

Town of Waynesville

Illicit Discharge Detection and Elimination Plan

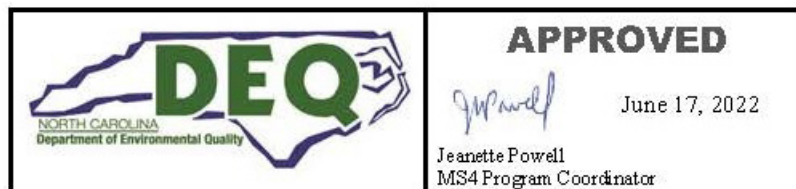


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Revisions to the Plan

This Plan will be submitted to the NC DEQ for review and approval, as required by the Town of Waynesville Stormwater Management Plan, BMP #21. The Development Services will update this plan at least annually to ensure the accuracy of information and compliance with the current NPDES Permit.

The list of revisions is below:

1. Initial draft submitted to the NC DEQ on October 21, 2021.
2. Comments received from Jeanette Powell on November 16, 2021. Corrections needed to include investigating and documenting illicit discharges.
3. Corrections made to *Section 2.2- Implementation of Illicit Discharge Requirements in Waynesville Stormwater Permit, Part II: Waynesville Illicit Discharge Program* of this Plan. The draft was re-submitted on January 18, 2022.
4. Comments received from Jeanette Powell on June 16, 2022.
 - The Revisions page was created to track and document all the changes.
 - The stamp “Approved by the NC DEQ on ___” was taken from the front page, as instructed. The NC DEQ will replace it with its own stamp once the plan is approved.
 - Additionally, since the Development Services have completed the staff trainings, held stormwater-related presentations at the public hearings of the Planning Board and Board of Aldermen, updated the stormwater ordinances, and inspected the outfalls, both sections of the *Part II: Waynesville Illicit Discharge Program* were updated as well.
 - Appendices A, B, and E were updated with the new text from the ordinances, and the map that tracks SCMs and outfall inspections by fiscal year was added.
 - Pages were re-numbered.
5. The Plan was re-submitted to the NC DEQ on June 16, 2022.

Purpose and Intent

The Town of Waynesville is committed to ensure that the stormwater runoff from its facilities, streets, residences, and private businesses complies with the State regulations and applicable provisions of the Clean Water Act (1987). The provisions of the Clean Water Act require National Pollutant Discharge Elimination System (NPDES) permits for stormwater discharges. Waynesville has been issued the NPDES permit on August 19, 2021, and it is valid for five years.

Section 402 (p)(3)(B)(ii) of the Clean Water Act requires that permits for Municipal Separate Storm Sewers (MS4s) include a requirement to effectively prohibit problematic non-storm water discharges into storm sewers. Emphasis is placed on the elimination of inappropriate connections to urban storm drains. This requires permittees to identify and locate sources of non-storm water discharges into storm drains so they may institute appropriate actions for their elimination.

This Illicit Discharge Detection and Elimination (IDDE) Plan addresses the illicit discharges, illegal dumping, spills, and any non-stormwater discharges identified as significant contributors of pollutants to the MS4. The Plan has been prepared in compliance with the Waynesville NPDES Permit No. NCS000501 “To Discharge Stormwater Under the National Pollutant Discharge Elimination System.” Its intended audience is Town staff who need to understand and implement the program, State and Federal agencies that provide oversight and review, volunteers and nonprofit organizations that are interested in collaborating and promoting public awareness, and the general public for community education.

This plan will be evaluated annually and updated as necessary.

Waynesville IDDE Plan draws on the work performed by the Center for Watershed Protection in cooperation with Robert Pitt of the University of Alabama, *Stormwater Phase II Final Rule Fact Sheet* by the Environmental Protection Agency (EPA), and *MS4 Program Evaluation Guidance* by the EPA. The Plan incorporates the following procedures and documentation:

- a) Locate priority areas likely to have illicit discharges,
- b) Conduct routine dry weather inspections of all major outfalls,
- c) Identify illicit discharges and trace sources,
- d) Eliminate the sources of an illicit discharge, and
- e) Evaluate and assess the IDDE Program.

The plan has two parts: **Illicit Discharge Overview** and **Waynesville Illicit Discharge Program**.

Part I: Illicit Discharge Overview

1.1 Illicit Discharges and Connections

Understanding the nature of illicit discharges in urban watersheds is essential in order to find, eliminate, and prevent them. This section defines the terms related to illicit discharges, provides examples, and presents the regulatory context by the State and Federal agencies as well as local Town Ordinance.

The EPA defines an **illicit discharge** as “...any discharge to an MS4 that is not composed entirely of stormwater...” with some exceptions, such as discharges from NPDES-permitted industrial sources and discharges from fire-fighting activities.

The EPA’s guidance manual by the Center for Watershed Protection- *Illicit Discharge Detection and Elimination, A Guidance Manual for Program Development and Technical Assessments (2004)*- provides a comprehensive definition of an illicit discharge that consists of four parts:

1. Illicit discharge is a storm drain that has measurable flow during dry weather containing pollutants and/or pathogens. A storm drainage with measurable flow but no pollutants is a non-illicit discharge.
2. A discharge that has a unique frequency, composition, and mode of entry into the storm drain system.
3. A discharge may be caused by the interaction of sewage disposal and storm drain systems.
4. A discharge may be produced from known source areas and operations known as “generating sites.”

Illicit discharges are considered “illicit” because MS4s are not designed to accept, process, or discharge these non-stormwater wastes and the Town’s ordinance specifically prohibits them. They result in untreated flows to the stormwater system and can significantly degrade water quality, disrupt aquatic habitats, and pose serious risks to human health and wildlife. Pollutants commonly found in illicit discharges include:

- Heavy metals
- Toxins
- Grease and oil
- Paint
- Solvents
- Nutrients
- Raw sewage (viruses and bacteria).

The Town of Waynesville Illicit Discharge Ordinance lists specifically prohibited substances. They include: anti-freeze, chemicals, animal waste, paints, garbage, and litter (*Waynesville Code of Ordinances, Appendix A, Section 12.5.9*).

Waynesville has been experiencing a rapid growth with 780 new units of multi-family projects (apartments, townhomes) and the construction of hundreds of single-family homes over a three-year period. Such concentrated infill development substantially increases impervious surfaces, including the number of town streets, driveways, parking lots, and sidewalks. Pollutants from concentrated human activities settle on the impervious surfaces and remain there until a storm event washes them directly into nearby storm drains and waterways.

The EPA identifies the common sources of illicit discharges:

- Sanitary wastewater
- Effluent from septic tanks
- Car wash wastewaters
- Improper oil disposal
- Radiator flushing disposal
- Laundry wastewaters
- Spills from roadway accidents
- Improper disposal of auto and household toxins

Other examples of illicit discharges include excess road salt, fertilizers, pesticides, herbicides, leaves, and grass clippings blown into the storm drains, sediment, and other debris.

The Town of Waynesville Illicit Discharge Ordinance specifically prohibits illicit discharges to the storm sewer system. However, some non-stormwater discharges are allowed if they do not significantly impact water quality. These discharges include:

- Residential vehicle washing
- Filter backwash and draining associated with swimming pools
- Discharges from fire-fighting activities
- Uncontaminated ground water
- Irrigation water
- Street wash water
- Condensate from residential or commercial air conditioning
- Collected stormwater from foundation or footing drains
- Collected ground water and infiltrated stormwater from basement or crawl space pumps
- Discharges from pumping or draining of natural watercourses
- Filter backwash and draining associated with raw water intake screening and filtering devices
- 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
- 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.

An illicit discharge also includes illicit connections. An **illicit connection** occurs when drainpipes or other conveyances are improperly connected to the storm drain system. These connections pose significant threats to wildlife and human health. For example, illicit connections to sanitary sewers can result in fecal coliform bacteria entering the storm sewer system. Fish kills, destruction of spawning, loss in aesthetic value, and contamination of drinkable water are also among the results of illicit connections.

