodplain Management

Section 20-343. - Permits

For floodplain development, a Town-issued permit is required in addition to all other required permits (i.e. SFWMD, FDEP, DOH, etc.)

Section 20-352.(b) - Site improvement, utilities and limitations

All new and replacement sanitary sewer sewage facilities shall minimize or eliminate infiltration of floodwaters in the facilities, discharge into floodwaters, and impairment of the facilities and systems

Section 20-352.(c) - Site improvement, utilities and limitations

All new and replacement water supply facilities shall minimize or eliminate infiltration of floodwaters into the systems

Chapter 24 - SOLID WASTE

Section. 24-5. - Filth, trash, refuse in waters of Atlantic Ocean and Intracoastal Canal - Prohibited

Prohibits garbage and trash disposal / contamination of the ocean and canals

Section 24-7. - Refuse on public streets or places

Prohibits trash disposal / deposit on any sidewalk, street, park, beach or any other public property within the Town

Review of Local Codes and Ordinances - Town of Highland Beach

Code Section

Description

Chapter 25 - STREETS, SIDEWALKS AND BICYCLE/WALKWAY PATHS

Section 25-5. - Unlawful deposits in streets - Offensive matter; gutter obstructions; excess drainage

Prohibits any activity that could cause additional rain or surface water to drain from the property onto any public street or highway

Chapter 26 - SUBDIVISIONS

Article III. - Specifications Governing Paving

Section 26-61. - Drainage

Details design requirements for storm drain systems, roadside ditches and swales in subdivisions

Chapter 28 - XERISCAPE - LANDSCAPE REQUIREMENTS, INSTALLATION AND MAINTENANCE

Section 28-5. - Landscape design standards

Prohibits planting of trees in locations where they would interfere with site drainage. Requires effective erosion control in swales, rights-of-way, or other areas subject to erosion.

Section 28-7. - Site design standards

Requires water conservation concepts be utilized for site development (i.e. pervious paving materials & site development that retains stormwater runoff on site). Requires minimum open space requirements as required by Chapter 30.

Chapter 30 - ZONING CODE

Article III. - Development Review

Section 30-33. - Application requirements

Requires new development projects meet stormwater management requirements of SFWMD and the Town's regulations and additionally providing a positive outfall meeting the Town's adopted level of service

Review of Local Codes and Ordinances - Town of Highland Beach

Code Section

Description

Chapter 31 - STORMWATER / NATIONAL POLLUTION ELIMINATION SYSTEM REQUIREMENTS

Article I. - Illicit Discharges

Prohibits illicit discharges and connections

Article II. - Spills and Dumping

Requires notification of spills to the stormwater system be reported immediately to the Town Manager and confirmation of containment / clean-up of the spill be reported to the Town Manager in writing within 3 calendar days

Article III. - Enforcement

Allows Town Manager to enforce action on any violation of Chapter 31

RECOMMENDATION OF CODE IMPLEMENTATION AND ENHANCEMENT:

The review of the Town's Code of Ordinances was to analyze existing codes and identify areas of improvements with regards to stormwater practices with respect to new and redevelopment efforts within the Town. The Town has recently updated an ordinance under Section 12-11 that requires all construction sites to have the Town's Construction Site Management Handbook on-site at all times. The Town's Construction Site Management Handbook requires all construction sites to have appropriate erosion and stormwater control plans be set in place during construction. The Town has updated its Construction Site Inspection SOP to include this handbook.

After review, the Town has determined that no changes to the current Code of Ordinances is necessary at this time. The Town will continue to monitor land development regulations and local codes as necessary for future opportunities for improvement.

Town of Highland Beach - NPDES Permit No. FLS000018 - Cycle 4, Year 2

Appendix B – Section III. Part V.B. & Part V.C. Assessment Program

Town of Highland Beach
MS4 Permit No. FLS000018-004
Cycle 4, Year 2
Section III. Part V.B.
Assessment Program
Summary

Background

The Town of Highland Beach's Assessment Program was approved by FDEP in 2018. The Group Monitoring Report is included in the Cycle 4 Joint Annual Report. The Town of Highland Beach's Assessment Program consists of the following components:

- Water Quality Monitoring
- Pollutant Loading Estimate
- Evaluation and Response

A summary of each assessment program component as it pertains to the Town of Highland Beach during the Year 2 reporting cycle is included below.

Part A – Water Quality Monitoring Summary

Currently, the joint NPDES program in Palm Beach County collects ambient water quality data at several monitoring sites based on the location of major outfalls and TMDL's within the County. For water quality monitoring, the Town of Highland Beach is using the ambient water quality data provided by the joint program from site LWL18.

Palm Beach County Environmental Resource Management (ERM) performed the sampling at monitoring station LWL18 according the DEP's Standard Operating Procedures. The parameters were sampled in accordance with the sampling frequency as outlined in the Assessment Program. The parameters sampled and sampling frequency is summarized in **Table 1** below. The Town's Assessment Program will be evaluating total nitrogen and total phosphorous as nutrients appear to be a major concern for impairments in water bodies in the State of Florida. A summary of the historical trends for total nitrogen and total phosphorous samples at monitoring station LWL 18 is included in Part C.

Table 1
Parameters and Sampling
Table

Monitoring Station #	Monitoring Parameters	Type of Monitoring	Collection Method	Sampling Frequency
LWL18	Arsenic	Ambient Water Quality	Grab Samples	Quarterly
LWL18	Cadmium	Ambient Water Quality	Grab Samples	Quarterly
LWL18	Chlorophyll-a	Ambient Water Quality	Grab Samples	Monthly
LWL18	Copper	Ambient Water Quality	Grab Samples	Quarterly
LWL18	Dissolved Oxygen	Ambient Water Quality	Grab Samples	Monthly
LWL18	Lead	Ambient Water Quality	Grab Samples	Quarterly
LWL18	Nitrogen, Ammonia	Ambient Water Quality	Grab Samples	Monthly
LWL18	Nitrogen, Nitrate-Nitrite	Ambient Water Quality	Grab Samples	Monthly
LWL18	Nitrogen, Total	Ambient Water Quality	Grab Samples	Monthly
LWL18	pH	Ambient Water Quality	Grab Samples	Monthly
LWL18	Phosphorous, Orthophosphate	Ambient Water Quality	Grab Samples	Monthly
LWL18	Phosphorous, Total Kjeldahl	Ambient Water Quality	Grab Samples	Monthly
LWL18	Salinity	Ambient Water Quality	Grab Samples	Monthly
LWL18	Specific Conductivity	Ambient Water Quality	Grab Samples	Monthly
LWL18	Temperature	Ambient Water Quality	Grab Samples	Monthly
LWL18	Turbidity	Ambient Water Quality	Grab Samples	Monthly
LWL18	Zinc	Ambient Water Quality	Grab Samples	Quarterly

Part B – Pollutant Loading Estimate Summary

The Palm Beach County MS4 permittee group will be developing pollutant loading estimates during the 3rd year of this permit cycle, using the SIMPLE protocol.

