

Sec. 5-4-20. - General provisions.

- (a) *Title.* This article shall be known as the "Illicit Discharge and Illegal Connection Ordinance."
- (b) *Findings.* It is hereby determined that:
 - (1) The Athens-Clarke County separate storm sewer system as defined in this article was designed and installed to manage stormwater so as to prevent localized flooding, damage to property and risk to public safety;
 - (2) The Athens-Clarke County separate storm sewer system was not designed or installed as a receiving system for non-stormwater discharges;
 - (3) Discharges to the Athens-Clarke County separate storm sewer system that are not composed entirely of stormwater contribute to increased nonpoint source pollution and degradation of receiving waters;
 - (4) These non-stormwater discharges occur due to spills, dumping and improper connections to the county separate storm sewer system from residential, industrial, commercial or institutional establishments;
 - (5) These non-stormwater discharges not only impact local waterways individually, but geographically dispersed, small volume non-stormwater discharges can have cumulative impacts on receiving waters;
 - (6) The impacts of these non-stormwater discharges adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;
 - (7) These impacts can be minimized through the regulation of spills, dumping and discharges into the Athens-Clarke County separate storm sewer system;
 - (8) Localities in the State of Georgia are required to comply with a number of state and federal laws, regulations and permits which require a locality to address the impacts of non-point source pollution caused by non-stormwater discharges to the county separate storm sewer system;
 - (9) The Clean Water Act requires the management and maintenance of the Athens-Clarke County separate storm sewer system and the management of discharges to that system;
 - (10) Therefore, in order to prohibit such non-stormwater discharges to the Athens-Clarke County separate storm sewer system, it is determined that the regulation of spills, improper dumping and discharges to the Athens-Clarke County separate storm sewer system is in the public interest and will prevent threats to public health and safety, and the environment.
- (c) *Purpose and intent.* The purpose of this article is to protect the public health, safety, environment and general welfare through the regulation of non-stormwater discharges to the Athens-Clarke County separate storm sewer system to the maximum extent practicable as required by federal law. This article establishes methods for controlling the introduction of pollutants into the Athens-Clarke County separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this article are to:
 - (1) Regulate the contribution of pollutants to the Athens-Clarke County separate storm sewer system by any user;
 - (2) Prohibit illicit discharges and illegal connections to the Athens-Clarke County separate storm sewer system;
 - (3) Prevent non-stormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the Athens-Clarke County separate storm sewer system; and,
 - (4) To establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this article.

- (d) *Applicability.* The provisions of this article shall apply throughout Athens-Clarke County.
- (e) *Compatibility with other regulations.* This article is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this article are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.
- (f) *Responsibility for administration.*
 - (1) The Athens-Clarke County Manager or his designee shall have the power to administer, implement, and enforce the provisions of this article and any procedures, standards and guidelines established under authority of this article. Such power shall include the right to maintain an action or procedure in any court of competent jurisdiction to compel compliance with or restrain any violation of this article.
 - (2) The department shall be responsible for the conservation, management, maintenance (where applicable), extension and improvement of the Athens-Clarke County separate storm sewer system, including activities necessary to control stormwater and activities necessary to administer and implement the stormwater management programs incorporated by reference into Athens-Clarke County's NPDES stormwater permit.
 - (3) The department or its designee may:
 - (a) Inspect private systems which discharge to the Athens-Clarke County separate storm sewer system; and
 - (b) Develop programs or procedures to control the discharge of pollutants into the Athens-Clarke County separate storm sewer system.

(Ord. of 10-3-2006, § 1)