1.2 Important Terminology

a). Stormwater System vs Sanitary Sewer System

This plan consistently mentions the terms “stormwater system” (or “storm drain system”) and “sanitary sewer system.” It is important to understand the difference between them:

- Water that flows to the **stormwater system** of curb inlets, pipes, and ditches on the streets goes directly into local water bodies. This water does not get treated at the plant. Stormwater systems are also called storm sewer systems.
- Water that goes to the **sanitary sewer system** through toilet flushing, shower drains, etc., is treated at the wastewater treatment plant to achieve certain quality before it gets discharged into a creek or stream.

b). Point Source vs. Nonpoint Pollution

The EPA identifies two broad categories of pollution: point source and nonpoint source. **Point source pollution** comes from a single place. **Nonpoint source pollution** comes from many places, often all at once, and it is hard to identify.

c). Storm Drain

A **storm drain** can be either an enclosed pipe or an open channel. From a regulatory standpoint, major storm drains are defined as enclosed storm drainpipes with a diameter of 36 inches, or greater or open channels that drain more than 50 acres. For industrial land uses, major drains are defined as enclosed storm drainpipes 12 inches or greater in diameter and open channels that drain more than two acres. Minor storm drains are smaller than these thresholds.

Both major and minor storm drains can be a source of illicit discharges, and both merit investigation. Some “pipes” found in urban areas may look like storm drains but actually serve other purposes. Examples include foundation drains, weep holes, culverts, etc. These pipes are generally not considered storm drains from a regulatory or practical standpoint. Small diameter “straight pipes,” however, are a common source of illicit discharges in many communities and should be investigated to determine if they are a pollutant source.

Not all dry weather storm drain flow contains pollutants or pathogens. Indeed, many communities find that storm drains with dry weather flow are, in fact, relatively clean. Flow in these drains may be derived from springs, groundwater seepage, or leaks from water distribution

pipes. Water quality testing and monitoring are important in confirming whether pollutants are actually present in dry weather flow.

d). Conveyance

Conveyance is a structured system of transferring stormwater between at least two points. It includes pipes, ditches, swales, catch basins, storm drains, roadways, etc.

e). Discharge Frequency

The frequency of dry weather discharges in storm drains is important, and can be classified as continuous, intermittent, or transitory. **Continuous discharges** occur most or all of the time. They are usually easier to detect and typically produce the greatest pollutant load. **Intermittent discharges** occur over a shorter period of time (e.g., a few hours per day or a few days per year). Because they are infrequent, intermittent discharges are hard to detect, but can still represent a serious water quality problem, depending on their flow type. **Transitory discharges** occur rarely, usually in response to a singular event, such as an industrial spill, ruptured tank, sewer break, transport accident, or illegal dumping episode. These discharges are extremely hard to detect with routine monitoring. Under the right conditions, they can cause severe water quality problems in downstream receiving waters.

f). Discharge Flow Types

Dry weather discharges are composed of one or more possible **flow types**:

- **Sewage** and septage flows are produced from sewer pipes and septic systems.
- **Wash water** flows are generated from a wide variety of activities and operations. Examples include discharges of gray water (laundry) from homes, commercial carwash wastewater, fleet washing, commercial laundry wastewater, and floor washing to shop drains.
- **Liquid wastes** refer to a wide variety of flows, such as oil, paint, and process water (radiator flushing water, plating bath wastewater, etc.) that enter the storm drain system.
- **Tap water** flows are derived from leaks and losses that occur during the distribution of drinking water in the water supply system.
- **Landscape irrigation** flows occur when excess potable water used for residential or commercial irrigation ends up in the storm drain system.
- **Groundwater and spring water** flows occur when the local water table rises above the bottom elevation of the storm drain (known as the invert) and enters the storm drain either through cracks and joints, or where open channels or pipes associated with the MS4 may intercept seeps and springs.

Water quality testing is used to conclusively identify flow types found in storm drains. Each flow type has a distinct chemical fingerprint.

g). Mode of Entry

Illicit discharges can be further classified based on how they enter the storm drain system. The **mode of entry** can either be direct or indirect. **Direct entry** means that the discharge is directly connected to the storm drainpipe through a sewage pipe, shop drain, or other kind of pipe. Direct entry usually produces discharges that are continuous or intermittent. Direct entry usually occurs when two different kinds of “plumbing” are improperly connected. The three main situations where this occurs are: **sewage cross-connections** (a sewer pipe that is improperly connected to the storm drain system), **straight pipe** (small diameter pipes that intentionally bypass the sanitary connection or septic drain fields, producing a direct discharge into open channels or streams), and **industrial and commercial cross-connections** (a drain pipe is improperly connected to the storm drain system producing a discharge of wash water or other inappropriate flows into the storm drain pipe).

Indirect entry means that flows generated outside the storm drain system enter through storm drain inlets or by infiltrating through the joints of the pipe. Generally, indirect modes of entry produce intermittent or transitory discharges, with the exception of groundwater seepage. The five main modes of indirect entry for discharges include: **groundwater seepage, spills, dumping, outdoor washing activity, and non-target irrigation.**

h). Impervious Surface

The Town of Waynesville Ordinance defines **impervious surface** as any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, graveled areas, block pavers (unless allowing vegetative growth through the pavers), roads, sidewalks, and paved recreation areas. Impervious surface includes all structures measured at their greatest extent and so as to include areas overhung by eaves, balconies, and other projecting features of the structure. Wooden slatted decks and the water area of a swimming pool are considered pervious (*Waynesville Code of Ordinances, Appendix A, Section 17.4*).

i.) Outfall

Outfall is a point source where a municipal separate storm sewer discharges to the waters of the United States. It does not include open conveyances connecting two municipal separate storm sewers, pipes, tunnels, or other conveyances which connect segments of the same stream or other waters and are used to convey waters of the United States.

1.3 Generating Sites

Land use can predict the potential for indirect discharges. Many indirect discharges can be traced and prevented by identifying “generating sites,” which are sites where common operations can generate indirect discharges in a community.

Land uses, generating sites, and activities that have the potential to produce illicit discharges in Waynesville are listed in the table below:

<p style="text-align: center;">Residential (single-family, multi-family, apartments)</p>	<ul style="list-style-type: none"> • Car washing • Driveway cleaning • Dumping/Spills (ex. leaf litter) • Septic system maintenance • Household pollutants (oil, yard waste, pesticides, cleaners, antifreeze, fertilizers, paints)
<p style="text-align: center;">Commercial/Industrial (car washes, gas stations, oil change shops, restaurants, paper and wood products, construction activities)</p>	<ul style="list-style-type: none"> • Building maintenance • Dumping/spills • Equipment washdown • Landscaping/grounds care • Vehicle maintenance/repair • Vehicle washing • Vehicle fueling • Parking lot maintenance (power washing) • Outdoor material storage (liquids)
<p style="text-align: center;">Municipal/Institutional (churches, hospitals, schools, universities, municipal fleet, Public Works yard, streets)</p>	<ul style="list-style-type: none"> • Building maintenance • Dumping/spills • Vehicle maintenance/washing • Parking lot washing • Road maintenance/street washing • Landscaping/Grounds care • Outdoor fluid storage

Part II: Waynesville Illicit Discharge Program

2.1 Overview and Challenges

Eliminating illicit discharges is a critical component to restoring urban watersheds and maintaining water quality. The Town of Waynesville is in the Pigeon River sub-basin of the French Broad River watershed. The stormwater conveyance systems discharge into the primary receiving waters: Richland Creek, Browning Branch, Hyatt Creek, Camp Branch, Plott Creek, Allens Creek, Raccoon Creek, Shelton Branch, Eaglenest Creek, Farmer Branch, Shingle Cove Branch, and Factory Branch. These creeks have primary designations as either Trout Waters, Class C fishable/swimmable waters, or class B protected waters for recreation, as classified by the NC Division of Water Resources (DWR).

When bodies of water cannot meet designated uses for drinking water, fishing, or recreation, the risks to public health arise, tourism may decline, fishing may be restricted, and creeks may be closed for recreation due to bacteria. In addition to the public health and economic impacts associated with illicit discharges, significant impacts to aquatic life and wildlife are realized. Numerous fish kills and destruction of habitats may result from pollutants in waterways.