During Year 2 of this permit cycle, the Town of Highland Beach reviewed and provided the following updated information to the Palm Beach County MS4 permittee group:

- MS4 contributing areas to each receiving water
- Town extents
- Land Uses
- Water Quality Best Management Practices (BMPs)

The group's estimated pollutant loading results will be provided to the Town of Highland Beach for use in the Year 3 Assessment Report Summary.

Part C – Evaluation and Response Summary

Per the Town's Assessment Program, sampling data information for total nitrogen and total phosphorous at site LWL 18 has been extracted from prior joint annual reports in order to provide a historical comparison of the nutrient levels at site LWL 18. The sampling data obtained for use in this analysis spans from October 2011 to September 2018. This historical sampling data will be compared to the Numeric Nutrient Criteria for the Southern Lake Worth Lagoon as shown in **Table 1** below. The Specific Narrative Nutrient Criterion for total phosphorous and total nitrogen are expressed as annual geometric means (AGM) and are based on the criteria set forth in FAC Rule 62-302.532. Please refer to the PBC Joint Annual

Report for further information regarding the derivation of the Numeric Nutrient Criteria specific to Palm Beach County estuaries / marine water bodies and fresh water lakes.

Table 1
State of Florida Numeric Interpretation of the Estuary
Specific Narrative Nutrient Criterion per Rule 62-302.32

Estuary	Total Nitrogen	Total Phosphorous
Southern Lake Worth Lagoon	0.59 mg/L as AGM*	0.050 mg/L as AGM*

*Refer to PBC Joint Annual Report for further information regarding derivation of annual geometric mean (AGM)

Figure 1 shows the sampling data for total nitrogen in mg/L at sampling station LWL-18 and the corresponding date that the samples were taken. The linear trend line shown on the graph shows a slight up-trend from 2011 to 2018, but overall the majority of the samples taken are substantially below the total nitrogen numeric criteria of 0.59 mg/L as AGM.

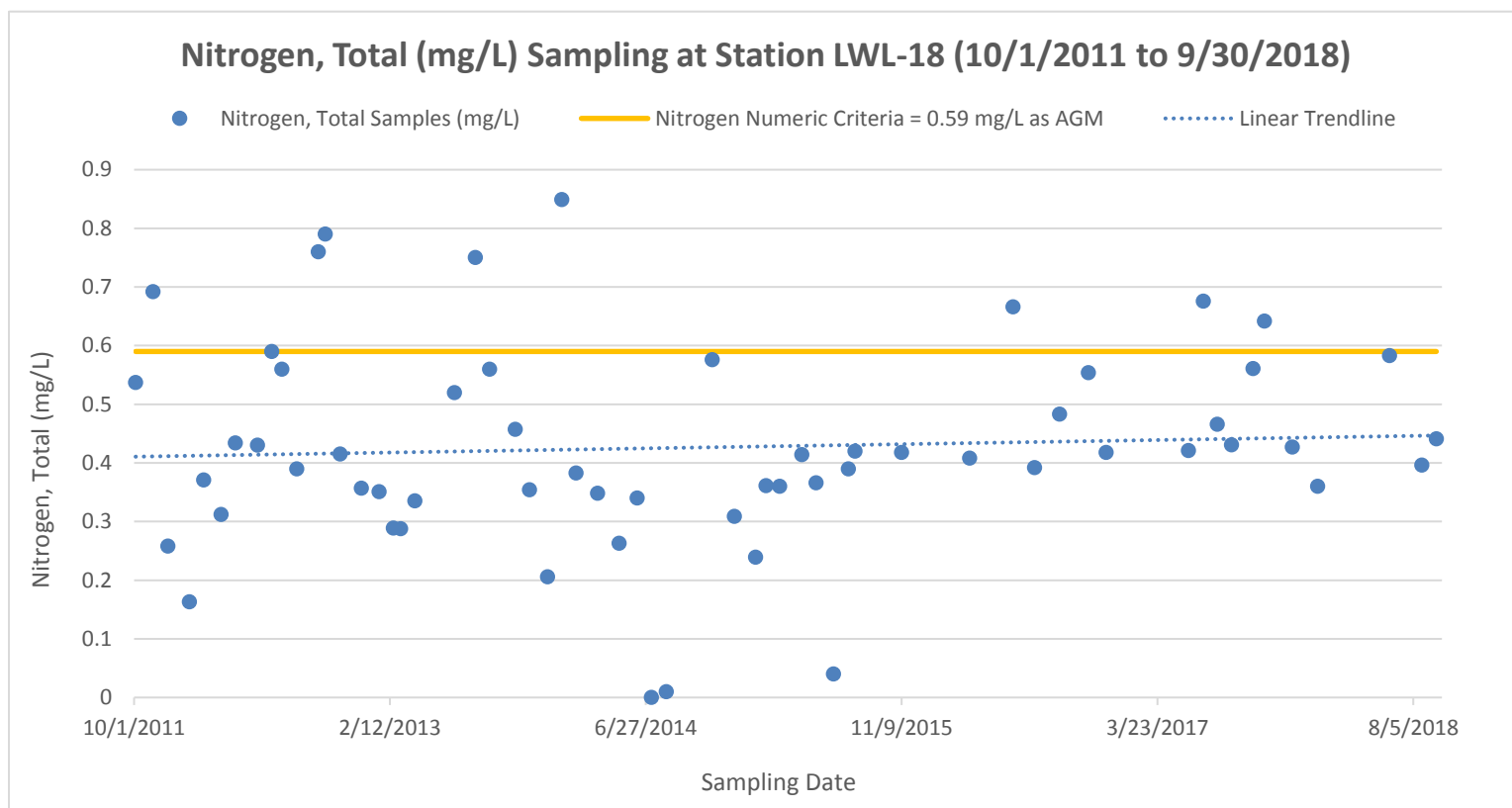


Figure 1: Total Nitrogen Samples (mg/L) vs. Date Sample Collected (10/1/2011 to 9/30/2018)

Table 2 shows the specific total nitrogen sampling data at monitoring site LWL-18 for the Cycle 4, Year 2 Reporting Period. The calculated geometric mean for total nitrogen for this reporting period at monitoring station LWL-18 is 0.465 mg/L. The calculated geometric mean specifically for this reporting period is less than the specific narrative nutrient criterion per Rule 62-302.532 of 0.59 mg/L as AGM for the Southern Lake Worth Lagoon.

