

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES**  
**TITLE XV: LAND USAGE**  
**CHAPTER 159: STORMWATER MANAGEMENT ORDINANCE AND TO CREATE**  
**CHAPTER 155: STORMWATER ILLICIT DISCHARGE ELIMINATION**  
**O-2025-11**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV: LAND USAGE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:**

**Section 1.** Delete **§159.701 ILLICIT DISCHARGES AND CONNECTIONS** in its entirety and incorporate these regulations into a new **Chapter 155: STORMWATER ILLICIT DISCHARGE ELIMINATION**.

**Section 2.** Add **Chapter 155: STORMWATER ILLICIT DISCHARGE ELIMINATION** as follows:

**CHAPTER 155. STORMWATER ILLICIT DISCHARGE ELIMINATION ORDINANCE**

**GENERAL PROVISIONS**

**§155.01 TITLE.**

This Ordinance shall be officially known as "The Stormwater Illicit Discharge Elimination Ordinance." It is referred to herein as "this Ordinance."

**§155.02 PURPOSE.**

The purpose of this Ordinance is to meet the requirements of the City's NPDES (National Pollutant Discharge Elimination System) MS4 (municipal separate storm sewer system) permit and to support the protection of surface water quality resources within the City's jurisdiction by controlling the discharge of pollutants to the MS4 and making it illegal for Non-Stormwater or Pollutants to be Discharged to the MS4 or the Waters of the State. This Ordinance is supplemental to and in no way replaces regulations, rules, statutes, and laws administered by the State or federal government. The objectives of this Ordinance are:

- (A) To regulate the discharge of pollutants to the MS4 and the Waters of the State;
- (B) To prohibit illicit connections and illicit discharges to the MS4;
- (C) To establish legal authority to carry out all investigation, inspection, surveillance, monitoring, enforcement and penalty procedures necessary to ensure compliance with this Ordinance.

### **§155.03 APPLICABILITY AND JURISDICTION.**

This Ordinance shall apply to the area encompassed within the City of Monroe corporate limits and extra-terrestrial jurisdiction.

### **§155.04 RESPONSIBILITY FOR ADMINISTRATION.**

The City of Monroe Engineering Department shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted or duties imposed upon the City may be delegated in writing by the City Engineer to Persons or entities acting in the beneficial interest of or in the employ of the City.

### **§155.05 PROHIBITIONS.**

(A) *Prohibition of illicit discharges.* No Person shall cause or allow the Discharge, emission, disposal, pouring, dumping, or pumping of Non-Stormwater or any Pollutant, either directly or indirectly, to the MS4, the Waters of the State, or upon the land in a manner or amount that is likely to reach the MS4 or the Waters of the State except as allowed pursuant to Section 155.06 of this Ordinance. Upon discovery, the Person responsible for the Violation shall immediately: collect and remove the Non-Stormwater or Pollutant(s); restore all affected areas to their pre-Discharge condition; and implement actions to prevent further Discharges of Non-Stormwater or Pollutants.

(B) *Prohibition of illicit connections.* No Person shall install, maintain or use any connection to the MS4 or the Waters of the State for the Discharge of Non-Stormwater or a Pollutant; or shall cause Non-Stormwater or a Pollutant to be Discharged or conveyed through any connection to the MS4 or the Waters of the State unless the Discharge is an allowable Discharge pursuant to Section 155.06 of this Ordinance. Upon discovery of the Illicit Connection, the Person responsible for the Violation shall immediately remove the connection and restore all affected areas to their pre-connection condition in a manner to prevent any Discharges of Non-Stormwater or a Pollutant to the MS4. This prohibition expressly includes, without limitation, connection(s) made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(C) *Accidental Discharge(s).* Accidental Discharge(s), as described in this subsection, shall be a Violation. If an accidental Discharge to the MS4 or the Waters of the State occurs, the Person responsible for the Violation shall immediately collect and remove the Discharge and restore all affected areas to their pre-Discharge condition. The Person responsible for the Violation shall immediately notify the City per Section 155.22 of this Ordinance.