As a small municipality, the Town of Waynesville needs simple, yet comprehensive approach to address and monitor illicit discharges within its jurisdiction. The purpose of Waynesville's IDDE program is to find, fix, prevent illicit discharges, and develop a series of procedures to meet these objectives. The prospect of developing and administering an IDDE program is complex and challenging for Waynesville. The main reasons are:

- **Staffing**

As a Town with the population of just over 10,000 residents, Waynesville has limited staff and budget to create a position of a Stormwater Administrator who would be implementing the IDDE program full-time. The IDDE program implementation is divided between the Development Services Department, the Public Services Department, and Haywood Waterways, a nonprofit organization that the Town contracts.

- **Other Permit Holders**

There are a couple of large entities that hold their own Stormwater permits in Waynesville. Due to the scope of their operation and nature of their activities, they pose a risk of generating illicit discharges in the Town limits. The entities are:

1. The North Carolina Department of Transportation (NC DOT) is the largest MS4 in the State. Waynesville has a good amount of the NC DOT-owned roads that pass through the town. Road maintenance and road construction activities have a potential to generate illicit discharges.
2. The largest supplier of Epsom Salt in North America- Giles Chemical- is located in Waynesville. The factory holds a separate NPDES Industrial Stormwater Permit (permit

number NCGNE0905). Waste disposal, facility cleanup, and grounds maintenance activities have a potential to generate illicit discharges.

Through communication and sharing information with other permit holders, Waynesville can enhance its IDDE Program and make it easier to find, fix, and prevent illicit discharges that may relate to these major entities and their activities. Waynesville has requested an asset inventory from the NC DOT, including their interconnections and map of their outfalls in town limits. Although the request has been pending since August 18th, 2021, the NC DOT has assured us that the asset inventory is being put together. The inventory of the NC DOT stormwater assets in the Town limits will help to monitor the discharges that may come from them.

The Town also works with Giles Chemical as part of development procedures to require stormwater management through the building permit process. In 2021, Giles expanded its processing facility within its Headquarters parking and warehouse area, re-using impervious surface area. Additionally, the Town has worked with Giles Chemical and Haywood Waterways to install streambank stabilization design and plantings along their property adjacent to Richland Creek in Frog Level.

- **Wastewater Treatment Plant**

Waynesville Wastewater Treatment Plant has a separate NPDES Permit and is operating under the Special Order of Consent (SOC) from the State. The Town of Waynesville has completed engineering and contracting for updates and improvements to the WWTP and is in the process of securing financing for the estimated 24 to 30 million dollar project.

As part of the SOC, Waynesville is actively seeking and eliminating instances of cross connections of stormwater and sewer infrastructure. This has involved coordinating with contractors in the field as part of new development or redevelopment, NC DOT as part of new roadway projects, and smoke testing throughout the Town's street system.

2.2 Implementation of Illicit Discharge Requirements in Waynesville Stormwater Permit

1. Develop, update, and maintain a municipal storm sewer system map including stormwater conveyances, flow direction, major outfalls and waters of the United States receiving stormwater discharges.

The Town periodically updates its storm drain system map to include new major outfalls and receiving streams. **The Town of Waynesville Outfall Map** has been last revised in July 2020 (Appendix C) and will be updated continuously, with overall map verification and field observation at least once per permit term (5 years). The map provides guidance for staff to complete dry weather screening of outfalls and remove illicit connections. The next round of outfall inspections will begin in Spring 2022.

In addition, the Town has a comprehensive **Stormwater Map** which shows the location of outfalls, storm drains, catch basins, major water bodies, streams, grease traps, and stormwater

control measures (SCMs) within Waynesville. It serves as a comprehensive resource for various components of Waynesville Stormwater Program, including identifying additional sources of illicit discharges. The map was last updated in January 2022, and it is included in Appendix E of this document. The Stormwater Map is also uploaded on the [arcgis.com](https://www.arcgis.com) website to allow the general public to interact with the map by zooming to features, selecting them, and getting information about them. The link to this map is provided on the Town's Stormwater page: <https://www.waynesvillenc.gov/departments/development-services/stormwater-management>

The EPA considers dry weather screening an effective method for identifying illicit discharges and connections. Waynesville will start dry weather screening (no rain in previous 72 hours) within its area in Spring 2022. Any major outfall observed to be flowing during dry weather screening will be investigated as a potential illicit discharge. A survey of 20% of the storm drain system outfalls per year will be conducted and the findings will be documented. Development Services Department, Public Works, and Haywood Waterways will collaborate in identifying, inspecting, and mapping the outfalls.

2. Provide an IDDE ordinance or other regulatory mechanism that provides legal authority to prohibit, detect, and eliminate illicit connections and discharges, illegal dumping, and spills into the MS4, including enforcement procedures and actions.

The three main sources of legal authority for Waynesville are the Illicit Discharge Ordinance, IDDE Plan, and Standard Operating Procedure for Illicit Discharges.

The Town has the Illicit Discharge Ordinance in the Waynesville Code of Ordinances, Appendix A, Section 12.5.9. It is a part of the larger Stormwater Ordinance. The Ordinance became effective in April 2011. It explicitly prohibits specific non-stormwater discharges, connections, and spills. It defines the period of compliance and outlines the responsibilities of the persons in control of the polluting substances. The full text of this Ordinance can be found in the Appendix A of this document. The Stormwater and Illicit Discharge ordinances have been updated in March 2022 to align them more closely with the with the NC DEQ Stormwater Model Ordinance for North Carolina.


The public can access the full text of the Waynesville Stormwater Ordinance through the Town's website (Land Development Standards, Chapter 12- Environmental Conservation Standards, Section 12.5- Stormwater Ordinance):

<https://www.waynesvillenc.gov/departments/development-services/land-use-zoning-ordinances>

The enforcement mechanisms available to the Town in addressing illicit discharges are described in Section 16.2 Penalties for Violation and Enforcement Mechanisms of the Land Development Standards. The remedies include civil penalties, injunctive relief, order of abatement, execution of court decisions, and revocation of permits. It has been updated in March 2022 to provide clear enforcement measures and remedy processes. The full text of this Ordinance can be found in the Appendix B of this plan.

The Town will maintain its legal authority by reviewing and updating the existing ordinances once per permit term (5 years). The updated ordinances were adopted by the governing Board of Aldermen on March 22, 2022, and all the public notification requirements, such as newspaper notices, were met.

The Town will periodically review and revise its additional regulatory mechanisms, such as the IDDE Plan and the Standard Operating Procedure (SOP) for Illicit Discharges. These additional regulatory mechanisms will be reviewed annually and updated as necessary, at least once per permit term (5 years). The Standard Operating Procedure (SOP) for Illicit Discharges and Reporting Form are shown below:

Town of Waynesville Stormwater		
Standard Operating Procedure (SOP) for Illicit Discharge/Connection Response and Enforcement		
Purpose of SOP:	Escalation Procedure for Illicit Discharge and Connection Enforcement	
Location of SOP:	<i>Indicate where the SOP is kept- electronic/hard copy: <u>Electronic and Hard Copy, Development Services</u></i>	
Administrator of SOP:	<i>Indicate who reviews and updates the SOP annually: <u>Olga Grooman, Planner</u></i>	

Prerequisites

1. Employees should attend IDDE and general Stormwater pollution prevention training.
2. Employees performing the procedures in this SOP should review and refer to the materials in the *References and Related Procedures* section of this SOP.

General:

1. The Town is responsible for monitoring illicit discharges/connections within its MS4. Non-stormwater discharges into the city drainage system are not allowed by any person, and they are a violation of the Town ordinance “Illicit Discharges and Connections” (Land Development Standards, Sec. 12.5.9.).
2. If an Illicit Discharge is detected through routine inspection or a complaint, the inspector, Administrator, or other appropriately trained personnel must take measures to cease and eliminate the illegal disposal as described in this plan. For the purpose of this plan, the terms inspector and administrator can be used interchangeably.