Table 2
LWL-18 Total Nitrogen Samples for Cycle 4, Year 2

LWL-18	Monitoring Parameter
Date	Nitrogen, Total (mg/L)
10/18/2017	0.642
12/12/2017	0.427
1/30/2018	0.36
6/20/2018	0.583
8/22/2018	0.396
9/19/2018	0.441

Figure 2 shows the sampling data for total phosphorus in mg/L at sampling station LWL-18 and the corresponding date that the samples were taken. The linear trend line shown on the graph shows a slight up-trend from 2011 to 2018, but overall the majority of the samples taken are below or equal to the total phosphorous numeric criteria of 0.050 mg/L as AGM.

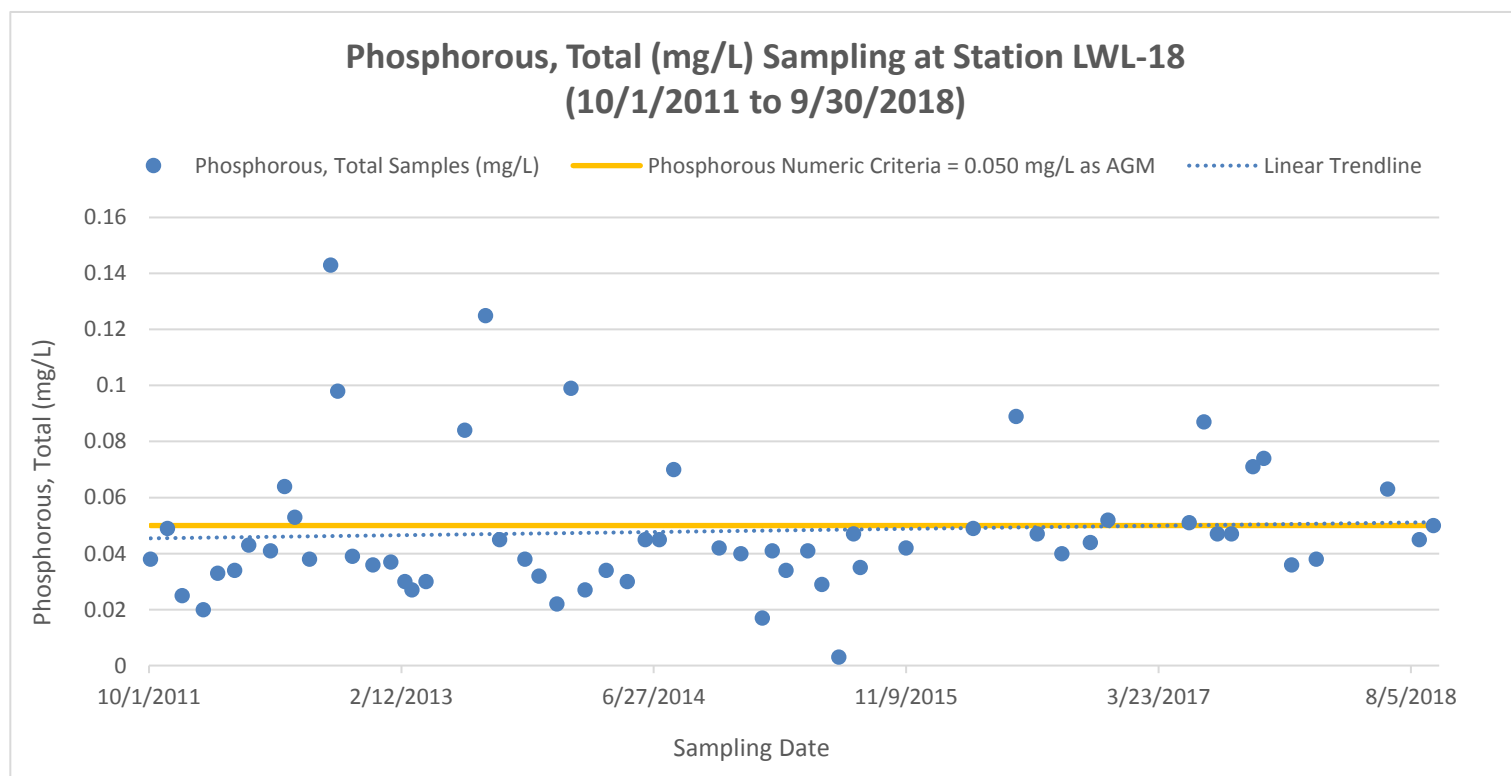


Figure 2: Total Phosphorous Samples (mg/L) vs. Date Sample Collected (10/1/2011 to 9/30/2018)

Table 3 shows the specific total phosphorous sampling data at monitoring site LWL-18 for the Cycle 4, Year 2 Reporting Period. The calculated geometric mean for total phosphorous for this reporting period at monitoring station LWL-18 is 0.0493 mg/L. The calculated geometric mean specifically for this reporting period is less than the specific narrative nutrient criterion per Rule 62-302.532 of 0.050 mg/L as AGM for the Southern Lake Worth Lagoon.

Table 2
LWL-18 Total Phosphorous Samples for Cycle 4, Year 2

LWL-18	Monitoring Parameter
Date	Phosphorous, Total (mg/L)
10/18/2017	0.074
12/12/2017	0.036
1/30/2018	0.038
6/20/2018	0.063
8/22/2018	0.045
9/19/2018	0.05

Part D – Cycle 4, Year 2 Reporting Period Conclusions

In summary, the historical evaluation of the total nitrogen and total phosphorous samples at monitoring station LWL-18 shows that on average the samples are below their respective numeric nutrient criteria. For the Cycle 4, Year 2 Reporting period the calculated average geometric means for both total nitrogen and total phosphorous were below their respective specific narrative nutrient criterion for the Southern Lake Worth Lagoon.

The Town of Highland Beach currently has no major outfalls, and based on this assessment program summary, the Town's existing stormwater management programs are proven effective. At this time, no additional stormwater management control measures are proposed for the Town of Highland Beach's MS4.