(D) *Improper Storage, Handling, Disposal, or Processing of Materials.* No Person shall store, handle, dispose of, or process any material upon the land in any manner or method that would allow the material to deposit a Pollutant upon the land which may become intermixed with Stormwater entering the MS4 or the Waters of the State.

(E) *Use of High PAH Pavement Products Prohibited.* No Person shall use, or permit to be used, a high PAH pavement product within the City. For the purposes of this subsection, the term "high PAH pavement product" means a product, material or substance that contains greater than 0.1% (1000 ppm) polycyclic aromatic hydrocarbons (PAH) by weight, and, is intended for use on an asphalt or concrete surface, including but not limited to, a driveway, playground, parking area, sidewalk, pathway, or roadway.

(F) *Obstruction.* No Person shall obstruct, hamper, or interfere with the City while carrying out official duties authorized by this Ordinance. See Section 155.22 of this Ordinance.

## **§155.06 ALLOWABLE DISCHARGES OF NON-STORMWATER.**

Stormwater is the only Discharge permitted in the MS4 or the Waters of the State with exception of the following allowable Non-Stormwater Discharges, provided that said Discharges do not negatively impact surface water quality. Allowable Non-Stormwater Discharges include:

- (A) Water line flushing, provided the discharge does not cause an exceedance of surface water quality standards;
- (B) Landscape and lawn irrigation;
- (C) Diverted stream flows;
- (D) Uncontaminated groundwater infiltration (as defined at 40 CFR §35.2005(20));
- (E) Uncontaminated, pumped groundwater;
- (F) Rising groundwaters;
- (G) Discharges from Uncontaminated Potable Water sources;
- (H) Collected infiltrated Stormwater from foundation drains or footing drains;
- (I) Uncontaminated, collected groundwater and infiltrated Stormwater from basement or crawl space pumps;

- (J) Air conditioning condensate;
- (K) Irrigation water (does not include reclaimed water as described in 15A NCAC 2H .0200);
- (L) Uncontaminated springs;
- (M) Dechlorinated swimming pool and hot tub/spa Discharges; the Discharge must not contain any other treatment chemicals;
- (N) Street Wash water only when Unmodified Potable Water is used;
- (O) Flows from emergency fire and rescue operations other than those resulting from negligence on the part of the Person who owned or controlled the Pollutant.
- (P) Single-family residential and Charity Vehicle Washing (\*see note below);  
Flows from riparian habitats and wetlands;
- (Q) NPDES permitted discharges authorized by NCDEQ, EPA, or delegated local authority, provided said discharges are in compliance with the requirements, conditions and discharge limitations of the permit;
- (R) Dye testing, using suitable dyes, for verifying cross-connections, tracing plumbing lines, determining flow direction or rate and for similar purposes, provided that verbal notification by non-governmental entities is provided to the City prior to testing;
- (S) Water used for removal of Stormwater System blockages only when Unmodified Potable Water is used; and  
Splash pad (spray ground) water from a Potable Water source only; refer to Sec. 155.06(14) if the water is treated with chemicals used similarly for a swimming pool or hot tub/spa.

\*Designated vehicle wash areas at multi-family residential complexes are not allowed if they connect, directly or indirectly, to the Stormwater System or the Waters of the State. Charity Vehicle Washing performed by the same organization or at the same location on a routine basis (more than one time in a thirty-day period) is not allowed under this Ordinance.

## **§ 155.07 WATERCOURSE PROTECTION.**

Every Person owning property through which a watercourse passes, or such Person's lessee, shall 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, the owner or lessee shall 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.

#### **§155.08 INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES.**

Any Person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of coverage and/or compliance with said permit may be required in a form acceptable to the City of Monroe when deemed necessary.

#### **§155.09 COMPLIANCE INSPECTIONS AND MONITORING.**

(A) *Access to premises, facilities, right of entry, and inspection.* The City shall be permitted to enter and inspect premises and/or facilities subject to regulation under this Ordinance as often as may be necessary to determine compliance 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.