Verbal Notification:

1. If the source of the connection/discharge is evident, the inspector will contact the connector/discharger directly by phone or in person to discuss the discharge. The communication will include requesting any permits or other authorizations, and if no permits exist or they are in violation of the permits, then the discharger will be given a verbal order to bring the discharge into compliance under the permit or to immediately cease and eliminate the discharge if they don’t have a permit. A follow-up date to check for compliance will be given to the discharger. Follow up inspections must occur within one week of the initial notification.

2. The Inspector shall document the discharge on the Town of Waynesville IDDE Reporting form and notify the Development Services Director as soon as practicable but no more than 24 hours.
3. If the discharge is permitted or authorized (documentation is required), no further action is required.
4. If the discharge was not permitted, a follow up inspection will be performed by the inspector.

1st Written Notification:

1. If no action has been taken, the inspector will issue a “Notice of Violation” to the connector/discharger, property owner, or facility operator, as appropriate.
2. The inspector will provide information and guidance on complying with the Town Stormwater ordinance.
3. The letter will contain a schedule for compliance and describe various enforcement options and penalties available to the Town if the connection/dischARGE is not corrected or appropriate corrective action is not administered. The enforcement actions and penalties available to the Town include:
 - a) Withholding a certificate of occupancy
 - b) Disapproval of subsequent permits
 - c) Other penalties and as set forth in the Town of Waynesville Code of Ordinances, which may include civil penalties, relief of incurred damages, and criminal penalties.
4. If the situation is not resolved within the timeframe established in the letter, the inspector will notify the local NC DEQ office of the reported Notice of Violation.
5. A follow up inspection will be performed by the inspector within a week or as described in the Notice of Violation.

2nd Written Notification / Civil Penalty:

1. If no action has been taken, or deficiency has not been corrected within the timeframe established in the Notice of Violation, the inspector will issue a “Letter of Warning” to the property owner. The letter will demand that the connection/ discharge be ceased or removed immediately and establish the date on which the civil penalty starts for each day the violation continues, as described in Land Development Standards, Section 16.2.2. Civil Penalties.
2. A civil penalty will be recovered by the Town in a civil action in the nature of debt if the offender does not pay the penalty within the prescribed period of time (Land Development Standards, Sec. 16.2.2. Civil Penalties).
3. A follow up inspection will be performed by the inspector within a week.

Legal Action:

1. If the illegal connection/dischARGE is not corrected, the inspector notifies the Town Manager and the Town Attorney with accompanying documentation for corrective action, as described in the Criminal Penalties (Sec. 16.2.3), Injunctive or Other Relief (Sec. 16.2.4),

Equitable Remedy (Sec. 16.2.5), and Order of Abatement (Sec. 16.2.6) of the Land Development Standards.

2. The Town may apply other enforcement options or obtain assistance from other agencies it deems necessary to complete the corrective action.

Construction Site Inspections:

1. If a severe pollutant discharge or other serious deficiencies are detected during a routine construction site inspection, the Permit Holder shall be notified in person or by phone to immediately cease the violation and comply with all requirements of the ordinance and Stormwater Management Plan and take appropriate remedial action to properly address the violation. This counts as a Verbal Warning, and the escalation procedures shall be followed as described above in this plan.
2. Inspector documents the discharge and notifies the Development Services Director as soon as practicable but in no more than 24 hours.

Employee Training:

All applicable employees will be trained in general stormwater pollution prevention, including how to recognize and report illegal connections and discharges.

Record Keeping and Documentation:

1. Keep a copy of this plan on site.
2. Post signs as to whom to report spills to.
3. Keep a list of all employees trained in the facility's Stormwater Pollution Prevention binder or other location.

References and Related Procedures:

1. Center for Watershed Protection: *IDDE Guidance Manual*:
<https://owl.cwp.org/mdocs-posts/idde-guidance-manual/>
2. Environmental Protection Agency: *Stormwater Phase II Final Rule Fact Sheet*:
<https://www3.epa.gov/npdes/pubs/fact1-0.pdf>
3. Stormwater BMPs: Town of Waynesville Stormwater Management Plan
4. Stormwater BMPs: Town of Waynesville Illicit Discharge Ordinance (Appendix A of the Code of Ordinances, Section 12.5.9- Illicit Discharges and Connections.
5. Town of Waynesville Stormwater Web Page:
<https://www.waynesvillenc.gov/departments/development-services/stormwater-management>
6. Environmental Protection Agency Office of Wastewater Management: *MS4 Program Evaluation Guidance*: https://www.epa.gov/sites/default/files/2015-11/documents/municipal_separate_storm_sewer_system_ms4_program_evaluation_guidance.pdf



ILLICIT DISCHARGE/CONNECTION REPORTING FORM

Inspector Information

Name:	
Contact Phone Number:	Date and Time Reported:

Discharge/Connection Information

Property/Address:	
Owner's Name:	Owner's Address:
Owner's Contact:	
How Long since Last Rainfall: <input type="checkbox"/> Raining Now <input type="checkbox"/> 0-2 Days <input type="checkbox"/> 3 or more Days	Nature of Discharge or Flow: <input type="checkbox"/> Solid (Continuous) <input type="checkbox"/> Intermittent (Occasional) <input type="checkbox"/> Pulsing (Fluctuating) <input type="checkbox"/> Transitory (Prior Spill)
If possible, identify the source of the discharge* <input type="checkbox"/> Pipe Outfall <input type="checkbox"/> Gutter <input type="checkbox"/> Sanitary Wastewater <input type="checkbox"/> Ditch <input type="checkbox"/> Septic System <input type="checkbox"/> Spill <input type="checkbox"/> Storm Sewer <input type="checkbox"/> Other: _____ <small>* Add descriptions of discharge/source and attach to this form</small>	Potential for Discharge to enter into: <input type="checkbox"/> Stream/Water Body <input type="checkbox"/> Wetland <input type="checkbox"/> Storm Drain <input type="checkbox"/> Other: _____
Was water flow observed? <input type="checkbox"/> Yes <input type="checkbox"/> No Direct Connection to pipe/inlet? <input type="checkbox"/> Yes <input type="checkbox"/> No	Was a photo taken? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach photos.
(2) Describe Odor: <input type="checkbox"/> None <input type="checkbox"/> Musty <input type="checkbox"/> Rotten Eggs (Sulphur) <input type="checkbox"/> Rancid/Sour Milk <input type="checkbox"/> Sewage <input type="checkbox"/> Gas/Petroleum <input type="checkbox"/> Cooking Oil <input type="checkbox"/> Other: _____	
(2) Describe Clarity: <input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Opaque <input type="checkbox"/> Sheen <input type="checkbox"/> Gray	
(2) Describe Color: <input type="checkbox"/> Red <input type="checkbox"/> Yellow <input type="checkbox"/> Brown <input type="checkbox"/> Green <input type="checkbox"/> Gray <input type="checkbox"/> White <input type="checkbox"/> Other: _____	
(2) Solids/Floatables: <input type="checkbox"/> Garbage <input type="checkbox"/> Sewage <input type="checkbox"/> Tissue <input type="checkbox"/> Oil Sheen <input type="checkbox"/> Suds <input type="checkbox"/> Scum <input type="checkbox"/> Iron Sheen <input type="checkbox"/> Unknown	
Additional Information to assist in the Investigation (Vegetation Impacts?): _____	
Describe Upstream/Source Origin/Land Use: <input type="checkbox"/> Forest <input type="checkbox"/> Ag <input type="checkbox"/> Rec <input type="checkbox"/> Farmstd <input type="checkbox"/> Com <input type="checkbox"/> Ind <input type="checkbox"/> Vac <input type="checkbox"/> Inst <input type="checkbox"/> Muni <input type="checkbox"/> Mng	
Follow up inspection: 7 Days NOV Issued: Yes No	

<i>Follow up Investigation</i>		
Outfall Location: _____		Within Town Limits?: Y / N
FIELD ANALYSIS:		
Odor:	Solids/Floatables:	Flow:
Clarity:	Sheen/Scum:	Source Confirmed? Y / N
Color:	Condition of Vegetation:	Direct Connection? Y / N
Comments: (Immediate Environmental Concern? Y / N)		
DATE: _____	Inspection Name _____	Additional notes to file: _____
Follow-up with Complainant: _____		Send Confirmed ID Elimination/Removal Letter: _____

Description of the issue/comments:

INSTRUCTIONS TO COMPLETE ILLICIT DISCHARGE REPORTING FORM

WHAT IS AN ILLICIT DISCHARGE:

An illicit discharge is any discharge into the storm sewer system that is not composed entirely of stormwater.