Town of Highland Beach - NPDES Permit No. FLS000018 - Cycle 4, Year 2

Appendix C – Revised Standard Operating Procedures (SOPs)

Town of Highland Beach

Reactive Inspection Program

Section III.A.7.c – Illicit Discharges and Improper Disposal – Inspection and Investigation of Suspected Illicit Discharges and/or Improper Disposal

This permit element requires a written **reactive investigation program** for suspected illicit that are reported by others.

Reactive Investigation Written Program Components

1. Procedure for tracing source of discovered or suspected illicit discharge
2. Procedure for eliminating the discharge
3. Procedure for documenting the inspections and enforcement activities
(See form)
4. Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)
5. Identification of staff /department/outside entity responsible for inspections and for enforcement
6. Description of resources allocated to implement this permit element

Reactive Inspection Program (Written Procedures)

1. Procedure for tracing source of discovered illicit discharge

An inspection will be conducted to find the actual point of contamination.

2. Procedure for eliminating the discharge

The person/s responsible for the contamination is notified and instructed to clean all affected area. Affected area will be isolated until cleanup is complete.

The Town will contact the City of Delray Beach Fire Department or S.W.S. in the event of a spill or discharge (see attached contact information).

3. Procedure for documenting the inspections and enforcement activities

Photos of the contamination and all documentation are kept on file and a notice of violation issued if needed.

4. Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)

If the contamination is not taken care of and stopped then the fine will be issued.

5. Identification of staff /department/outside entity responsible for inspections and for enforcement

The Public Works and Building Departments.

6. Description of resources allocated to implement this permit element

Manpower as needed.

Reactive Investigation of Reported Illicit Discharge/Illegal Connection/Illegal Dumping

Date suspected illicit was reported: _____

Date of investigation: _____

MS4 potential Receiving system:

If not within MS4, date and to whom referral made: _____

Verification of problem: _____

Type of discharge/connection/dumping:

Determined Source:

Type of enforcement action taken:

Date to verify elimination: _____

Date of Referral to FDEP of facility that may require MSGP: _____

TOWN OF HIGHLAND BEACH

EMERGENCY CHEMICAL SPILL CLEAN UP PROCEDURE

IF A LARGE CHEMICAL SPILL OCCURS (ACID, SODIUM HYDOXIDE, BLEACH, FUEL, ETC).

Call the Public Works Director, the Water Plant Superintendent, Utilities Maintenance Superintendent, the Chief Water Plant Operator or the Utilities Maintenance Foreman in that order and advise them of the spill.

They will determine if the Fire Department and / or SWS Company needs to be called to handle the cleanup.

FIRE DEPARTMENT 911

S.W.S. (24/7 HOT LINE) 888-742-4215 OR 954-957-7271.

PUBLIC WORKS DIRECTOR	ED SOPER	860-559-7634 OR 561-276-5166
WTP SUPERINTENDENT	DAVE AILSTOCK	561-601-9908 OR 561-433-8779
U. M. SUPERINTENDENT	PAT ROMAN	561-441-8380 OR 561-856-2963
CHIEF WTP OPERATOR	KEVIN TRIBBY	561-315-8769 OR 561-706-0080
UTILITIES M. FOREMAN	GEOFF SMALL	561-441-8380 OR 561-271-6141

Pesticide, Herbicide & Fertilizer Minimization Procedures

In accordance with our MS4 permit, the Town of Highland Beach continues to endeavor to minimize its use of pesticides, herbicides, and fertilizers on public property. The procedures used to achieve this are as follows:

Pesticides & Herbicides

Only personnel and contractors who have proof of certification and licensing by the Florida Department of Agriculture and Consumer Services (FDACS) for the application of pesticides and herbicides, are allowed to apply these products.

Fertilizers

(By January 1, 2014), All personnel and contractors who apply fertilizers must demonstrate proof of training through the Green Industry BMP Program. In addition, contracted applicators are required to prove certification for “urban landscape commercial fertilizer application.”

Until January 1, 2014, personnel will continue to receive annual training on the proper application practices for fertilizers.

Annually, or more often, training on the proper storage and handling of these products is provided to all relevant personnel. Typically, relevant personnel are required to attend the Palm Beach County joint training event where EXCAL employee training videos on stormwater pollution prevention are shown.

A list is maintained of all personnel and contractors who have received training, licensing, certification, and annual refresher training.

Construction Site Inspection Plan and Inspection Form for the Town of Highland Beach

Construction site inspections are conducted for land-disturbing projects which have the potential to discharge stormwater runoff into our MS4.

Timing

Construction site inspections are conducted:

- During routine site inspections after the placement of temporary BMPs
- During construction (one or more inspections, based on the project's potential for discharge to our MS4)
- At the end of the construction before a CO is issued.

Site Priority

All construction sites are considered priority if they have the potential to discharge into water bodies or our MS4. Sites will be inspected with a frequency deemed appropriate during the site plan review process and with consideration to rainfall events. In addition, any sites where compliance is a concern, will be inspected more frequently.

Inspection Procedure

Inspections are the responsibility of Building Department and are conducted using the attached construction site inspection form. The intent of the inspection is to verify that BMPs are performing and to document the inspections. All completed inspection forms are kept in a binder on the construction site.

As outlined in Section 12-11 of the Town's Code of Ordinances, the Town has adopted a construction site handbook that is required to be on-site and followed at all times at all active construction sites (see attached).

Enforcement

Instances of non-compliance will be handled with successively more rigorous enforcement measures such as:

1. Notice of Violation
2. Stop work order
3. Fines

The construction site inspector will issue notices of violation or stop work orders as deemed necessary. Fines will be issued if necessary.

Construction Site Inspection Form, Town of Highland Beach

Site: _____ Date of Inspection: _____

Address: _____

Lat/Long of discharge point: _____ Receiving water body:

Project owner: ☐ Private ☐ City of _____

YES NO N/A

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Erosion & Sedimentation Controls are installed as shown on plan. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Erosion is being controlled on site. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Sedimentation is being contained on site. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No indication of sedimentation leaving the site. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | SWPP & completed inspection forms are on site & available. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Copy of SFWMD or FDEP Permit (if applicable) is on-site. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Coverage under the GCP has been obtained. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Prior non-compliance issues have been addressed. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | All other sources of pollution are being controlled. |

Comments:

TOWN OF HIGHLAND BEACH

CONSTRUCTION SITE MANAGEMENT HANDBOOK

MUST BE POSTED AT JOB SITE WITH PERMIT

The rules and regulations in this handbook apply to all construction sites and are a condition of all primary building permits issued by the Town or any permit for which a fee is charged on a single permit job. Failure to follow these regulations, or any plans and documents approved by the Town pursuant to this Handbook, may result in a Stop Work Order, and repeated violations may result in the revocation of all building permits.

