SUMMIT COUNTY, UTAH
ORDINANCE NO. 953

AN ORDINANCE AMENDING THE SUMMIT COUNTY CODE, TITLE 4, CHAPTER 5; TITLE 9, CHAPTER 3; TITLE 10, CHAPTER 1; AND TITLE 11, CHAPTER 8

PREAMBLE

WHEREAS, the Utah Safe Drinking Water Act, Utah Code Title 19, Chapter 4, the Utah Water Quality Act, Utah Code Title 19, Chapter 5, and Utah Administrative Code R-317, require counties to administer the Stormwater Pollution Prevention Plan ("SWPPP") permit program; and,

WHEREAS, the SWPPP permit program is embodied in Summit County Code Title 4, Chapter 5, Nonstormwater Discharges, and Title 9, Chapter 4, Stormwater Pollution Prevention and Erosion Control, as adopted through Summit County's ("County") various land use regulations (Titles 10 and 11); and,

WHEREAS, as a result of new regulations, the SWPPP permit program needs to be updated and amendments to the Summit County Code were prepared (the "Amendments"); and,

WHEREAS, a public hearing was held on the Amendments before both the Eastern Summit County Planning Commission and the Snyderville Basin Planning Commission, after which each forwarded a positive recommendation on the adoption of the Amendments to the Summit County Council; and,

WHEREAS, the Summit County Council has held a public hearing on the Amendments; and,

WHEREAS, the Summit County Council has determined that the adoption of the Amendments is in the best interests of County residents in protecting the health, safety and general welfare of the community;

NOW, THEREFORE, the County Council of the County of Summit, State of Utah, ordains as follows:

Section 1. **THE SUMMIT COUNTY CODE** is amended as depicted in Exhibit A.

Section 2. **Effective Date.** This Ordinance shall take effect immediately after publication.

Enacted this 26th day of October, 2022.

ATTEST:

Evelyn Furse
Summit County Clerk

APPROVED AS TO FORM

David L. Thomas
Chief Civil Deputy

SUMMIT COUNTY COUNCIL

Christopher F. Robinson

Chris Robinson, Chair

VOTING OF COUNTY COUNCIL:

Councilmember Stevens	Aye
Councilmember Robinson	Aye
Councilmember Wright	Aye
Councilmember Armstrong	~~Absent~~
Councilmember Clyde	Aye

EXHIBIT A
AMENDMENTS

Section 11-8-1

D. Sections 9-3-1 through 9-3-12 of the Summit County Code with all appendices as adopted.

Section 10-10-1

D. Sections 9-3-1 through 9-3-12 of the Summit County Code with all appendices as adopted.

TITLE 9 BUILDING CODES AND CONSTRUCTION

CHAPTER 3 STORMWATER POLLUTION PREVENTION AND EROSION CONTROL

SECTION:

9-3-1: REQUIREMENTS FOR STORMWATER POLLUTION PREVENTION PLAN PERMIT AND EROSION CONTROL PLAN PERMIT:

A. It shall be unlawful and punishable as a class C misdemeanor provided for any person, firm, public utility, public agency, or corporation, to make, enlarge or change any excavation, regrade existing contours, place fill or strip vegetation without complying with the provisions of this chapter and obtaining a Stormwater Pollution Prevention Plan (SWPPP) and Erosion Control Plan (ECP) permit as provided for herein. It shall also be unlawful for any person hiring or directing another person, firm, or corporation to perform the work without obtaining an SWPPP and ECP permit.

B. It shall be unlawful and punishable as provided to change or expand the excavation, regrading of existing contours, placement of fill or stripping of vegetation without first requesting a modification of the SWPPP and ECP permit issued for the work.

C. An SWPPP and ECP permit shall be required for any project which requires a permit under any current State of Utah stormwater general permits, county ordinances, or Building Permit issued by Summit County.

D. A SWPPP Permit shall be required for construction sites which are subject to the current State of Utah stormwater general permits requirements, and includes sites having disturbed areas of one acre or more, or where the site is part of a larger common plan of development which collectively disturbs an area equal to or greater than one acre, other county ordinances, or Building Permit, and which are found to be discharging sediment off site, into a waterway, or tracking onto a road or street.

E. An ECP Permit shall be required for any project less than one acre which disturbs existing vegetation or soils and requires a permit under any county ordinance or Building Permit.

9-3-2: EMERGENCY CONDITIONS:

Emergency excavations, grading, or placement of fill may be made without a permit if the reason for the excavation or grading or placement of fill is to prevent loss of life or damage to property which appears to be imminent if the action is delayed by waiting to secure said permits. In such emergency situations, those making the excavation, grading or placement of fill must contact the county engineer's office at the earliest possible time, but in no case later than the first working day following the emergency work in order to secure a formal permit. None of the provisions of this chapter are waived for emergency situations except for the prior permit requirement. (Ord. 710, 12-17-2008, eff. 1-1-2009)

9-3-3: APPLICATION FOR PERMIT:

Applications shall be made by the owner or operator of the property on which the work is being done. In the case of work within a public right of way, by the firm, public utility, public agency or corporation actually doing the work, or in the case of work within a private road or private road right of way, by the owner of the road or association responsible for the maintenance of the road. Applications for all permits shall be made to the Public Works Stormwater Division as provided, and state the purpose therefor, the person, firm, public utility, or corporation doing the actual work and the name of the person, firm, public utility, or corporation for whom or by which the work is being done, and shall contain an agreement that the applicant will comply with all ordinances and laws of Summit County, the state of Utah, and the federal government relating to the work to be done. The application shall also provide for an agreement that the applicant shall indemnify the county for any loss, liability, or damage that may result from or because of the making, placement, existence, or manner of guarding or constructing any such excavation. The application shall be accompanied by a stormwater pollution prevention plan and erosion control plan (SWPPP or ECP). Said plan shall have a drawing of the location of the intended excavation, grading, filling or stripping of vegetation, and the pertinent dimensions thereof. The SWPPP shall include all requirements set forth in the most current State of Utah general

permits for stormwater. The SWPPP and ECP shall employ best management practices (BMPs) and shall contain the layout, typical sections and details of the erosion control and sediment control measures to be used. Options of various BMP's can be found, but not limited to, in the Construction BMP guidance section on the Summit County Stormwater Website (https://www.summitcounty.org/755/Storm-WaterMS4).