Examples:

- Dry weather discharges of wastewater into the storm sewer system from illegal dumping; spills and other non-stormwater pollution sources
- Discharges of pollutants, contaminants or illicit materials into storm drainage/sewer systems (oil, grease, solvents, metals, nutrients, toxics, viruses, bacteria)
- Improper antifreeze, oil disposal from vehicle maintenance, service stations
- Vehicle washing wastewaters
- Autobody/repair facility waste waters
- Plating shop waste water
- Manufacturers waste water
- Private service agencies waste water
- Wholesale/retail est. waste water
- Sanitary wastewater/connections
- Mobile rug cleaning waste dumping
- Laundry waste waters
- Disposal of auto/household toxics
- Vehicular/accidental spills
- Dairy barn waste waters
- On-lot disposal system- sewage effluent

WHAT IS NOT AN ILLICIT DISCHARGE:

The following non-stormwater discharges are not illicit discharges:

- Discharges from firefighting activities
- Potable water sources including dechlorinated waterline and fire hydrant flushings
- Irrigation drainage
- Lawn watering
- Water from individual residential car washing
- Dechlorinated swimming pool discharges
- Water from crawl space pumps
- Uncontaminated water from foundation or footing drains
- Routine external building wash down which does not use detergents or other compounds
- Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless spilled material has been removed) and where detergents are not used
- Air conditioning condensate
- Springs
- Uncontaminated groundwater

(1.) Property Owner Information:

Determine property owners name, if available, and street address of the discharge source in the event that follow-up action or elimination is required. If unable to determine owner, write in "undetermined".

(2.) Description of Discharge for source identification/verification.

a. Odor: Determine which odors apply.

b. Clarity: How clear is the discharge?

c. Color: Discharge color and colors in swale, pipe, ditch, etc.(Document if red/green deficient)

d. Solids/Floatables: Identify indicators of source.

Description of Solids/Floatables: • Iron vs. Oil Sheens:

Iron leaches from soils forming a breakable sheen on stagnant water surfaces when poked with a stick. Oil sheens will conform around and coat the surface of the stick.

3. Maintain and Implement a written IDDE Plan to detect and address illicit discharges, illegal dumping, spills, and any non-stormwater discharges identified as significant contributors to the MS4.

This includes the periodic evaluation of the program goals and implementation strategies. Waynesville will evaluate the effectiveness of the IDDE program at least annually and include this evaluation in our MS4 permit annual report.

In addition to the IDDE program, the Town's Land Use Map aids in predicting and identifying illicit discharges (Appendix D). The map divides the land uses into residential of various density, mixed use, community facilities, and industrial areas. The map is a part of the 2035 Waynesville Comprehensive Land Use Plan.

4. Provide a mechanism for tracking and documenting each illicit discharge, illicit connection or illegal dumping event including date(s) reported and/or observed, the results of the investigation, any follow-up of the investigation, the date the investigation was closed, the issuance of enforcement actions, and the ability to identify chronic violators.

When a potential illicit discharge is reported by the public or observed during a dry weather screening, an inspector together with the Public Works crew will visually inspect the nearby manholes of the storm drain network. Depending on the nature of the discharge, an inspector will follow it up the stream or along the pipe to track down the source. Water sampling and testing will be done on an as-needed basis.

The Town uses the Reporting Form, GIS mapping, and IDDE Excel Log to keep track of illicit discharge complaints and as a mechanism to identify chronic violators.

Initially, an illicit discharge complaint is documented in the **Illicit Discharge/Connection Reporting Form** shown on page 16 of this Plan. The form includes the information about the property, investigator, observed illicit discharge indicators, dates, location, contacts made, and follow-up actions. The pictures must be attached to the form as well. The records are kept electronically and in hard copy in the Waynesville Development Services office.

Then, the complaint is logged into the **IDDE Excel Log** with the information about the PIN of the property, address, contact, nature of complaint, investigative actions, and links to relevant case documents. The complaints are investigated promptly following the steps in the SOP for Illicit Discharges described on page 13 of this Plan, starting with verbal notification, and escalating to first written notification, second written notification, and legal penalties. The records are kept electronically and in hard copy in the Waynesville Development Services office.

If a Notice of Violation (NOV) is issued, the Development Services uses a **GIS mapping** to register the NOV action. The Development Services Department has created the NOVs map as a secondary tracking mechanism to identify chronic offenders and areas prone to illicit discharges. This map provides a good visual coverage of all chronic offenders within our MS4 limits. It contains the information about the nature of discharge, contacts, and enforcement actions.

5. Train municipal staff and contractors who, as part of their normal job responsibilities, may observe an illicit discharge, illicit connection, illegal dumping, or spills. Training shall include how to identify and report illicit discharges, illicit connections, illegal dumping, and spills. Each staff training event shall be documented, including the agenda/materials, date, and number of staff participating.

- The Town has conducted the stormwater training for the municipal employees from Public Works Department, Fire Department, Police, and Parks and Recreation in cooperation with Haywood Waterways and NC State Cooperative Extension. Mitch Woodward, Area Specialized Agent from the NC Cooperative Extension conducted several training sessions for the Town's staff on May 19, 2022. The training focused on general stormwater pollution prevention, including how to recognize and report illegal connections and discharges, and good housekeeping practices. The Town will conduct the trainings annually.
- The Town's website has a Stormwater page:
<https://www.waynesvillenc.gov/departments/development-services/stormwater-management>

The Stormwater page contains a good amount of educational information about the illicit discharge by the EPA, NC DEQ, and Center for Watershed Protection. In addition, the page has the educational gallery of postcards and community project sections that educate the public about the stormwater issues and best management practices.

- The Development Services Department and Haywood Waterways will give public presentations about the stormwater issues, including illicit discharges, and Waynesville Stormwater Management Plan updates to the Board of Aldermen at least annually. These presentations will be a part of the official agenda, and they will comply with all the public notification requirements. The first presentation was held on December 14th, 2021. The presentation materials, topics, minutes, community projects, and related newspaper articles about the Town's Stormwater program can be found in the Public Hearings section of the Stormwater Page. The agendas and minutes are also kept electronically and in hard copy in the Development Services office.

Additionally, the Development Services staff gave an overview of the Stormwater Program to the Planning Board at the public hearing on January 24, 2022, before bringing the updated Stormwater Ordinance to the board. The copy of the agenda with presentation slides is kept in the Development Services Office.

6. Provide a mechanism for the public and staff to report illicit discharges, illegal dumping, and spills. The mechanism shall be publicized to facilitate reporting and shall be managed to provide rapid response by appropriately trained personnel.

The Town Staff will utilize the Illicit Discharge SOP and Form to report illicit discharges, spills, and dumping. The Town provides a mechanism for the public to report illicit discharge on its Stormwater page that contains responsible departments (Development Services and Haywood Waterways), their contact information, and the NC DEQ Stormwater Hotline.

Appendix A

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. Prohibited instances include but are not limited to: anti-freeze, chemicals, animal waste, paints, garbage, and litter. However, non-stormwater discharges associated with the following activities are allowed provided that they do not significantly impact water quality:

- Dechlorinated swimming pool discharges.
- Landscape irrigation and lawn watering.
- Springs, diverted stream flows, rising ground waters, and flows from riparian habitats and wetlands.
- 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.

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, wastewater 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 be 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.

Appendix B

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

16.2 Penalties for Violation and Enforcement Mechanisms.

16.2.1 Liabilities for Violations.

Pursuant to GS § 160A-175, any person who erects, constructs, reconstructs, alters, repairs, converts, or maintains any building, structure, sign or sign structure or develops, grades or otherwise alters property in violation of this ordinance, and any person who uses any building, structure, sign or sign structure or land in violation of this ordinance shall be subject to civil and/or criminal penalties.

