

City of Glendale



Standard Operating Procedure

Name: Enforcement Procedures for Stormwater Violations

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Issue Date: September 13, 2011

Supercedes: October 27, 2004

Procedure

As required in Glendale's MS4 general permit (COR-090000, CDPS Permit Certification Number COR-090003) Illicit Discharge Detection and Elimination Program, Construction Program, and Post Construction Program, the City of Glendale must:

- To the extent allowable under State or local law, effectively prohibit, through ordinance or other regulatory mechanism, illicit discharges into the storm sewer system, and implement appropriate enforcement procedures and actions (Program 3);
- Include, at a minimum, the development, implementation, and documentation of: Procedures for enforcement of control measures that includes documented procedures for response to violations of the permittee's program requirements. Procedures must include specific processes and sanctions adequate to minimize the occurrence of, and obtain compliance from, chronic and recalcitrant violators of control measures (Program 4); and
- Develop, implement, and document an enforcement program, which addresses appropriate responses to common noncompliance issues, including those associated with both installation and long term operation and maintenance of the required control measures (Program 5).

The following procedures address how the City of Glendale complies with the permit requirements stated above and will serve to guide the Public Works Department in enforcement of stormwater violations within the City. When stormwater non-compliance is identified by the City, enforcement actions will be taken promptly. The City will take appropriate action against the party in non-compliance based on the nature and severity of the situation and in accordance with the City's Stormwater Ordinance. Non-compliances are classified as minor or major violations. Major violations are generally those acts or omissions that lead to a discharge of pollutants to stormwater. This could include failure to implement or install permanent BMPs per plan, recalcitrant violators, and chronic violators. Minor violations are generally instances of non-compliance

that do not directly result in such a discharge or may be considered an incidental discharge. Serious discharges or an imminent threat of discharge may require an immediate escalation to a higher level of enforcement. The level of enforcement response will depend upon several factors:

- Severity of the violation: the duration, quality, and quantity of pollutants, and effect on public safety and the environment;
- The violator's knowledge (either negligent or intentional) of the regulations being violated;
- A history of violations and /or enforcement actions individual or contractor; and/or
- The potential deterrent value of the enforcement action.

The following steps may be used by the City when enforcing the City's Stormwater Ordinance:

1. Identify the source property owner or their designated representative.
2. Make contact through any medium available to notify the property owner of the infraction. Attempt to meet with the property owner or their designated representative to discuss requirements and infraction. The preferred medium is verbal notification but is not limited to this. This may also require involving Glendale Police to respond.
3. Issue warning letter stating time frame for corrective action(s) to be completed.
4. Issue stop work order, if applicable, with time frame for corrective action(s). Revoke building permit, if applicable.
5. Escalation to ordinance enforcement procedures including a written compliance order containing a compliance schedule or fines. Monetary fines assessed as outlined in City Ordinance Ch. 13.30, CRS 18.4.511.
6. Each of these items can be used in any order and can be used concurrently.