9-3-4: PERMITS:

A. All permits issued pursuant to this chapter shall be valid for a period not to exceed the development permit, or any other permit issued by Summit County in conjunction with the SWPPP or ECP permit. A copy of the permit issued shall be available on site at all times when work is under way.

B. Excavations, grading, or filling of sites which are one acre or more, or are part of a larger common plan of development or sale which collectively disturbs equal or greater than on acre are required by state and federal regulations to file a "notice of intent" with the Utah division of water quality, stormwater permits section (http://waterquality.utah.gov/updes/stormwater.htm). A copy of the notice of intent shall be submitted with the application as provided herein.

9-3-5: EXEMPTIONS:

The following activities are exempt from the requirements of this chapter:

A. Actions by a public agency or utility, the county or other governmental agency to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic; or

B. Actions by any person when the county determines, and documents in writing, that the actions are necessary to remove or alleviate an emergency condition, restore utility service, or reopen a public thoroughfare to traffic.

C. Landscape maintenance activities on fully developed property.

D. Bona fide agricultural and farming operations which constitute the principal use of any parcel or tract of ground located in the county and which meet the requirements of the zoning for that portion of the county in which the operation is located.

9-3-6: FEES:

A review fee, applicable long term fee, and inspection fee, in the current amount as set by resolution of the county council, shall accompany each application for a permit. Fees must accompany the application.

9-3-7: COMPLETION BOND:

Applicants shall file a completion bond with the County Engineer in an amount set by the County Engineer at the time the permit is approved. This may be cash, a letter of credit from an FDIC insured financial institution, or a corporate surety bond. The bond shall be valid until one year after all work shown in the permit is completed to guarantee that the conditions of the permit together with any restorative work is completed properly. The bond will be released by the County Engineer.

9-3-8: SUPERVISION AND INSPECTION:

A. The Stormwater Division shall perform required inspections, or cause to be inspected, all work done pursuant to permits to ensure the enforcement of the provisions of this chapter. Notification shall be given to the Stormwater Division at least twenty-four (24) hours prior to the commencement of any work and within twenty four (24) hours after implementing the SWPPP and ECP. The completion bond shall not be released without an inspection made to determine satisfaction of all applicable provisions of this chapter.

B. For construction sites who have filed a NOI with the State of Utah, the applicant shall retain qualified personnel to inspect the sediment control measures: 1) at least once each two (2) weeks and after a storm event which precipitated 0.5 inch of water or more within twenty four (24) hours. The inspector shall prepare written reports of each inspection and make recommendations for correcting any sediment control measure (BMP) found not performing as intended. A copy of each inspection shall be kept on site until such time as the disturbed area has been permanently stabilized. A copy of the report shall also be submitted to the office of the Stormwater Division, when requested.

C. The applicant shall implement all recommendations of the inspector, or the Stormwater Division, to correct any sediment control measure (BMP) found not performing as intended.

9-3-9: APPEALS:

An applicant for an SWPPP and ECP, whose application has been denied or approved with conditions, may appeal the denied or imposed conditions to the board of adjustment. A notice of appeal must be filed with the office of the county engineer within ten (10) days of the denial or imposition of conditions of the permit. The notice of appeal shall contain the following information:

A. An application containing the applicant's name, address and daytime telephone number;

B. A statement describing the basis for the appeal; and

C. The relief sought by the applicant.

The appeal shall be scheduled on the next available board of adjustment meeting.

9-3-10: FAILURE TO COMPLY:

In the event of failure on the part of any person, firm, public utility, or corporation to comply fully with the provisions of this chapter, law enforcement authorities of Summit County are authorized to:

A. Initiate criminal action by citation or information under section 9-3-12 of this chapter and/or proceed to forfeit bond; or

B. Proceed to forfeit bond; or

C. Install or repair such erosion control and sediment control measures as required to restore the SWPPP and ECP; or

D. Give written notice to such person, firm, public utility, or corporation to restore such BMPs as required to restore or implement the SWPPP and ECP. Such notice may be served either by personal service or by mailing the notice to the person, firm, public utility, or corporation by certified mail and posting a copy thereof on such installation for a period of ten (10) days. If the SWPPP and ECP is not implemented or restored within ten (10) days after the notice is complete, said authorities may implement the SWPPP and ECP at the expense of the person, firm, public utility, or corporation and recover costs and expenses, and also the sum of one hundred dollars ($100.00) for each day the SWPPP and ECP were not in effective operation after notice was complete, in an action for that purpose; or

E. If such person, firm, public utility, or corporation refuses to implement an SWPPP and ECP, said authorities may bring an action to abate the same as a nuisance, and if judgment is recovered by said authorities, there shall also be recovered, in addition to having the same abated, the cost of action and the sum of one hundred dollars ($100.00) for every day such nuisance remained after notice was given for its implementation in the manner provided in subsection D of this section .