TOWN OF HIGHLAND BEACH CONSTRUCTION SITE MANAGEMENT HANDBOOK

I. INTRODUCTION

This handbook has been developed by the Town of Highland Beach to familiarize contractors with the Town's rules and regulations regarding construction sites and to minimize problems and delays in completing construction projects. The Town is fully aware that building construction is a complex and difficult process even under the best of conditions. Problems do and will arise. However, through careful thought and planning prior to beginning the process, the Town believes the number and severity of problems can be reduced or avoided altogether.

This handbook addresses the most common problems experienced by contractors, residents, and the Town government, during construction projects. While the handbook is comprehensive, and its rules and regulations apply to all construction sites, the Town intends to administer it using a cooperative, common sense approach. Just as the type and degree of potential problems vary greatly from site to site, so too will the administration of these rules and regulations vary. Accordingly, all parties are encouraged to focus on the *objective* of a rule or regulation rather than on the specific *means and methods* suggested for achieving that goal. If there is a better means or method, it will be considered. With the help of all parties, the Town believes the handbook can be administered fairly, while also permitting a great deal of flexibility.

The Town Building Official or his/her representative has been charged with implementing these rules and regulations and all questions and comments should be directed to him/her. Any appeal regarding the Building Official's interpretation of these regulations may be appealed to the board of adjustment and appeal. Please note, however, that while the Building Official, or his/her representative, has the primary responsibility for enforcing these rules and regulations, the Police Department and Town Manager may also enforce these provisions. Please also review Chapter 12, entitled "Construction Sites" in the Town's Code of Ordinances, which this document supplements.

II. APPLICABILITY

The rules and regulations in this handbook shall apply to all construction sites and **shall become a condition of the building permit**. A construction site is any real property, dwelling unit, structure or building, for which one or more building permits has been issued by the Town, including those with inactive or expired building permits where construction activities have been initiated but not completed. Failure to follow these regulations, or any plans and documents approved by the Town pursuant to them, may result in, among other things, a stop work order issued by the Town, and repeated violations may result in the revocation of all building permits and the imposition of fines.

For purposes of administering this handbook **the contractor paying the fee and property owner shall be jointly accountable** for all responsibilities assigned by this handbook to the "contractor." However, to avoid confusion and delays, a principal contact with either the contractor or the

property owner should be established with the Town at the time the primary building permit is issued.

III. PRE-CONSTRUCTION MEETING

Prior to making an application for a building permit, contractors are encouraged to meet with Town staff (Building Official or his/her representative, Police Chief or his/her representative, Building Department Office Manager or his/her representative and Code Compliance Officer) to review the applicable rules and regulations contained in this handbook. Construction staging site plans, on site parking plans and other drawings and/or documents pertinent to construction operations may be required before the building permit can be issued. Compliance with these rules and regulations shall become a condition of the building permit, **and acceptance of the building permit by the contractor shall serve as an acknowledgement of this condition.**

IV. RULES AND REGULATIONS

1. OFF-SITE DAMAGE AND DAMAGE BOND

Off-Site Damage

The contractor shall be responsible for all off-site damage to roads, rights-of-way, easements, utilities and private property caused by any activity related to the contractor's construction site. This includes damage by the contractor's employees, sub-contractors and suppliers.

Several of the rules and regulations in this handbook are intended to prevent or minimize off-site damage. **Accordingly, the contractor needs to inform all employees, sub-contractors and suppliers of these rules and regulations and the high potential for off-site damage due to the presence of narrow streets, tight corners, and extremely soft shoulders.**

The above notwithstanding, the Town recognizes that accidents can happen. In those instances, the contractor needs to take the following actions:

- A. Inform the Town Police Department and Building Official immediately as to the location and extent of the damage.
- B. Inform the Town Police Department and Building Official as to how the incident occurred and the parties involved.
- C. Inform the Town Police Department and Building Official as to the corrective actions that will be taken and when they will be completed. (All repairs should be made within 24 hours or as soon as practical.)
- D. Inform the Town Police Department and the Building Official as to the actions to be taken to prevent the accident from occurring again in the future.

If the above actions are followed, there should be few problems. However, repeated damages, particularly of the same type, such as running off the road, will not be tolerated even if they are continually repaired. It is the Town's goal to **prevent** off-site damages, not to simply repair them when they occur.

Off-Site Damage Bond

Prior to beginning any work that exceeds a certain dollar amount as set forth below, the Town will require a \$5,000 or \$10,000 cash bond be posted to cover repairs to damaged road rights-of-way, utilities or Town owned property caused by activities related to the construction site. The bond amount will be commiserate with the estimated construction costs. **In no way, however, shall the posting of the bond act as a transfer of responsibility for repairs from the contractor and those causing the damage to the Town.** The bond shall be used only as a last resort where the contractor refuses to correct the situation in a timely manner.

All remaining proceeds from the bond, if any, will be fully refunded upon written request from the depositor within ninety days after the Certificate of Occupancy or Completion has been issued. If the amount of the bond is not enough to cover any unrepaired damage at the end of the project, the Certificate of Occupancy/Completion shall be withheld until all damage is repaired.

Projects required to post a bond include:

- A. Those projects with improvements valued between \$10,000 and \$25,000 involving exterior alterations and which have three or more permitted sub-contractors. A \$5,000 cash bond shall be required.
- B. Those with improvements valued over \$25,000 involving exterior alterations and which have three or more permitted sub-contractors. A \$10,000 cash bond shall be required.
- C. Those projects with improvements valued at \$10,000 or more that will use heavy equipment, such as semitrailers, cranes, pile drivers, cement trucks, tree movers, dump trucks, bulldozers, backhoes, and other large earth moving equipment. A \$10,000 cash bond shall be required.
- D. Those projects with contractors or suppliers who have failed to correct damages in the past. A \$10,000 cash bond shall be required.

2. VEGETATION PROTECTION

Prior to beginning any site work, all existing vegetation to be maintained or relocated shall be fenced or otherwise protected from damage, including the provision of temporary irrigation where necessary and shall be in accordance with Chapter 28 entitled "Xeriscape – Landscape requirements, Installation and Maintenance" of the Town's Code.

3. PERMIT POSTING

All Town building permits and notices of commencement shall be posted at the site, in a conspicuous location at the front of the site and in accordance with the FBC Ch. 1 section 105.7 "Placement of permit" which states that the building permit or copy shall be kept on the site of the work until the completion of the project; and in accordance with section 105.8 "Notice of commencement" which states that in accordance with Section 713.135, Florida Statutes, when any person applies for a building permit, the authority issuing such permit shall print on the face of each permit card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR

PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.”