If the City 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 Ordinance, 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 Ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the City may seek issuance of a search warrant from any court of competent jurisdiction.

(B) *Sampling and monitoring.* The City shall be permitted to conduct monitoring and/or sampling of the facility's stormwater discharge. Additionally, the City may require the Person 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 Person at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

#### **§155.22 NOTIFICATION AND RECORD OF SPILLS.**

(A) *Notifications:* The Person responsible for a spill, leak, or accidental discharge as described in Section 155.05(c) shall:

(1) Immediately notify the City Engineering Department and other local, State, and federal authorities as appropriate, of the spill by telephone or

other mode of instantaneous communication. The notification shall include the location of the spill, type of Pollutant, volume, time of Discharge and corrective action(s) taken. Such notification shall not relieve the Person responsible for the Violation of any of the expenses related to removal, restoration, loss, damages or any other liability that may be incurred as a result; nor shall such notification relieve the Person responsible for the Violation from other liability that may be imposed by this Ordinance or any other applicable regulations, rules, statutes, or laws.

(2) Notwithstanding other requirements of law, as soon as any Person responsible for a facility or operation, or responsible 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 MS4, or water of the state, 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 the release of nonhazardous materials, said Person shall notify the City in person, by phone, by facsimile, or by email no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City within three business days of the phone notice.

(3) Notification shall not relieve any Person of any expenses related to the restoration, loss, damage, or any other liability which may be incurred because of said spill or leak, nor shall such notification relieve any Person from other liability which may be imposed by state or other law.

(B) *Records Required:* If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such an 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 years.

## **VIOLATIONS, ENFORCEMENT, AND PENALTIES**

### **§155.30 VIOLATIONS.**

It shall be unlawful for any Person to violate any provision or fail to comply with any of the requirements of this Ordinance. Any Person who has violated or continues to violate the provisions of this Ordinance, may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in a manner provided by law.

Any violation that constitutes an imminent danger to public health or public safety is hereby declared a Public Health Nuisance pursuant to North Carolina General Statute §160A-193, and the City is authorized to enter upon the subject private property, with immediate notification upon entry, to take all measures

necessary to abate the violation and/or restore the property. The City is authorized to seek costs of the abatement as outlined in this Ordinance.

### **§155.31 WARNING NOTICE.**

When the City finds that any person has violated, or continues to violate, any provision of this article, or any order issued hereunder, the City may serve upon that person a written warning notice, specifying the particular violation believed to have occurred and requesting the discharger to immediately investigate the matter and to seek a resolution whereby any offending discharge will cease within the time period stated in the Warning Notice. Investigation and/or resolution of the matter in response to the warning notice in no way relieves the alleged violator of liability for any violations occurring before or after receipt of the warning notice. Nothing in this subsection shall limit the authority of the City to take any action, including emergency action or any other enforcement action, without first issuing a warning notice.

### **§155.32 NOTICE OF VIOLATION.**

If it is determined that a Person has failed to comply with this ordinance, or rules, or orders adopted or issued pursuant to this ordinance, and that the Person has failed to satisfactorily comply with conditions provided in a Warning Notice as described in Sec. 155.31, then a notice of violation (NOV) shall be served upon that Person. The notice shall be served by registered or certified mail or by any means authorized under G.S. § 1A-1, Rule 4 of the North Carolina Rules of Civil Procedure.

Refusal to accept the NOV shall not relieve the Person of the obligations set forth herein.

### **§155.33 FAILURE TO COMPLY.**

Failure to comply with any requirements or corrective actions set forth in a Notice of Violation, Notice of Civil Penalty Assessment, Compliance Order, or any other notice or order issued pursuant to this Ordinance, shall be a Violation of this Ordinance. Said Violation may be enforced against the Violator as a discrete and separate Violation of this Ordinance for failure to comply or as a factor in conjunction with other enforcement remedies and penalties.

### **§155.34 SUSPENSION OF MS4 DISCHARGE ACCESS.**

(A) *Suspension due to illicit discharges in emergency situations.* The City of Monroe may, with immediate notification, suspend MS4 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 MS4 or Waters of the State. If the violator fails to comply with a suspension order issued in an emergency,

the City may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the State, or to minimize danger to persons.