9-3-11: SPECIFIC REQUIREMENTS TO STORM DRAIN DESIGN:

A. Purpose

1. The purpose of this section is to minimize long-term changes in stormwater runoff quantity and quality associated with development. Land development projects and associated increases in impervious cover alter the hydrologic response of local watersheds and can increase stormwater runoff rates and volumes, flooding, stream channel erosion, and sediment transport and deposition. Other potential hydrologic alterations include reduced infiltration rates and lower in-stream base flow levels. These hydrologic changes adversely affect local fishery resources and aquatic habitat and are often accompanied by increased pollutant loading. This section is intended to minimize these adverse effects by requiring development to incorporate permanent, post-construction Best Management Practices (BMPs) that treat stormwater runoff quantity and quality and maximize on-site infiltration of runoff to promote groundwater recharge. These regulations apply to the following types of development or redevelopment:

a) Any new commercial development.

b) Any development where the area of disturbance is over 1 acre.

c) Any development that is part of a common plan of development that collectively disturbs 1 acre or more.

d) Any development that is located within 40 feet of waters of the state and wetlands, as defined in Utah Code or federal regulations.

2. This section describes methods for calculating pre- and post- development runoff volumes and peak discharge rates. These calculations should be performed in order to help select, size, and design stormwater BMPs to meet the peak flow rate, water quality, and groundwater recharge criteria described in Title 9, Chapter 3: Stormwater Pollution Prevention and Erosion Control and associated ordinances. This section provides steps for performing these calculations using the rational method, which is only applicable for sites fifty (50) acres or less in size. For larger sites, areas with significant flood storage effects/features, highly complicated sites, or for BMP designs that require complete design hydrographs, calculations should be performed using the NRCS TR-55 method.

B. Detention Structures; Calculation Methodologies

1. Detention Structures.

a) Underground stormwater conveyance systems (e.g. catch basin, manholes, and connection pipe sections) shall be sized using the 10-year frequency storm event.

b) Surface stormwater conveyance systems (e.g. canals/channels/ditches/swales, curb and gutter, and culverts) shall be sized using the 100-year frequency storm event.

c) Retention structures shall be sized using the Granato Method.

d) Detention structures shall be sized to ensure the post development runoff rate does not exceed the pre-development runoff rate for both the 10-year and 100-year frequency storm events.

e) A stormwater maintenance/management plan shall be required for all stormwater storage facilities.

f) BMP selection must address pollutants known to be discharging or have potential to be discharged from the development site and utilize the Summit County LID guidance SOPs or the most current State of Utah's Guide to Low Impact Development within Utah to ensure stormwater controls or management practices will minimize impacts to water quality.

2. Alternative Methods. Hydrologic methods for determining runoff rate and volume other than the rational method or TR-55 may be acceptable, but the applicant must obtain prior approval from Summit County before beginning hydrologic studies and calculations using alternative methods. Curve numbers shall be obtained from the Natural Resources Conservation Service (NRCS) manual title "Urban Hydrology for Small Watersheds" technical release 55, June 1986. This document is located at this link: https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

3. Calculation Methodologies.

a) Calculating Peak Runoff

(i) Use the rational formula:

$Q_p = CiA$

Q_p = peak discharge (cfs)

C = dimensionless runoff coefficient

I = rainfall intensity (in./hr) for a duration equal to the time of concentration and for the recurrence interval chosen for design

A = site area (acres)

Calculate site area (A). This can be determined from USGS topographic maps, site surveys, and other available information.

(ii) Determine the runoff coefficient. This value is obtained from the tables below and is based on land use type (s) for developed areas, and soil hydrologic group/ slope characteristics for undeveloped areas. The different land use types are defined in Chapter 2 of the NRCS National Engineering Handbook. For areas with mixed land uses, the area should be divided into subareas with similar characteristics (A_1, A_2, etc.), and a weighted coefficient should be determined using the following formula:

$C = [(A_1 * C_1) + (A_2 * C_2)....+(C_n * A_n)]/A$

a. Where C_1, C_2, etc. are the runoff coefficients for each individual subarea. Information on slope and land use can be obtained from USGS topographic maps, site surveys, air photos, and other available data.

b. Soil hydrologic group information can be obtained by selecting the "generate reports - water features" function at the Natural Resources Conservation Service United States Department of Agriculture website. The different soil hydrologic groups are defined as follows (definitions taken from USDA Technical Release-55 "Urban Hydrology for Small Watersheds, 1986):

Group A: These soils have low runoff potential and high infiltration rates even when thoroughly wetted. They consist chiefly of deep, well to excessively drained sand or gravel and have a high rate of water transmission (greater than 0.30 in/hr).

Group B: These soils have moderate infiltration rates when thoroughly wetted and consist chiefly of moderately deep to deep, moderately well to well

drained soils with moderately fine to moderately coarse textures. These soils have a moderate rate of water transmission (0.15-0.30 in/hr).

Group C: These soils have low infiltration rates when thoroughly wetted and consist chiefly of soils with a layer that impedes downward movement of water and soils with moderately fine to fine texture. These soils have a low rate of water transmission (0.05-0.15 in/hr).

Group D: These soils have high runoff potential. They have very low infiltration rates when thoroughly wetted and consist chiefly of clay soils with a high swelling potential, soils with a permanent high water table, soils with a claypan or clay layer at or near the surface, and shallow soils over nearly impervious material. These soils have a very low rate of water transmission (0-0.05 in/hr).

Table 1. Recommended Rational Method "C" Coefficients for Developed Areas.