One complete set of approved plans shall be maintained on-site always.

4. TRAILERS/DUMPSTERS/PORTABLE TOILETS

Construction trailers, dumpsters and/or portable toilets may be used provided the requirements listed below are met. Prior to locating any of these facilities on a site, a plan indicating their locations and other pertinent information shall be submitted to the Building Official for approval. Prior to the issuance of certificate of occupancy/completion, all such facilities shall be removed from the site.

Trailers

Shall be allowed in accordance with Section 12-1.5 (d): All temporary construction trailers and storage containers must be approved by the building official prior to placement and must comply with section 30-68(m), entitled “Temporary structures” and states that:

(m) Temporary structures:

(1) *Temporary structures.* Temporary structures may be erected in any district in connection with land development or construction projects, including real estate offices for original sales of dwelling units and construction trailers. Temporary structures shall not be used as dwelling or lodging units.

(2) *Installation.* A temporary structure shall not be installed without site plan review and approval and the issuance of a building permit for the temporary structure. The planning board shall have the final authority to approve a site plan for a temporary structure visible from a public right-of-way, and the building official shall have final authority to approve a site plan for a temporary structure not visible from a public right-of-way and for all temporary trailers or storage containers to be located on construction sites. Approval for a temporary structure shall be subject to the standards listed below.

a. The approved site plan and building permit for the temporary structure shall specify the location, type of construction, maintenance requirements, and the period for which the temporary structure shall be required.

b. Any building permit issued for a temporary structure shall expire after a period of six (6) months, unless renewed by the building official for one or more additional periods of six (6) months.

c. A temporary structure, whether it is visible from the public right-of-way or not, shall not be allowed for more than two (2) years, including any renewal periods, unless approved by the town commission.

d. A certificate of occupancy shall be issued before the structure is occupied.

e. Land development or construction activities on the site must commence within one year after the building permit for the temporary structure is issued. If land development or construction activities do not commence within the required time period, the building official may initiate code enforcement proceedings and/or any other lawful action to require removal of the temporary structure from the site.

Dumpsters

Roll-off dumpsters shall be provided on all sites as follows:

- A. All dumpsters shall be positioned inside temporary fence or otherwise be screened from view from the street.
- B. To the extent practical, dumpsters shall be located at least 10 feet from the site property line on all sides.
- C. Trash piles, other than vegetation outside dumpster, are prohibited and must be removed within 24 hours
- D. All dumpsters must be emptied within 48 hours.

Portable Toilets

Portable toilets may be permitted provided the following are met:

- A. They shall not face the street.
- B. To the extent practical, they shall be located at least 10 feet from all property lines.
- C. They shall be screened from the public.
- D. They shall not be installed on site until the master building permit has been issued by the Town.

5. SIGNS

Signs shall be posted in accordance with the Town's sign code.

6. EROSION AND STORMWATER CONTROL

Appropriate erosion and storm water control plans must be set in place during construction to prevent adverse impacts to neighboring properties and adjoining streets and shall be in accordance with Section 30-68(r) of the Town Code which provides:

(r) *Stormwater management:*

(1) *Stormwater management.* Stormwater management shall be required for all land development activities, including single-family residential dwellings, within the town in order to control runoff, ensure maintenance of appropriate water quality standards, protect groundwater resources, and prevent erosion. Stormwater management systems shall be designed by an engineer registered in the State of Florida.

(2) *Applicable regulations.* The stormwater management regulations applicable within the town shall be those administered by the South Florida Water Management District set forth in chapter 40E, Florida Administrative Code, as amended.

(3) *Additional standards.* All development activities within the town shall comply with the additional standards listed below:

- a. Completed construction and improvements shall not impede the flow of stormwater runoff to points of collection, retention, or detention.
- b. Completed construction and improvements shall retain onsite the first one inch of stormwater runoff generated by a three-year storm event.

The contractor, during construction, will take necessary measures to prevent flooding of rights-of-way, shoulders and travel lanes of public thoroughfare. This may necessitate the creation and maintenance of temporary swales, retention areas and/or berms. Furthermore, the contractor must show that all drainage structures located in the public rights-of-way that are located within 300 feet of the property must be protected by appropriate filter fabric in accordance with **National Pollutant Discharge Elimination System (NPDES)** regulations and must be checked and cleaned, at a minimum, once every week. The contractor is required to install silt fences or other protective measures around such drainage structures if required by the Town. **All applicable sections of the NPDES requirements applicable to the Town are incorporated as requirements hereto.**

To prevent dirt from being tracked onto adjoining streets, parking areas should be covered with appropriate, compacted materials. Dirt and mud or construction material tracked onto adjoining streets shall be immediately removed in accordance with Code Section 12-2(e) "All areas surrounding construction sites which are affected by dust, dirt and debris from the construction site shall be swept clean of such dust, dirt and debris a minimum of two times per day; at least one of which must be at the conclusion of work for that day." In addition, the parking areas shall be swept daily and hosed or mechanically cleaned weekly if necessary.

7. WORKING HOURS

The working hours specified in Section 12-6, entitled "Hours of construction" of the Town Code shall be strictly observed. The Code provides:

Sec. 12-6. - Hours of construction.

(a) The construction (including excavation), demolition, alteration or repair of any building in a residential district is prohibited between the hours of 5:00 p.m. and 8:00 a.m., and on Saturdays, Sundays and holidays, except in the case of urgent necessity or in the interest of public safety and then only with notification to the police department after town working hours or with a permit from the building official during town working hours, which permit may be

renewed for a period of three (3) days or less while the emergency continues. Approval by the police department allowing after hours construction work must be reviewed by the building official on the next available work day and the contractor or owner must apply for a permit even if the work is completed. For the purposes of this subsection, "holiday" shall be defined as any full day when the administrative offices of the town are closed except for the day after Thanksgiving.

(b) Notwithstanding the above, construction on Saturdays (that are not holidays) shall be allowed by the homeowner when the homeowner is making repairs or renovations to the homeowner's single family residence as the "owner-builder," so long as the project construction cost is less than fifty (50) percent of the total market value of the existing building. For the purposes of this section, the total market value shall be the amount established by the county's property appraiser's office for the preceding year. This section does not apply to developers.

(c) No construction workers associated with a construction project may arrive on-site more than one-half (0.5) hour before or leave said site more than one-half (0.5) hour after the construction hours listed in subsection (a) above.