16.2.2 Civil Penalties.

A. General: Violations of this ordinance, except violations of Chapter 12 as noted below, shall subject the offender to a civil penalty in the amount of \$200.00 per day for each day the violation continues, to be recovered by the town in a civil action in the nature of debt if the offender does not pay the penalty within the prescribed period of time after he or she has been cited for the violation.

B. Grading and Filling Activities.

1. Any person who violates any of the provisions of Chapter 12 of this ordinance and/or who initiates land-disturbing activity for which an erosion control plan is required except in accordance with the terms, conditions and provisions of an approved plan, shall be subject to a civil penalty of not more than \$500.00 except as otherwise set forth below.
2. Each day of a continuing violation shall constitute a separate violation.
3. The amount of penalty shall be determined by the board of aldermen. In determining the amount of the penalty, the board shall consider the degree and extent of harm caused by the violation and the cost of rectifying the damage, the amount of money the violator saved by noncompliance, whether the violation was committed willfully and the prior record of the violator in compliance or failing to comply with grading and filling control standards.
4. Any person who fails to submit an erosion control plan for approval in accordance with Chapter 12 of this ordinance shall be subject to a single, noncontinuing civil penalty of not more than \$1,000.00.
5. Anyone who violates a stop work order regarding grading and filling control shall be subject to a civil penalty of not more than \$5,000.00.
6. Any civil penalty assessed against a person who violates any of the provisions of Chapter 12 of this ordinance shall be recovered by the town in a civil action in the nature of debt, to be

brought in Haywood County Superior Court, if the offender does not pay the penalty within the prescribed period of time after he or she has been cited for the violation.

C. Enforcement and Violations of the Stormwater Ordinance.

The following remedies and penalties provided for violations of the Chapter 12.5- Stormwater Ordinance, shall be cumulative and in addition to any other remedy provided by law, Town Ordinance, and may be exercised in any order.

- 1. Authority to enforce.** The provisions of the Stormwater Ordinance shall be enforced by the Stormwater Administrator, his or her designee, or any authorized agent of the Town. Whenever this section refers to the Stormwater Administrator, it includes his or her designee as well as any authorized agent of the Town.
- 2. Violation unlawful.** Any failure to comply with applicable requirements, prohibitions, standards, or limitations imposed by the Stormwater Ordinance, or the terms or conditions of any permit, maintenance agreement, or other development or redevelopment approval or authorization granted pursuant to this ordinance, is unlawful and shall constitute a violation of this ordinance and is subject to a civil penalty of not more than \$500 per day. Each day that a violation continues shall constitute a separate and distinct violation or offense.
- 3. Responsible persons/entities.** Any person who erects, constructs, reconstructs, alters (whether actively or passively), or fails to erect, construct, reconstruct, alter, repair, or maintain any structure, BMP, practice, or condition in violation of the ordinance shall be subject to the remedies, penalties, and/or enforcement actions in accordance with this section. Persons subject to the remedies and penalties set forth herein may include any architect, engineer, builder, contractor, developer, agency, or any other person who participates in, assists, directs, creates, causes, or maintains a condition that results in or constitutes a violation of this ordinance, or fails to take an appropriate action, so that a violation of this ordinance results or persists; or an owner, any tenant or occupant, or any other person, who has control over, or responsibility for, the use or development of the property on which the violation occurs.

For the purposes of this article, responsible person(s) shall include but not be limited to: Person maintaining condition resulting in or constituting a violation. An architect, engineer, builder, contractor, developer, agency, the owner of the land on which a violation occurs, any tenant or occupant of the property, any person responsible for stormwater controls pursuant to a private or public document, or any other person who participates in, assists, directs, creates, causes, or maintains a condition that constitutes a violation of this ordinance, or fails to take an appropriate action, so that a violation of this ordinance results or persists.

4. **Notice of Violation and Order to Correct.** When the Stormwater Administrator finds that any building, structure, or land is in violation of the ordinance, the Stormwater Administrator shall notify, in writing, the property owner or other person violating the ordinance. The notification shall indicate the nature of the violation, contain the address or other description of the site upon which the violation is occurring, order the necessary action to abate the violation, and give a deadline for correcting the violation.

The Stormwater Administrator may deliver the notice of violation and correction order personally, by the law enforcement, or by certified or registered mail, return receipt requested.

A person who receives a notice of violation and correction order, or the owner of the land on which the violation occurs, may submit to the Stormwater Administrator a written request for an extension of time for correction of the violation.

5. **Withholding of Certificate of Occupancy.** The Stormwater Administrator or other authorized agent may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site and served by the stormwater practices in question until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
6. **Disapproval of subsequent permits and development approval.** As long as a violation of the ordinance continues and remains uncorrected, the Stormwater Administrator or other authorized agent may withhold, and the approving body may disapprove, any request for permit or development approval or authorization provided for by this ordinance or the zoning, and/or subdivision regulations, as appropriate for the land on which the violation occurs.
7. **Injunction, abatements, etc.** The stormwater administrator may institute an action in a court of competent jurisdiction for a mandatory or prohibitory injunction and order of abatement to correct a violation of the ordinance. Any person violating the ordinance shall be subject to the full range of equitable remedies provided in the General Statutes or at common law.
8. **Correction as public health nuisance, costs as lien, etc.:** If the violation is deemed dangerous to the public health or public safety and is within the geographic limits prescribed by G.S. 160D, the Stormwater Administrator may cause the action to be corrected and the costs to be assessed as a lien against the property.

16.2.3 Injunctive or Other Relief.

- A. In addition to, or in lieu of, the other remedies set forth in this chapter, the Administrator, in the event of a violation of this ordinance, may request that the town attorney institute in a court of competent jurisdiction, an injunctive action, mandamus action, or other appropriate proceeding to prevent the completion or occupation of such building or structure, or use of land.
- B. Upon determining that an alleged violation is occurring or is threatened, a court hearing an appeal for relief, shall enter such orders and/or judgments as are necessary to abate or prevent the violation.

- C. The institution of an action for injunctive or other relief under this sub-section shall not relieve any party to such proceeding from any civil or criminal penalty prescribed by this chapter for violations of this ordinance.

16.2.4 Equitable Remedy.

In addition to the civil penalties set out above, any provision of this ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. The Administrator may apply to a judicial court of law for any appropriate equitable remedy to enforce the provisions of this ordinance. It is not a defense to the Administrator's application for equitable relief that there are other remedies provided under general law or this ordinance.

16.2.5 Order of Abatement.

In addition to an injunction, the Administrator may apply for and the court may enter into an order of abatement as part of the judgment in the case. An order of abatement may direct any of the following actions:

- A. Buildings or other structures on the property be closed, demolished, or removed;
- B. Fixtures, furniture or other moveable property be moved or removed entirely;
- C. Improvements alterations, modifications or repairs be made; or
- D. Any other action be taken that is necessary to bring the property into compliance with this Ordinance.