Land Use Category	**Runoff Coefficient "C"**
Business	
Central business areas	0.70-0.95
Neighborhood areas	0.50-0.70
Residential	
Single-Family	0.35-0.45
Multi-family, detached	0.40-0.60
Multi-family, attached	0.60-0.75
Low Density - 0.5 acre lots or larger	0.25-0.40
Industrial and Commercial	
Light areas	0.50-0.80
Heavy areas	0.60-0.90
Parks, cemeteries	0.10-0.25
Playgrounds	0.20-0.35

Railroad yard areas	0.20-0.40
Roofs	0.90-0.95
Streets, Drives, Walks (asphalt or concrete)	0.90-0.95
Streets, Drives, Walks (brick, gravel, or disconnected pavers)	0.70-0.85

Table 2. Recommended Rational Method "C" Coefficients for Undeveloped/Pervious Areas.

	Runoff Coefficient "C" [a]			
Slope	A soils	B soils	C soils	D soils
Flat (0-2%)	0.04-0.09	0.07-0.12	0.11-0.16	0.15-0.20
Average (2-6%)	0.09-0.14	0.12-0.17	0.16-0.21	0.20-0.25
Steep (>6%)	0.13-0.18	0.18-0.24	0.23-0.31	0.28-0.38

values should be selected from the high or low end of the given ranges based on the condition of ground cover/vegetation.

(iii) Calculate the time of concentration (T) to use in determining the appropriate rainfall duration and intensity to use in the rational formula. T is the time required for water to travel the longest watercourse within the drainage area (i.e., the time for water to travel from the hydrologically most remote point of the basin to the location being analyzed). T can be determined graphically or calculated using the FAA formula below:

$T = 1.8 * (1.1 - C) D^{0.5} / S^{1/3}$

T = time of concentration (minutes)

C = dimensionless runoff coefficient (same as used in rational formula)

D = length (in feet) of longest watercourse

S = % slope of longest watercourse

a. The variables D and S can be determined from USGS topographic maps, site surveys, and other available information. Care shall be taken to field-verify flow path information to ensure that any existing graded swales, ditches, gutters, or other constructed drainage systems that intercept the natural contours are accounted for when determining slope and flow length for the purposes of these calculations.

b. For small and/or highly impervious areas with very short times of concentration, the default minimum T value to be used in the rational method is 10 minutes. The default minimum T value to be used in the TR-55 method is 6 minutes.

c. Determine the average rainfall intensity (I). This value shall be obtained for the recurrence interval of interest and a duration equal to the time of concentration T calculated in (iii) above using Table 6 or Table 7.

Table 3. NOAA Atlas 14 Precipitation Intensity Estimates for Station "Park City Radio, Utah" (Station #42-6648).Values are in inches per hour.

	PDS-based precipitation frequency estimates (in inches/hour)								
duration	2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	200-yr	500-yr	1000-yr
5 min	1.90	2.62	3.26	4.36	5.36	6.56	8.00	10.31	12.44
10 min	1.45	1.99	2.48	3.32	4.09	5.00	6.09	7.84	9.47
15 min	1.19	1.64	2.05	2.74	3.38	4.13	5.03	6.48	7.83
30 min	0.80	1.11	1.38	1.85	2.27	2.78	3.39	4.36	5.27
60 min	0.50	0.69	0.85	1.14	1.41	1.72	2.10	2.70	3.26
120 min	0.31	0.41	0.50	0.65	0.78	0.95	1.15	1.46	1.75
3 hr	0.24	0.30	0.36	0.45	0.54	0.64	0.77	0.98	1.18
6 hr	0.16	0.19	0.22	0.27	0.31	0.36	0.41	0.50	0.60
12 hr	0.10	0.12	0.14	0.17	0.19	0.21	0.24	0.28	0.31
24hr	0.07	0.08	0.09	0.10	0.11	0.13	0.14	0.15	0.17
48 hr	0.04	0.05	0.05	0.06	0.07	0.08	0.08	0.09	0.10
4 day	0.02	0.03	0.03	0.04	0.04	0.05	0.05	0.06	0.06
7 day	0.02	0.02	0.02	0.03	0.03	0.03	0.04	0.04	0.04
10 day	0.01	0.02	0.02	0.02	0.02	0.02	0.03	0.03	0.03
20 day	0.01	0.01	0.01	0.01	0.01	0.02	0.02	0.02	0.02
30 day	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
45 day	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01

60 day	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01

Table 4. NOAA Atlas 14 Precipitation Depth Estimates for Station "Park City Radio, Utah" (Station #42-6648). Values are in inches.

	PDS-based precipitation frequency estimates (in inches)								
duration	2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	200-yr	500-yr	1000-yr
5 min	0.162	0.222	0.277	0.367	0.451	0.549	0.665	0.854	1.03
10 min	0.247	0.338	0.422	0.558	0.687	0.836	1.01	1.30	1.56
15 min	0.306	0.419	0.524	0.692	0.851	1.04	1.25	1.61	1.94
30 min	0.412	0.565	0.705	0.932	1.15	1.40	1.69	2.17	2.61
60 min	0.510	0.699	0.873	1.15	1.42	1.73	2.09	2.69	3.23
120 min	0.641	0.839	1.02	1.33	1.61	1.95	2.34	2.99	3.59
3 hr	0.737	0.933	1.12	1.41	1.67	1.99	2.36	3.02	3.62
6 hr	0.975	1.19	1.39	1.68	1.92	2.19	2.51	3.09	3.65
12 hr	1.24	1.50	1.73	2.07	2.35	2.65	2.98	3.47	3.89
24hr	1.60	1.92	2.18	2.55	2.84	3.13	.44	3.84	4.16
48 hr	1.92	2.30	2.62	3.05	3.38	3.73	4.08	4.55	4.91
4 day	2.36	2.84	3.25	3.80	4.24	4.69	5.15	5.78	6.27
7 day	2.86	3.43	3.91	4.57	5.08	5.60	6.13	6.84	7.39
10 day	3.26	3.90	4.41	5.09	5.60	6.11	6.61	7.27	7.76
20 day	4.27	5.06	5.67	6.46	7.03	7.59	8.13	8.79	9.27
30 day	5.15	6.08	6.80	7.72	8.39	9.04	9.66	10.4	11.0
45 day	6.32	7.44	8.31	9.43	10.2	11.0	11.8	12.7	13.3
60 day	7.52	8.83	9.84	11.1	12.0	12.9	13.7	14.7	15.4