8. PARKING

Construction parking shall be in accordance with Section 12-1.5, entitled "Construction site parking; storage of materials" which provides:

Sec. 12-1.5. - Construction site parking; storage of materials.

(a) *On-site construction parking.* On street parking is prohibited. All vehicles associated with the construction or construction personnel must be parked completely on the construction site and/or an alternate location approved by the building official. On-site parking areas must be completely off the pavement and should be covered with a suitable, compacted material to prevent dirt and mud from being tracked or washed onto adjacent streets and properties. Washing or repairing vehicles associated with the construction or construction personnel is prohibited anywhere in the town.

(b) *Off-site construction parking.*

(1) *Alternate parking sites.* Alternate parking sites within the town may be approved by the building official and/or police chief provided the following requirements are met:

- a. The owner of the alternate parking site has granted written permission.
- b. The alternate parking area is composed of a suitable, compacted surface.
- c. The parking area is prepared in such a manner to prevent erosion and stormwater runoff onto streets and neighboring properties.
- d. No significant vegetation (non-invasive trees or shrubs with a caliper of four (4) inches or greater) or topographic features shall be removed or disturbed.

- e. Alternate parking sites shall be used for parking only. Washing or maintaining construction-related vehicles is prohibited as are all other activities related to the construction site.
- f. Alternate parking sites shall be kept free of litter and other debris.
- g. A plan shall be prepared showing the number and location of vehicle parking spaces.
- h. Use of the alternate parking site shall not cause a traffic hazard or cause a significant disruption to the privacy and peaceful enjoyment of neighboring properties.
- i. Prior to the issuance of certificate of occupancy/completion for the construction site, the alternate parking site shall be restored to a condition and appearance better than or equivalent to the condition and appearance prior to the use as an alternate parking site.

(2) *Parking in the public right-of-way on A1A.* Parking on A1A is prohibited by the town. However, there may be some instances when the state department of transportation will allow it. To be able to park in the public right of way on A1A, the developer/owner or developer/owner's contractor must copy the building department with the letter to the state department of transportation requesting the right to park on A1A. The town may or may not comment on the request. If a permit from the state department of transportation is granted, the permit, along with a parking plan, which will include a remote location for overflow parking, must be submitted to the town. The state department of transportation permit must be provided to the town before any building permits from the building department will be released. All vehicles must be parked completely off the paved road.

- (c) It shall be unlawful to place or use on premises in the town any portable, fixed or mobile grout plants or concrete (batching) mixing plants where the capacity of the plants exceeds two (2) cubic yards.
- (d) All temporary construction trailers and storage containers must be approved by the building official prior to placement and must comply with section 30-68 (m).

9. TRUCKS AND CRANES

Trucks

Due to the narrow streets, tight corners, very soft shoulders, and unstable road-base conditions in Town, semi-trailers and trucks over 9 tons (when loaded) are discouraged on all Town streets. Accordingly, contractors are strongly encouraged to use smaller vehicles and notify their suppliers to do likewise. In the event an alternate delivery vehicle cannot be arranged, all semi-trailers and trucks over 9 tons (when loaded) shall notify the Police Department of their pending arrival at least 24 hours in advance. Further, the drivers of such vehicles and the general contractor shall be responsible for all damage caused to rights-of-ways, roads, utilities, and private properties.

Failure to comply with this section may interfere with the Town's performance of final inspections and/or the issuance of a certificate of occupancy and/or certificate of completion.

Cranes

The Police Department shall be notified at least two hours in advance of the arrival of any crane performing work in the Town. All cranes performing work in the Town require a police escort and may not enter the Town without one.

10. LOADING AND UNLOADING

Loading, unloading and delivering materials shall be in accordance with Section 12-8 of the Town Code which provides:

Sec. 12-8. – Ingress and egress.

- (a) All vehicles delivering materials to or picking up materials from any construction site within the town limits shall follow the legal rules of the road.
- (b) Any vehicle which will be obstructing the normal flow of traffic for a period greater than three (3) minutes shall have a flag person present to assist in the safe passage of other motor vehicles. Such flag person shall wear a reflective vest.
- (c) Any case where traffic is known to be disrupted for a period in excess of five (5) minutes must be approved, in advance, by the Highland Beach Police Department and a police officer must be on-site during the disruption.

11. BUILDING MATERIALS STORAGE AND SITE MAINTENANCE

Storage and site maintenance shall be in accordance with Section 12-2 of the Town Code which provides:

Sec. 12-2 – Construction site cleanliness; construction site safety.

- (a) During the course of construction or demolition work being done on any premises, it shall be unlawful for any person to cause, permit or allow the emissions of particulate matter from any source whatsoever, including, but not limited to, incidents caused by vehicular movement, transportation of materials, construction, alteration, demolition or wrecking of buildings or structures, or the stockpiling of sand or dirt, without taking reasonable precautions to prevent such emissions or to preclude fugitive particulates that may trespass on neighboring properties during dry and windy weather. In the case of stockpiled particulate materials, such materials shall be stabilized by adequate coverings, by wetting or by chemical application to the satisfaction of the building official.
- (b) Construction sites and neighboring properties are to be maintained in a clean condition at all times and any papers, litter, dirt, dust and/or construction materials are to be disposed of and/or secured at the end of each day's work.
- (c) It shall be unlawful to unload and/or store any material used or required on any construction site without a permit having been issued for construction and/or demolition at that specific site.

(d) It shall be unlawful to store any material in an unsecured area which is deemed unsafe or a danger to those accessing the site. It shall be unlawful to store any construction materials in any manner whereby the material or a portion of the materials is stored outside the legal boundaries of the site. Reasonable exceptions to this subsection, for a reasonable period of time, may be considered on a case-by-case basis by the town commission.

(e) All areas surrounding construction sites which are affected by dust, dirt and debris from the construction site shall be swept clean of such dust, dirt and debris a minimum of two times per day; at least one of which must be at the conclusion of work for that day.*

(f) Any pool under construction shall be kept clean of any debris until such time as the pool is properly filtered. All sitting water in pools under construction must be properly treated to eliminate algae, insects, etc.

(g) All construction debris not placed in a dumpster shall be removed from the construction site within forty-eight (48) hours.

(h) The contractor shall be responsible for placement and emptying of adequate disposal containers for food, wrappers and other nonconstruction related garbage.

(i) In addition to other remedies for violation of this Code, including the imposition of fines by the code enforcement board or special magistrate, the violation of this section shall constitute grounds for the cashing of damage bonds, the issuance of a revocation of building permits and/or the issuance of a stop work order issued by the building official in accordance with the provisions of the building code.