(B) *Suspension due to the detection of illicit discharge (nonemergency).* Any Person discharging to the MS4 in violation of this Ordinance may have their MS4 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 MS4 access. The violator may file a Petition for Appeal and a hearing to the Engineering Director in accordance with Section 155.36. A Person commits an offense if the Person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the City of Monroe.

### **§155.35 CIVIL PENALTIES.**

Any Person who conducts an act or action, allows directly or indirectly, acts in concert with, participates, directs, or assists directly or indirectly in the creation of a Violation of this Ordinance is subject to a civil penalty.

(A) A civil penalty may be assessed for the time period from the date the Violation first occurs until the date that the Violation ceases, as verified by the City. Refusal to accept the notice shall not relieve the Violator of the obligation to pay such penalty.

(B) Payment of a civil penalty does not relieve the Violator of the obligation to correct the violation.

(C) Upon failure of a Violator to correct a violation within the time period stated in a Notice of Violation, each day's continuing violation thereafter shall constitute a separate and distinct offense for the purpose of assessing a civil penalty. The maximum civil penalty for each violation of this Ordinance shall be \$1,000 per day and/or \$30,000 total.

(D) In determining the amount of the penalty, the City shall consider the degree and extent of harm to the environment, public health and public and private property; the cost of remedying the damage; the duration of the violation; whether the violation was intentional; the prior record of the Person responsible for the violation in complying with this Ordinance; the City's enforcement costs, and the amount of money saved by the violator through his, her or its noncompliance.

### **§155.36 APPEAL OF NOTICE OF VIOLATION OR ORDER.**

Any Person receiving a notice of violation or civil penalty may appeal the order, violation, or penalty within ten days from notification by filing a Petition for Appeal with the Monroe Director of Engineering. Upon receipt of a Petition for Appeal, the Engineering Director and/or their designed Hearing Officer shall

schedule a hearing to be held within thirty (30) days of receipt of the Petition. The Petitioner shall each receive written notice of the date and time of the hearing. The Engineering Director and/or Hearing Officer shall conduct the hearing during which the Petitioner shall be given an opportunity to offer evidence or testimony regarding the violation. After conclusion of the hearing, the Engineering Director and/or Hearing Officer shall make a written determination and order any remedy deemed appropriate. The Engineering Director or Hearing Officer shall provide written copies of the hearing determination to the Petitioner. The written decision of the Engineering Director and/or Hearing Officer is final and no additional administrative appeals are available. Appeal of any of the summary Violations issued pursuant to paragraph 155.35 or Public Health Nuisance in the Notice of Violation above does not stay or delay the immediate suspension of a permit or immediate cessation of a violation.

In the absence of an appeal within ten working days from notification, the order, violation, or penalty shall be final.

### **§155.37 ENFORCEMENT MEASURES AFTER APPEAL.**

If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an Appeal, within the time allotted as part of the decision of the Engineering Director or Hearing Officer then representatives of the City may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any Person, owner, agent or user in possession of any premises to refuse to allow the City or designated contractor to enter upon the premises for the purposes set forth above.

### **§155.38 RECOVERY OF COSTS AND FINES.**

(A) *Recovery of Costs:* The City may also recover from the Violator: (i) Costs to restore damaged property based on restoration costs incurred by the City, which include, but are not limited to, cleanup costs, permanent devaluation of the property, damage to the environment, abatement costs, and City administrative costs. (ii) Compensation for damage to or destruction of the MS4.

(B) *Recovery of Fines:* In the event the City is fined by the state or federal governments resulting from an illicit discharge or connection made by a user or other Person, the user or other Person at fault shall reimburse the City for the full amount of the civil penalty assessed by the state and/or federal governments as well as for the abatement costs incurred by the City during the investigation and restoration process.

