

Town of Waynesville Code of Ordinances, Appendix A- Land Development Standards

12.5.9 Illicit Discharges and Connections.

A. Illicit Discharges: No person shall cause or allow the discharge, emission, disposal, pouring, or pumping directly or indirectly to any stormwater conveyance, the waters of the State, or upon the land in manner and amount that the substance is likely to reach a stormwater conveyance or the waters of the State unless permitted by an NPDES Permit. However, non-stormwater discharges associated with the following activities are allowed provided that they do not significantly impact water quality:

- Filter backwash and draining associated with swimming pools.
- Filter backwash and draining associated with raw water intake screening and filtering devices.
- Condensate from residential or commercial air conditioning.
- Residential vehicle washing.
- Flushing and hydrostatic testing water associated with utility distribution systems.
- Discharges associated with emergency removal and treatment activities, for hazardous materials, authorized by the federal, state or local government on-scene coordinator.
- Uncontaminated ground water (including the collection or pumping of springs, wells, or rising ground water and ground water generated by well construction or other construction activities).
- Collected infiltrated stormwater from foundation or footing drains.
- Collected ground water and infiltrated stormwater from basement or crawl space pumps.
- Irrigation water.
- Street wash water.
- Flows from fire fighting.
- Discharges from the pumping or draining of natural watercourses or water bodies.
- Flushing and cleaning of stormwater conveyances with unmodified potable water.
- Wash water from the cleaning of the exterior of buildings, including gutters, provided that the discharge does not pose an environmental or health threat.
- Other non-stormwater discharges for which a valid NPDES discharge permit has been authorized and issued by the U.S. Environmental Protection Agency or by the State of North Carolina, provided that any such discharges to the municipal separate storm sewer system shall be authorized by the Town.
- Prohibited substances include but are not limited to: anti-freeze, chemicals, animal waste, paints, garbage, and litter.

B. Illicit Connections: Connections to a stormwater conveyance or stormwater conveyance system which allow the discharge of non-stormwater, other than the exclusions described in subsection 12.5.11.A above, are unlawful. Prohibited connections include, but are not limited to: industrial/commercial floor drains, waste water from washing machines or sanitary sewers, wash water from commercial vehicle washing or steam cleaning, and waste water from septic systems.

1. Prior Illegal Connections To Cease Within One (1) Year: Where connections exist in violation of this section and said connections were made prior to the adoption of this provision or any other ordinance prohibiting such connections, the property owner or the person using said connection shall remove the connection within one (1) year following application of this regulation.

2. Hazardous Material Connections to Cease Immediately: The aforementioned one (1) year grace period shall not apply to connections that result in the discharge of hazardous material. Nor shall the grace period apply to other discharges which pose an immediate threat to health and safety, or are likely to result in immediate injury and harm to real or personal property, natural resources, wildlife or habitat. For such connections, the Public Works Director shall designate the time within which the connection shall be removed. In setting the time limit for compliance, the director shall take into consideration: the quantity and complexity of the work; the consequences of delay; the potential harm to the environment, public health and to public and private property; and, the cost of remedying the damage.

C. Spills: Spills or leaks of polluting substances released, discharged to, or having the potential to released or discharged to the stormwater conveyance system, shall be contained, controlled, collected, and properly disposed. All affected areas shall be restored to their preexisting condition.

Persons in control of the polluting substances immediately prior to their release or discharge, and persons owning the property on which the substances were released or discharged, shall immediately notify the Town of Waynesville of the release or discharge, as well as making any required notifications under state and federal law. Notification shall not relieve any person of any expenses related to the restoration, loss, damage, or any other liability which may be incurred as a result of said spill or leak, nor shall such notification relieve any person from other liability which may be imposed by State or other law.