16.2.6 Execution of Court Decisions.

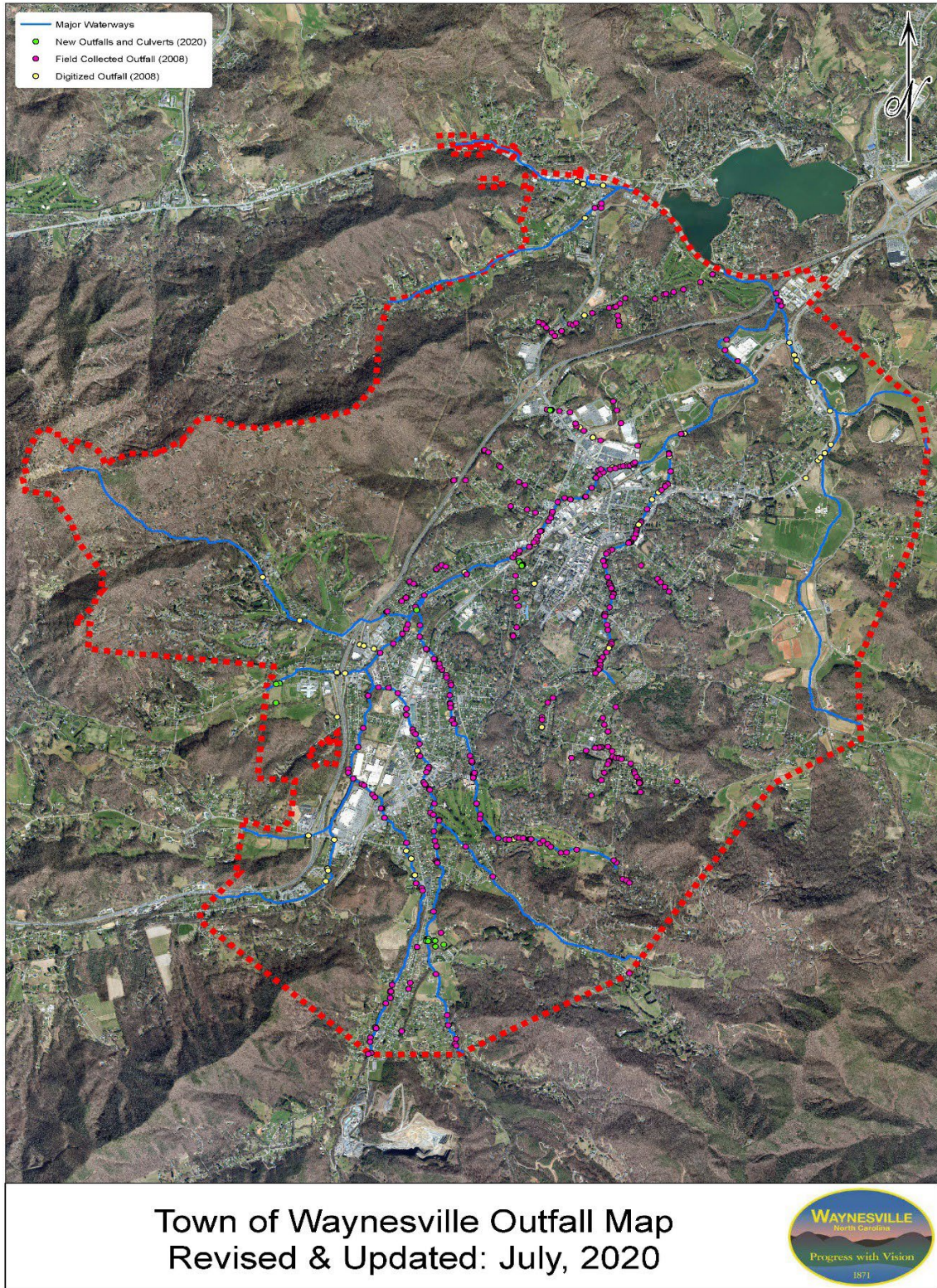
If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, the defendant may be cited for contempt. The Administrator may execute the order of abatement and will have a lien on the property in the nature of a mechanic's and materialman's lien for the cost of executing the order. The defendant may secure cancellation of an order of abatement by paying all costs of the proceedings and by posting a bond for compliance with the order. The bond must be given with sureties approved by the Clerk of Superior Court in an amount approved by the judge before whom the matter was heard and shall be conditioned for the defendant's full compliance with the terms of the order of abatement within the time fixed by the judge. Cancellation of an order of abatement does not suspend or cancel an injunction issued in conjunction with the order.

16.2.7 Revocation of Permits.

In the event of a violation of any regulation of this ordinance, the Administrator may stop any development of, use of or activity on property by the revocation of applicable permits. The Administrator may revoke any permit (e.g. Building Certificate of Occupancy) by written notification to the permit holder when violations of this ordinance have occurred. Permits may be revoked when false statements or misrepresentations were made in securing the permit, work is being or has been done in substantial departure from the approved application or plan, there has been a failure to comply with the requirements of this ordinance, or a permit has been mistakenly issued in violation of this ordinance.

