

OFFICIAL NOTICE OF VIOLATION

No. 98XXXX



Name: _____ has been found to be in violation of the City of Knoxville's Stormwater and Street Ordinance

Section(s): 22.5-26 22.5-30 22.5-52 22.5-53 Other (see back of NOV)

Location of Violation(s) (provide sufficient information for identification of where violation has occurred): _____

Description of violation(s): Inadequate Erosion/Sediment Controls Non-compliance with Approved Permit Illegal Dumping/Discharge
 Illicit Connection Grading / Filling without Permit, **10 TIMES STANDARD PERMIT FEE REQUIRED** (See Section 22.5-29 on reverse)
 Other _____

Work, remediation, or repair ordered to comply with the City Code: Stop Discharge / Dumping Provide Incident Report by ____/____/____.
 Remediate/Remove Discharged Material or Sediment from street / catch basin / drainageway / etc. by ____/____/____.
 Provide Spill Pollution Prevention Plan by ____/____/____. Correct Erosion and Sediment Controls by ____/____/____.

Name: _____ is hereby served with this Notice of Violation on ____/____/____, and ordered to correct the violation(s) or to stop work until the Engineering Department approves the continuance of work. Illegal Discharges Must Stop Immediately. As described above, all remediation, repair, or necessary work required to comply with the City Code must be completed by ____/____/____ unless specified otherwise. The above work, remediation, or repair does not preclude assessment of penalties and/or reimbursement of the City of Knoxville's related expenses/damages.

Notification received by: _____ Title (if applicable): _____

This order served by: _____ Date and Time ____/____/____ at ____:____ am/pm
Original - On-site person or signer above. Yellow - Engineering Division. Pink - Law Department. Goldenrod - Owner/Developer/Responsible Party

Due to Federal Mandate 40 CFR 122.26(d)(2)(iv)(B) and to State of Tennessee NPDES Permit No. TNS068055, the City of Knoxville is required to detect, remove, prohibit and enforce any non-stormwater discharges to the municipal separate storm drain system unless the illicit discharge or illegal dumping is specifically exempted or covered by an individual NPDES permit.

According to the City of Knoxville Code, Chapter 22.5 (entitled Stormwater and Street Ordinance):

Section 22.5-8

- a) Any person violating the provisions of this chapter shall be guilty of a misdemeanor and punished as provided in the general provisions of the City Code. Each day that a continuing violation of this chapter is maintained or permitted to remain shall constitute a separate offense.
- b) Any person violating the provisions of this chapter may be assessed a civil penalty by the City of not less than fifty dollars (\$50.00) or more than five thousand dollars (\$5,000.000) per day for each day of violation. Each day of violation constitutes a separate violation.

Section 22.5-26

No person shall:

- a) Grade, dump, alter natural or existing topography, move or place fill material, excavate, remove any vegetation not exempted by the Tree Protection Ordinance, or begin any site development activities without first obtaining a site development permit from the Department of Engineering.
- b) Alter any natural or manmade drainage system so as to divert, constrict, increase or change in any manner the natural or existing flow of any stream, or natural or existing drainage of any area without obtaining a site development permit from the Department of Engineering.
- c) Commence site development and/or construction of any building or structure without obtaining a site development permit from the Department of Engineering.
- d) Clear any site by means that causes disturbance of soil without first obtaining a site development permit from the Department of Engineering.

Section 22.5-29

- c) The fee for a site development permit issued after site development has begun without a permit shall be ten times the standard fee.

Section 22.5-30

No person shall perform site development work that does not conform to an approved site development plan.

Section 22.5-52

(a) No person shall

- (1) Connect, or allow to be connected, any sanitary sewer to the stormwater system, including any sanitary sewer connected to the stormwater system as of the date of adoption of this chapter.
- (2) Cause or allow an illicit discharge to the stormwater system, or any component thereof, or onto driveways, sidewalks, parking lots, sinkholes, creek banks, or other areas draining to the stormwater system.

Section 22.5-53

As soon as any person has knowledge of any illicit spills or discharges to the stormwater system in violation of this chapter, such person shall immediately notify the Engineering Director by telephone of this discharge. If such person is directly or indirectly responsible for such discharge or responsible for the operation of the system or business, then such person shall also take immediate action to ensure the containment and cleanup of such discharge and shall confirm such telephone notification with a written report to the Engineering Director within three (3) calendar days. At a minimum, the written report for any illicit discharge shall include: 1) Date and time of the discharge, 2) Location of the discharge, 3) Material or substance discharged, 4) Duration and rate of flow, 5) Total volume discharged, 6) Total volume recovered, 7) Cause or reason for the discharge, 8) Remediation and containment action taken, 9) Material Safety Data Sheets (MSDS) for the discharged material, 10) Action taken to prevent further discharges, and 11) Description of any environmental impact.