(iv) Calculate the peak discharge (Qp).

a. The runoff coefficient shall be adjusted by the factor C_f because infiltration and other abstractions have a proportionally smaller effect on runoff as the storm event gets larger. Values for C_f are provided in Table 8. Once the C_f is determined, peak discharge is calculated using the following formula:

$Q_p = (C) * (C_f) * (I) * (A)$

Q_p shall be calculated for both pre- and post-development land use conditions. In order to meet the peak flow rate criteria outlined in Title 9 Chapter 3: Stormwater Pollution Prevention and Erosion Control and associated ordinances, non-structural and structural BMPs shall be designed to control the post-development rate Qp to the pre-development rate. Non-structural methods that reduce the post-development runoff coefficient and lengthen the time of concentration (e.g., preservation of natural areas with type A or B soils, minimizing impervious areas, using vegetated swales instead of storm sewers, etc.) will be the most effective techniques to meet the peak flow rate criteria.

Table 5. Runoff Coefficient Adjustment Factors for Rational Method.

Recurrence Interval (years)	Adjustment Factor C_f
10	1.00
100	1.25

(v) Calculate Volume to Control Peak Discharge

$Vol = \Delta Q_p * T$

ΔQ_p = Post development peak discharge – Predevelopment peak discharge (cfs)

T = Time of concentration (Sec). This is the assumed storm duration when using the rational method.

C. Low Impact Development Standards

1. All stormwater LID site designs, practices, and treatments shall control the peak flow rates of stormwater discharge associated with identified design storms.

   a) Designs shall reduce the post-construction stormwater runoff volumes to preconstruction levels, or lower as required by the County.

   b) Practices shall seek to utilize pervious areas for stormwater treatment and to infiltrate stormwater runoff from hard surface areas (e.g. driveways, sidewalks, rooftops, parking lots, etc.) and landscaped areas to the maximum extent practical.

   c) Treatment shall be provided for the appropriate flow to adequately treat the water prior to discharge.

   d) Treatment options shall follow the Summit County LID guidance SOPs or the most current State of Utah Guide to Low Impact Development.

2. Stormwater LID sites are designed to focus on the following:

   a) Runoff volume control: The pre-development volume is maintained by minimizing the site disturbance and providing distributed retention areas for the design storm event.

   b) Peak runoff rate control: Stormwater LID is designed to maintain the pre-development peak runoff discharge rate for the selected design storm events.

   c) Flow frequency/duration control: The flow frequency and duration for the post-development conditions shall be almost identical to those for the pre-development conditions.

   d) Water quality control: Stormwater LID is designed to provide water quality treatment using retention and filtration practices.

      (i) The storage required for water quality control is compared to the storage required to control the increased runoff volume.

3. Acceptable stormwater LID types for development in Summit County follow the Summit County LID guidance SOPs or the most current State of Utah Guide to Low Impact Development within Utah.

4. A monitoring and maintenance agreement shall be required for all stormwater LID sites.

D. Water Quality Volume Treatment Using Stormwater LID

1. Determine rainfall depth to be retained on site using stormwater LID.

   a) To meet the water quality and groundwater recharge criteria, the runoff volume associated with the 80^{th} percentile storm event shall be retained and infiltrated

on site using stormwater LID techniques. The 80th percentile storm event for Summit County is **0.48 inches**.

2. Calculate Impervious Area

   a) Determine the project's volume retention goal by measuring the imperviousness within the disturbance limits of the project. If the project requires multiple BMP's, the drainage area will need to be calculated for each individual BMP. The imperviousness of the BMP drainage area will include any off-site impervious areas that are part of the BMP's drainage area.

   b) Project imperviousness = Post-development impervious area / Project's disturbance limits

   c) BMP Imperviousness = Post-development impervious area within BMP drainage area / BMP drainage area

3. Determine Volumetric Runoff Coefficient (Rv)

   a) The Granato Method will be used for determining the Volumetric Runoff Coefficient which are the equations below.

   $Rv = 0.225*i + 0.05$ when $i<0.55$

   $Rv = 1.14*i – 0.371$ when $i\geq0.55$

   i = the percent of imperviousness of the drainage area in decimal format (0.0-1.0)

   Calculate the 80th percentile volume for V_{goal} or WQV

   $V_{goal} = Rv*d*A$ or $WQV = Rv*d*A$

   V_{goal} and WQV = 80th percentile volume, CF

   Rv = Volumetric runoff coefficient, unitless

   d = 80th percentile precipitation depth, ft

   A = Project area or BMP drainage area, SF

   b) V_{goal} is the project's 80th percentile volume retention requirement. WQV is the 80th percentile volume of the sub-drainage area of each BMP. If the BMP drainage areas are contained within the disturbance limits, the sum of the water quality volumes for each BMP will equal V_{goal}.