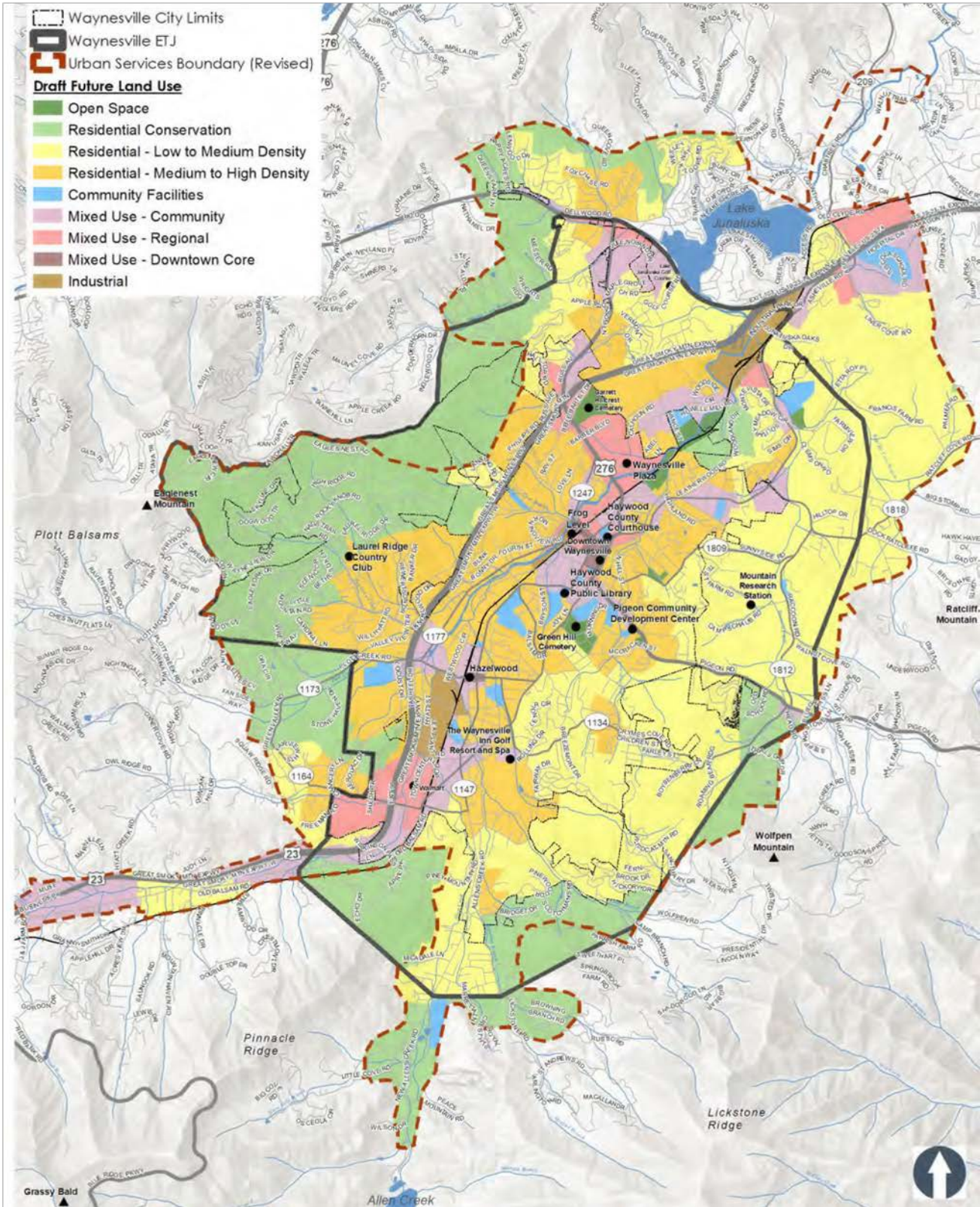
Appendix C

Town of Waynesville Outfall Map



Appendix D

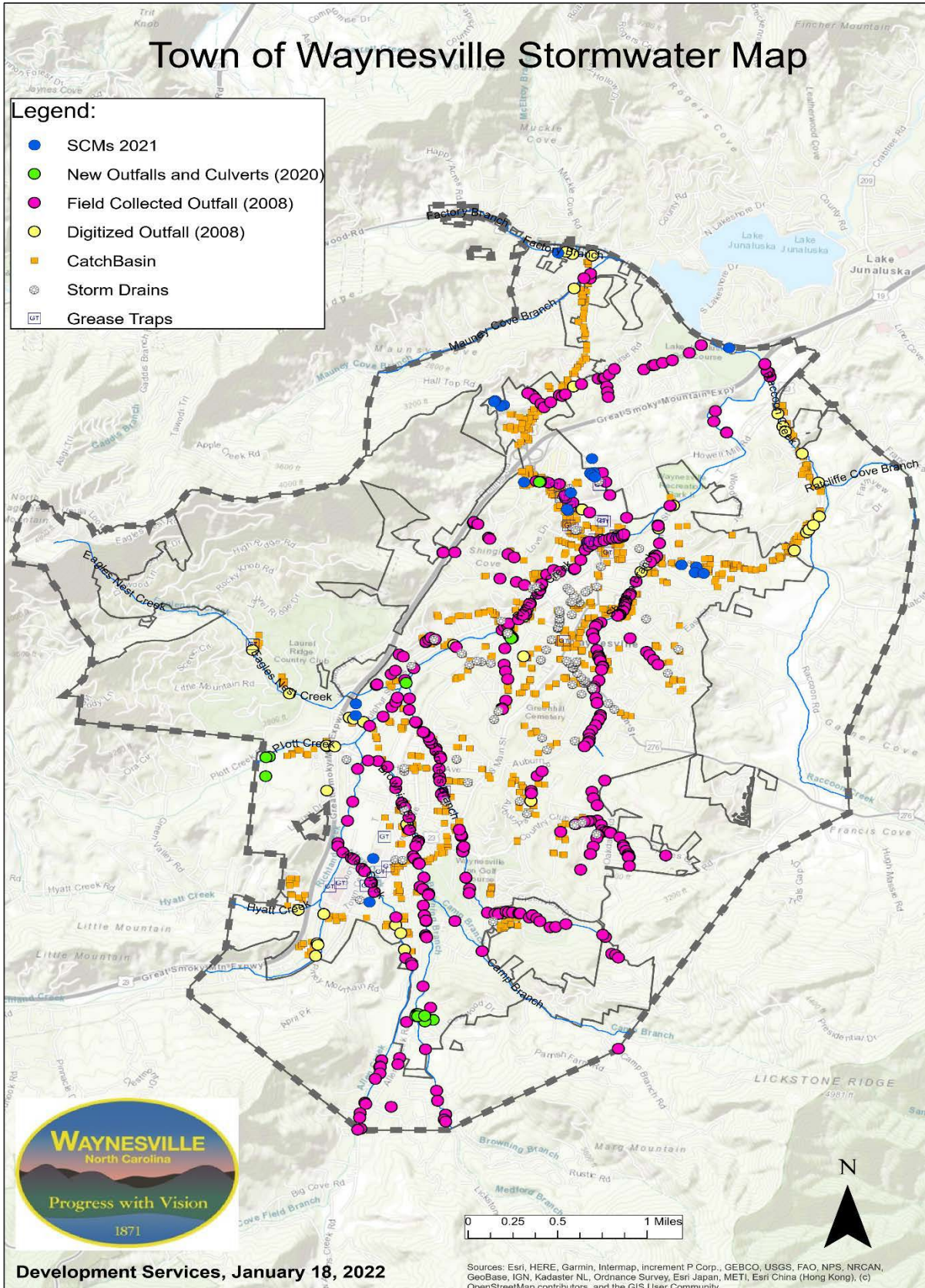
Waynesville Land Use Map



Appendix E

Town of Waynesville Stormwater Map

- Legend:**
- SCMs 2021
 - New Outfalls and Culverts (2020)
 - Field Collected Outfall (2008)
 - Digitized Outfall (2008)
 - CatchBasin
 - ⊗ Storm Drains
 - ☐ Grease Traps

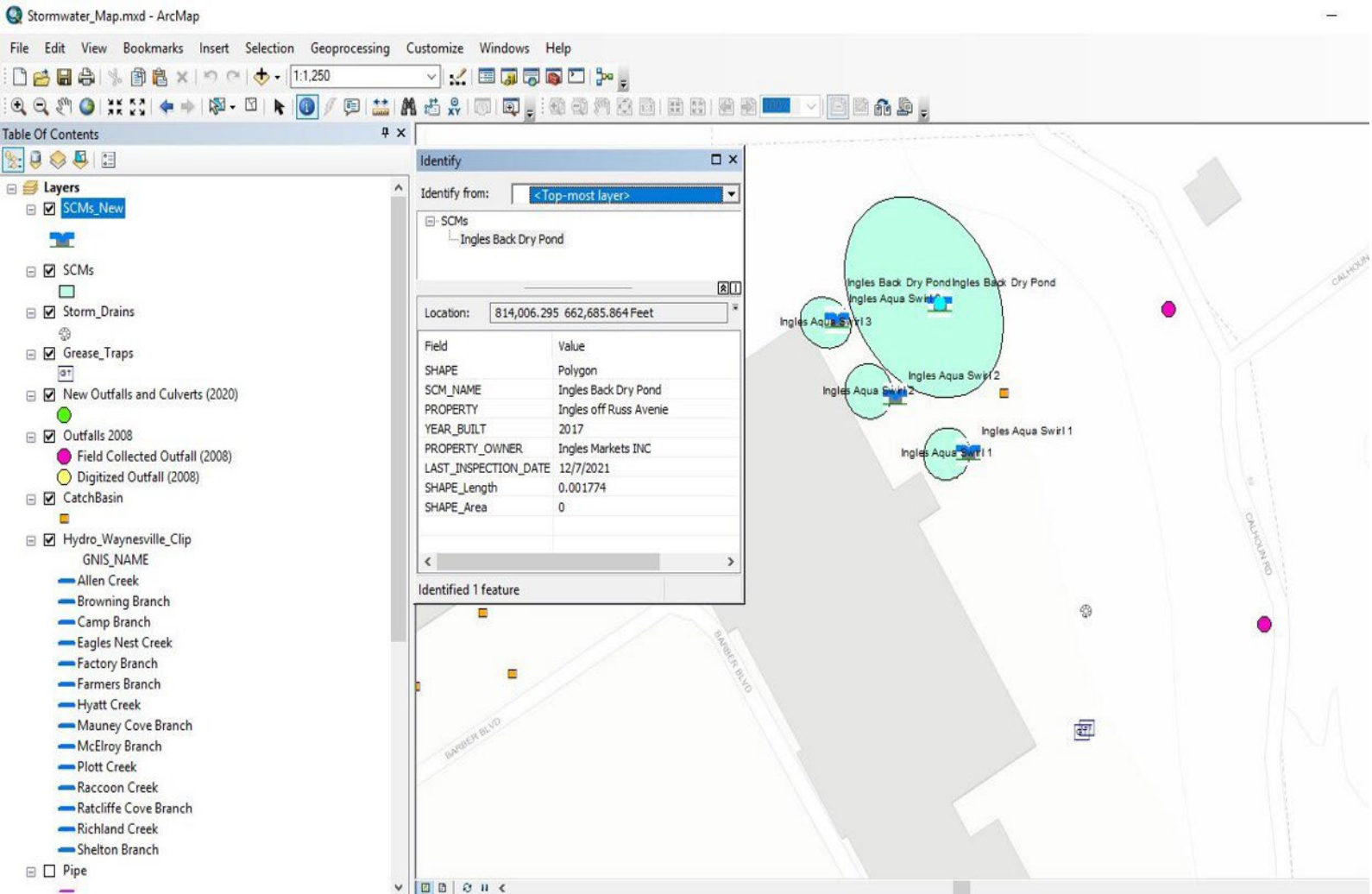


Development Services, January 18, 2022

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Appendix E (continued)

Online/Interactive Version of the Stormwater Map from arcgis.com



In this example, the information about the SCM in the pop-up box includes the property, SCM type, date of the last inspection, and year built.

Appendix E (continued): Map of Inspected Outfalls and SCMs in 2021-2022