***WHEN REMOVING DEBRIS AT THE END OF THE WORK DAY, THE STREET MUST BE SWEEPED WITH A MAGNETIC STREET CLEANER.**

12. NOISE

Noise restrictions shall be in accordance with Section 12-7 of the Town Code which provides:

Sec. 12-7. Construction site noise.

It shall be unlawful for any person to make, continue, or cause to be made any loud or raucous noise; any noise that tends to annoy the community or injure the health of the citizens in general; or any noise that annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of any considerable number of persons. Further, it shall be unlawful for the contractor or the contractor's employees or agents to play music at any time at the construction site.

13. OCCUPANCY

Occupancy of any structure without a certificate of occupancy is prohibited. This prohibition includes the temporary occupation of the structure under construction by security or other personnel.

14. EMERGENCY MEASURES DURING STORM EVENTS

Removal and securing of construction materials during tropical storm and hurricane warning or watch shall be in accordance with Section 12-5 of the Town Code which provides:

Sec. 12-5. Hurricane preparedness.

- (a) All construction materials on-site shall be properly secured and fastened upon a hurricane watch being issued and/or notification by the building official that the town has declared an emergency situation.
- (b) Any roof tiles placed on the roof but not yet fastened before the issuance of a hurricane warning shall be removed from the roof or properly secured and fastened.
- (c) Failure to follow the directive of the building official or his/her designee with regard to securing such building and/or construction material may result in a stop-work order being issued and/or a maximum five thousand dollar (\$5,000.00) fine, such amount to be determined following the hurricane by the town commission. Failure to pay such fine, if assessed, will result in a certificate of occupancy or a final inspection being withheld.

15. TEMPORARY FENCING

Fencing shall be installed in accordance with Section 12-4 of the Town Code which provides:

Sec. 12-4. Temporary construction fences.

A temporary construction fence is required on all construction sites undergoing land disturbing construction or land development activities. All construction/demolition activities as well as all dumpsters, portable toilets, storage facilities, materials and any other item related to the construction must be located inside the temporary construction fence area. Before the temporary construction fence may be erected, a site plan depicting the materials, location and access gates must be approved as part of the fence permit issuance. At a minimum, the construction site must be completely enclosed, on all sides, by temporary construction fencing to prevent public access.

- (a) Temporary construction fences shall be six (6) feet in height and shall be constructed of chain link with screening material (scrim).
- (b) Temporary construction fences shall not be erected until the town has issued a demolition permit or building permit for the land disturbing construction or land development activities. In no event may a temporary fence be erected more than ten (10) days prior to the commencement of land disturbing construction or land development activities.

(c) In the event that the demolition permit or building permit expires, all temporary construction fences shall be removed within ten (10) days of the permit expiration date. Within fifteen (15) days of removal of the fences, the site shall be brought to grade, tilled and planted with ground cover to include sodding or seeding which shall have irrigation and shall be maintained in accordance with this Code, regarding landscaping requirements. Alternate forms of ground cover may be approved by the building official.

(d) Temporary construction fences shall comply with the following requirements:

(1) Temporary construction fences shall be installed in accordance with all Florida Building Code and Occupational Safety and Health Administration (OSHA) standards. Temporary construction fences installed pursuant to this section shall be subject to any visibility at intersections requirements of this Code.

(2) All temporary construction fencing shall be maintained in a satisfactory manner by the permittee or landowner during the entire period of the land disturbing construction and land development activities to ensure adequate performance, to prevent nuisance conditions and to maintain the public health, safety and welfare.

(3) Gates shall be secured and locked with a lock substantial enough to ensure closure and security when workers are not on the job site.

(4) No temporary construction fence may encroach beyond the subject property line. No fence may encroach upon the public right-of-way without obtaining the appropriate permit(s).

(5) Screening details shall be submitted with the temporary construction fence permit application. Screening material shall be substantial enough to avoid rips or tears due to wind or sun and shall be maintained in good condition at all times. Screening material shall be of one color, either green or black, with the entire fence consisting of the same shade of green or black and approved by the building official with no signage, artwork or pictures of any kind as part of the screening material or affixed to the fence.

(6) All wind screening materials shall be removed upon the issuance of a hurricane warning for an area including the town. Screening materials shall be reinstalled not more than ten (10) days after the hurricane threat has ended.

(7) The building official may grant the use of a temporary movable construction fence as part of a phased construction or phased demolition permit. Within ten (10) days of the completion of the phase of construction or demolition, the temporary movable fence shall be removed, and may be replaced by another temporary construction fence meeting the provisions of this section.

(8) "No Trespassing" signage shall be placed on the construction site under the direction of the building official and in accordance with F.S. § 810.09, as amended.

(e) The building official may grant, in writing, a restriction or extension to the time frames for the erection or removal of temporary construction fences when necessary to maintain the public health, safety and welfare.

16. LITTER

Litter of any type is prohibited. Contractors shall ensure that all litter, garbage and trash generated by on-site personnel and suppliers are disposed of properly. Repeated violations shall result in tickets and fines for littering to both the offending party and the general contractor.

V. FINES AND PENALTIES

Failure to comply with the rules and regulations contained in this handbook, or with the plans and documents approved by the Building Official pursuant to this handbook, may result in fines assessed against the property, a stop work order being issued or revocation of building permits. For the purposes of this handbook, uncorrected violations shall be considered separate violations for each day they go uncorrected.

FIRST OFFENSE/WARNING

1. A verbal warning;
2. A written warning; and/or
3. A Stop Work Order.

SECOND OFFENSE/WARNING

Any of the actions listed under First Offense/Warning; and/or

1. Cashing of damage bonds; and/or
2. A written notice to appear before the Town of Highland Beach Code Enforcement Board or Special Magistrate which may result in fines being imposed against the property.

THIRD OR MORE OFFENSES/WARNINGS

Any of the actions listed under First or Second Offenses/Warnings; and/or

1. Revocation of Town Occupational Registration; and/or
2. Liens against the property for all expenses incurred by the Town to mitigate any violations.

The above may be issued by the Building Official, any Town Police Officer, Code Enforcement/Compliance Officer, the Town Manager or the Town Clerk; however, all offenses/warnings shall be cumulative regardless of who issued them.

The above notwithstanding, nothing herein shall preclude the Town or its employees from taking all actions permissible under federal, state and local laws to enforce, cite or correct violations of federal, state or local laws which may or may not be covered in this handbook.