E. Calculating TSS Removal Rate

1. Rather than requiring a calculation of the actual real-world TSS load for a site, the application of this standard has been simplified to estimate a site's annual TSS load as 1.0 (i.e., 100%) as it enters the first BMP in the system. Therefore, in addition to performing the calculations below to demonstrate that adequate BMP performance efficiency has been provided, the permittee must also demonstrate compliance by showing that:

a) The treatment BMPs have been designed/sized to treat the post-development water quality volume (WQ_v), calculated as described above; and,

b) The BMPs are inspected regularly and maintained as needed to perform efficiently. Information on maintenance needs for individual BMPs and sample observation forms are found in the county engineer's office.

2. Steps to calculate the TSS removal rate:

a) From Table 9 located below, determine the required final TSS removal rate based on the percent of overall site area that is impervious. For sites where newly-developed impervious areas lie within 50 feet of a live water body (perennial or intermittent stream, lake, pond, spring, or reservoir), the Table 9 sliding scale does not apply and the default 80% TSS removal standard must be met.

b) If appropriate, divide the site into individual drainage areas. It is essential that the final TSS removal rate be calculated separately for each subarea. Isolated impervious areas (e.g., disconnected rooftops) that are serviced solely by their own BMPs, such as swales or seepage beds, shall be considered as separate drainage areas. Each individual drainage area must meet the TSS removal rate for the entire site, as determined in 9-3-11(E)(2)(a).

c) For each individual drainage area, list the stormwater BMPs and their order in the engineered system, beginning with the first BMP collecting stormwater from the site. For example, pretreatment and conveyance BMPs will typically precede the removal BMPs. Using the values from Table 10, list the estimated TSS removal rate for each BMP in the treatment system.

d) Calculate the final TSS removal rate ®) according to the following formula:

$R = (L_1 * R_1) + (L_2 * R_2) + (L_3 * R_3) ... + (L_n * R_n)$

L_1 = initial TSS load = 1.0 (i.e. 100%)

R_1 = fractional TSS removal rate for the first BMP in the system (e.g., if the removal rate listed in Table 10 for BMP1 is 60%, the fractional rate R1 is 0.60)

L2 = remaining TSS load after preceding BMP = L1 - (L1 * R1)

R2 = fractional TSS removal rate for the second BMP in the system

L3 = remaining TSS load after preceding BMP = L2- (L2 * R2)

R3 = fractional TSS removal rate for the third BMP in the system

Ln = remaining TSS load after preceding BMP = $L_{(-1)} - (L_{(-1)} * R_{(-1)})$

Rn = fractional TSS removal rate of final (n^{th}) BMP in the system

e) As evident in the above formula, the TSS removal rates are not additive from one BMP to the next; instead, the estimated removal rates are applied consecutively as the TSS load passes through each BMP technology.

f) Check that the final removal rate for each drainage area is greater than or equal to 0.80 (80%) or the applicable sliding scale standard from Table 9. If TSS removal is less than the standard for any of the drainage areas, the system shall be redesigned in order to meet the standards.

Table 6. Sliding Scale for Required TSS Removal Efficiency (adapted from City of Boise.

% of parcel area that is impervious	**% TSS removal efficiency required[a]**
≤ 30	40
35	47
40	53
45	59
50	62
55	66
60	68
65	70
70	72
75	74
80	75
85	77
90	78
95	79
100	80

[a]for sites where newly-developed impervious cover lies within 50 feet of a live water body, the values in Table 1 do not apply and instead a removal efficiency of 80% must be met, even if the total site imperviousness % is less than 100%.

Table 7. TSS Removal Rates for Selected BMPs (adapted from Schueler 1997, Winer 2000, & EPA 1993).

BMP	Design Removal Rate (%)	Comments
Dry Detention Ponds	15	Quantity control pond
Wet Detention Ponds	60	Quantity control pond
Dry Extended Detention Pond	45	Sediment forebay included
Wet Extended Detention Pond	80	Sediment forebay included
Evaporation Pond	100	Designed to evaporate or retain
Bioinfiltration Swale	70	
Sand Filter	80	Pretreatment, includes Austin, underground, pocket, and Delaware designs
Organic Filter	80	Pretreatment, includes compost and peat/sand
Catch Basin Insert	25	Off-line only
Infiltration Facilities	95*	*removal rate only valid with adequate maintenance and pre-treatment
Sediment Trap	25	
Grass Buffer Strip	85	Minimum width of 10'
Oil/Water Separator	15	

9-3-12: PENALTY:

Any person who violates the provisions of this chapter is guilty of a class C misdemeanor, punishable by a fine not to exceed seven hundred fifty dollars ($750.00), or a jail term of up to ninety (90) days, or by both such fine and jail term.

Violators of this chapter are also subject to any penalties that may be imposed by the state of Utah, or the federal government, under the clean water act.

In addition to any criminal fines and/or penalties which may be assessed for a violation of this chapter, Summit County shall have the right to issue a stop work order on the entire construction site, and/or install or maintain appropriate erosion control and sediment control measures on any site which is required to have such measures in the event that construction activity is commenced or continued without such measures having been installed or required by this chapter. Summit County shall have the right to have such measures installed and maintained by county personnel or to hire a private contractor to perform such work at the expense of the permittee, property owner, developer or contractor responsible for such measures. The county may assess said expenses against the bond posted by the permittee.

