Appendix E
Enforcement Policy for Construction Site Storm Water Runoff Control

(Note: This policy will be updated to make sure it meets all the requirements of the current UPDES permit.)

Farmington City Storm Water Ordinance Enforcement Policy

The intent of the following policy for enforcing the Farmington City Title 16 Storm Water Ordinance is to encourage builders and developers in Farmington to police their construction sites and make sure there are no violations present before it is identified by City employees. This self-policing is intended to help ensure that there are fewer incidences of contamination of the City's storm water system which could be violations of the City's Utah Pollutant Discharge Elimination System (UPDES) permit.

Storm Water Ordinance Enforcement Policy:

1. At the time of building permit application, the applicant shall submit an application for a Storm Water Permit with its associated fee, an approved UPDES Permit from the State of Utah (this can be obtained on-line at https://secure.utah.gov/stormwater/) and a copy of the Storm Water Pollution Prevention Plan (SWPPP) that has been prepared in conjunction with the UPDES Permit or a copy of the contract transferring responsibility for the Developer's SWPPP to the applicant.
2. At the time of Building Permit issuance, the applicant shall post a $1000 cash bond to cover costs, required performance and fines for violations as authorized in the bond agreement.
3. If violations of the ordinance are identified, the applicant will be given a Notice of Violation posted at the location of the violation providing 24 hours for the violation to be addressed, and warning that a Stop Work Notice will follow along with a $100/violation/day fine to be deducted from the storm water cash bond.
4. If the violation is still evident after 24 hours, a Stop Work Notice will be posted at the site, a photo to document the violation will be taken and kept in the building permit file, and a fine in the amount of $100/violation/day since the violation was first noted will be deducted from the bond. If there is evidence that illegal materials actually entered the storm water system, the fine will be doubled to $200/violation/day. These fines are authorized by Farmington City Ordinance 16-5-060 (e).
5. Each violation of the ordinance will be subject to the fine for each day the violation exists.
6. If the bond amount remaining drops below $250, a Stop Work Notice will be posted at the site preventing work from continuing until the balance of the bond has been increased back up to $1000.
7. After the final inspection of the project by the Storm Water Official or his/her designee, the balance of the bond to be released will be computed, and the bond will be released.

8. Failure to comply with a Stop Work Notice could result in the issuance of a Citation, potentially resulting in additional fines or penalties.
9. Citations may be issued to individuals or subcontractors who are identified committing violations of the Storm Water Ordinance.
10. Spills or severe contamination of the storm water system will be reported to the Davis County Health department for investigation and prosecution. Their escalating fine procedure will be implemented depending on the severity of the violation.