It is unlawful for any person, firm, public utility, public agency, or corporation to continue any further work on the construction site after a stop work order has been issued. A violation of a stop work order is punishable as a class C misdemeanor.

Summit County may also pursue civil remedies for a violation of this chapter, including use of its Administrative Code Enforcement Hearing Program, Title 1, Chapter 13.

Section 11-8-1

E. Sections 4-5-1 through 4-5-19 of the Summit County Code with all appendices as adopted.

Section 10-10-1

E. Sections 4-5-1 through 4-5-19 of the Summit County Code with all appendices as adopted.

TITLE 4 HEALTH AND SANITATION

CHAPTER 5 NONSTORMWATER DISCHARGES

SECTION:

4-5-1: PURPOSE; INTENT:

The purpose of this chapter is to provide for the health, safety, and general welfare of the citizens of Summit County, Utah, through the regulation of nonstormwater discharges to the storm drainage system, waterway or any natural body of water to the maximum extent practicable as required by federal and state law. This chapter establishes methods for controlling the introduction of pollutants into the Summit County storm sewer system in order to comply with requirements of the national pollutant discharge elimination system (NPDES) permit process and the most current Summit County General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4's), Permit No. UTR090074 The objectives of this chapter are:

A. To regulate the contribution of pollutants to the storm sewer system by stormwater discharges by any user,

B. To prohibit illicit connections and discharges to the storm drain system, waterway or any natural body of water, and

C. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this chapter.

4-5-2: DEFINITIONS:

For the purposes of this chapter, the following terms shall mean:

AUTHORIZED ENFORCEMENT AGENCY: Employees or designees of the director of the municipal agency designated to enforce this chapter.

BEST MANAGEMENT PRACTICES (BMPs): Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

CLEAN WATER ACT: The federal water pollution control act (33 USC section 1251 et seq.), and any subsequent amendments thereto.

CONSTRUCTION ACTIVITY: Excavation, grading, filling, or otherwise disturbing the natural environment.

ILLEGAL DISCHARGE: Any direct or indirect nonstormwater discharge to the storm drain system, waterway or any natural body of water, except as exempted in section 4-5-6 of this chapter.

ILLICIT CONNECTIONS: Is defined as either of the following:

A. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including, but not limited to, any conveyances which allow any nonstormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency, or

B. Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by Summit County.

INDUSTRIAL ACTIVITY: Activities subject to NPDES industrial permits as defined in 40 CFR, section 122.26 (b)(14).

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT: A permit issued by the EPA (or by a state under authority delegated pursuant to 33 USC section 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general areawide basis.

NONSTORMWATER DISCHARGE: Any discharge to the storm drain system that is not composed entirely of stormwater.

PERSON: Any individual, corporation, partnership, association, company or body politic, including any agency of the state of Utah and the United States government.

POLLUTANT: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to, paints, varnishes, and solvents; oil and other automotive fluids; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

PREMISES: Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

STORM DRAINAGE SYSTEM: Public or privately owned facilities by which stormwater is collected and/or conveyed, including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural water bodies and human made or altered drainage channels, reservoirs, and other drainage structures.

STORMWATER: Stormwater runoff, snowmelt runoff, and surface runoff and drainage.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP): The plan required by Summit County ordinance that describes BMPs and activities to be implemented to eliminate or reduce pollutant discharges to stormwater.

WASTEWATER: Any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

4-5-3: APPLICABILITY:

This chapter shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

4-5-4: RESPONSIBILITY FOR ADMINISTRATION:

The Summit County Stormwater Division and Health Department shall administer, implement, and enforce the provisions of this chapter. Any powers granted or duties imposed upon the authorized enforcement agencies may be delegated in writing by the director of the authorized enforcement agencies to persons or entities acting in the beneficial interest of or in the employ of the agency.

4-5-5: ULTIMATE RESPONSIBILITY:

The standards set forth herein and promulgated pursuant to this chapter are minimum standards; therefore this chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

4-5-6: DISCHARGE PROHIBITIONS:

A. Prohibition Of Illegal Discharges: It shall be unlawful and punishable as a class C misdemeanor for any person who discharges or causes to be discharged into the storm drain system or watercourses any materials, including, but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater. The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

1. The following discharges are exempt from discharge prohibitions established by this chapter: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active ground water dewatering systems), crawl space pumps, air conditioning condensation, springs, noncommercial washing of vehicles, natural riparian habitat or wetland flows, swimming pools (if dechlorinated, typically less than 1 ppm chlorine), firefighting activities, irrigation water, residential street wash water, dechlorinated water reservoir discharges, and any other water source not containing pollutants.

2. Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety.

3. Groundwater infiltration is an allowable discharge, but is required to be uncontaminated.

4. Dye testing is an allowable discharge, but requires a verbal notification to the authorized enforcement agency prior to the time of the test.

5. The prohibition shall not apply to any nonstormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the federal environmental protection agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

B. Prohibition Of Illicit Connections:

1. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

2. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

3. It is unlawful for any person to connect a line conveying sewage to the storm drainage system, or allow such a connection to continue.

4-5-7: SUSPENSION OF STORM DRAINAGE SYSTEM ACCESS:

A. Suspension Due To Illicit Discharges In Emergency Situations: The authorized enforcement agency may, without prior notice, suspend discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the storm drainage system or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the storm drainage system or waters of the United States, or to minimize danger to persons.

B. Suspension Due To The Detection Of Illicit Discharge:

1. Any person discharging to the storm drainage system in violation of this chapter may have their storm drainage system access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its storm drainage system access. The violator may petition the authorized enforcement agency for a reconsideration and hearing.

2. A person commits an offense if the person reinstates storm drainage system access to premises terminated pursuant to this section, without the prior approval of the authorized enforcement agency.

4-5-8: INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES:

Any person subject to an industrial or construction activity SWPPP or ECP permit and/or NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the authorized enforcement agency prior to the allowing of discharges to the storm drainage system.

4-5-9: MONITORING OF DISCHARGES:

A. Applicability: This section applies to all facilities that have stormwater discharges associated with industrial activity, including construction activity.

B. Access To Facilities:

1. The authorized enforcement agency shall be permitted to enter and inspect facilities subject to regulation under this chapter as often as may be necessary to determine compliance with this chapter. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.

2. Facility operators shall allow the authorized enforcement agency ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.

3. The authorized enforcement agency shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's stormwater discharge.

4. The authorized enforcement agency has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

5. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the authorized enforcement agency and shall not be replaced. The costs of clearing such access shall be borne by the operator.

6. Unreasonable delays in allowing the authorized enforcement agency access to a permitted facility is a violation of a stormwater discharge permit and of this chapter. A person who is the operator of a facility with an SWP3 or ECP and/or an NPDES permit to discharge stormwater associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this chapter.

7. If the authorized enforcement agency has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this chapter or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the authorized enforcement agency may seek issuance of a search warrant from any court of competent jurisdiction.

4-5-10: BEST MANAGEMENT PRACTICES:

Summit County's stormwater pollution prevention website outlines requirements identifying best management practices for activities, operations, or facilities which may cause or contribute to pollution or contamination of stormwater, the storm drain system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection

from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and nonstructural BMPs. Further, any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and nonstructural BMPs to prevent the further discharge of pollutants to the stormwater system. Compliance with all terms and conditions of a valid SWPPP or ECP permit and/or NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed in compliance with the provisions of this section.

4-5-11: WATERCOURSE PROTECTION:

It is unlawful for any person owning property through which a watercourse passes, or such person's lessee, to not keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, it is unlawful for the person owning or the lessee to not maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

4-5-12: NOTIFICATION OF SPILLS:

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible person for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the storm drain system, or waters of the U.S. said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of nonhazardous materials, said person shall notify the authorized enforcement agency in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Summit County Stormwater Division, or health department (P.O. Box 128, Coalville, UT 84017) within three (3) business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years. (Ord. 710, 12-17-2008, eff. 1-1-2009)

4-5-13: ENFORCEMENT:

A. Notice Of Violation or Citation: Whenever the authorized enforcement agency finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the authorized enforcement agency may order compliance by written notice of violation or citation to the responsible party. Such notice or citation may require, without limitation:

1. The performance of monitoring, analyses, and reporting;

2. The elimination of illicit connections or discharges;

3. That violating discharges, practices, or operations shall cease and desist;

4. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property; and

5. The implementation of source control or treatment BMPs.

B. Timelines For Remediation Or Restoration: If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator. Failure to correct a notice of violation or citation can escalate in fines and is punishable as a class C misdemeanor.

4-5-14: APPEAL OF NOTICE OF VIOLATION:

Any person receiving a notice of violation may appeal the determination of the authorized enforcement agency pursuant to the administrative code enforcement hearing program. A notice of appeal must be filed with the administrative law judge within ten (10) calendar days of the denial or imposition of conditions of the permit. The notice of appeal shall contain the following information:

A. An application containing the applicant's name, address and daytime telephone number;

B. A statement describing the basis for the appeal; and

C. The relief sought by the applicant.

4-5-15: FAILURE TO COMPLY:

In the event of failure on the part of any person, firm, public utility, or corporation to comply fully with the provisions of this chapter, law enforcement authorities of Summit County are authorized to:

A. Initiate criminal action by citation or information under section 4-5-16 of this chapter; or

B. Give written notice to such person, firm, public utility, or corporation to abate the violation and/or restore the property. Such notice may be served either by personal service or by mailing the notice to the person, firm, public utility, or corporation by certified mail and posting a copy thereof on such installation for a period of ten (10) days. If the violation is not abated or restored within ten (10) days after the notice is complete, Summit County may perform, or a retain a third party to perform, the monitoring, analysis, reporting, elimination, abatement or remediation of stormwater pollution or contamination hazards at the expense of the person, firm, or corporation and recover costs and expenses, and also the sum of one hundred dollars ($100.00) for each day the violation continues after the notice was complete, in an action for that purpose; or

C. If such person, firm, public utility, or corporation refuses to abate the violation and/or restore the property, said authorities may bring an action to abate the same as a nuisance, and if judgment is recovered by said authorities, there shall also be recovered, in addition to having the same abated, the cost of action and the sum of one hundred dollars ($100.00) for every day such nuisance remained after notice was given for its implementation in the manner provided in subsection B of this section .

D. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

4-5-16: PENALTY:

Any person who violates the provisions of this chapter is guilty of a class C misdemeanor, punishable by a fine not to exceed seven hundred fifty dollars ($750.00), or a jail term of up to ninety (90) days, or by both such fine and jail term.

Violators of this chapter are also subject to any penalties that may be imposed by the state of Utah, or the federal government, under the clean water act.

4-5-17: INJUNCTIVE RELIEF:

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. If a person has violated or continues to violate the provisions of this chapter, the authorized enforcement agency may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

4-5-18: COMPENSATORY ACTION:

In lieu of enforcement proceedings, penalties, and remedies authorized by this chapter, the authorized enforcement agency may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

4-5-19: REMEDIES NOT EXCLUSIVE:

The remedies listed in this chapter are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.