### **§155.39 COMPLIANCE AGREEMENT.**

The City may enter into compliance agreements, assurances of voluntary compliance, or other similar documents establishing an agreement with the Person responsible for the Violation. Such agreements will include specific actions to be taken by the Person in Violation to correct the non-compliance within a time period specified by the agreement. Compliance agreements shall have the same force and effect as compliance orders, the violation of which are fully enforceable as provided herein.

### **§155.40 PUBLIC NUISANCE AND INJUNCTIVE RELIEF.**

Illicit discharges and illicit connections which exist within the City of Monroe corporate limits are hereby found, deemed, and declared to be dangerous or prejudiced to the public health or public safety and are found, deemed, and declared to be Public Health Nuisances pursuant to North Carolina General Statute § 160A-193. Such Public Health Nuisances may be summarily abated or restored at the violator's expense, and /or a civil action instituted to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken. In addition, the expense of the action to abate the nuisance shall be paid by the Violator and if not paid within the time provided the cost will be assessed as a lien against the property where the nuisance occurred and collected as an unpaid ad valorem taxes along with other remedies provided in NC GS § 160A-193.

If a Person has violated or continues to violate the provisions of this Ordinance, the City may petition the General Court of Justice for an injunction and order of abatement. When a Violation of this ordinance occurs, the City may apply to the appropriate division of the General Court of Justice for a mandatory or prohibitory injunction and order of abatement commanding the Violator to correct the unlawful condition upon or cease the unlawful discharge. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65 in particular. In addition, the City may seek any other legal or equitable remedy available for the abatement of the nuisance and any remediation, including attorney's fees.

### **§155.41 REMEDIES NOT EXCLUSIVE.**

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

### ***DEFINITIONS***

### **§155.50 TERMS DEFINED.**

When used in this Ordinance, the following words and terms shall have the meaning set forth in this section, unless other provisions of this Ordinance specifically indicate otherwise.

*Authorized enforcement agency.* The City of Monroe or another local, state or federal agency that have the ability to permit discharges.

*Authorized non-stormwater discharges.* Sources of non-stormwater that are conditionally allowed into the storm drain system under the industrial activities stormwater general permit.

*Clean Water Act.* The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

*City.* The City of Monroe.

*Construction activity.* Activities subject to NPDES construction permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

*Day(s).* Calendar day(s), including Saturdays, Sundays and holidays, unless otherwise specified.

*Department.* The City of Monroe Engineering.

*Discharge or Discharged.* The addition, release, or disposal of Non-Stormwater or any Pollutant, whether in solid, liquid, or gaseous form, either directly or indirectly to the Stormwater System or the Waters of the State.

*Facility.* Any land use including, but not limited to, commercial, industrial and residential land uses, and any other source including but not limited to, motor vehicles and rolling stock that directly or indirectly contribute, cause or permit the contribution of any discharge, illicit or otherwise, to the MS4.

*Hazardous materials.* Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial presence or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

*High PAH Pavement Product.* A product, material or substance that contains greater than 0.1% (1000 ppm) PAH (polycyclic aromatic hydrocarbons) by weight and is intended for use on an asphalt or concrete surface. High 3 PAH pavement product may contain coal tar, coal tar pitch volatiles, RT-12, refined tar,

steam cracked petroleum residues, heavy pyrolysis oil, steam-cracked asphalt, pyrolysis fuel oil, heavy fuel oil, ethylene tar, ethylene cracker residue, or a variation of those substances assigned the chemical abstracts service (CAS) numbers 65996-92-1, 65996-93-2, 65996-89-6, 8007-45-2, 64742-90-1, or 69013-21-4.

*Illicit discharge.* Any direct or indirect non-stormwater discharge to the storm drain system, except as exempted in section 155.06 of this Ordinance.

*Illicit connections.* 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 conveyances which allow non-stormwater 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 the City or an authorized enforcement agency.

*Industrial activity.* Activities subject to NPDES industrial permits as defined in 40 CFR, section 122.26(b)(14).

*Municipal separate storm sewer system (MS4).* Any pipe, ditch or gully, or system of pipes, ditches, or gullies, that is owned or operated by a governmental entity and used for collecting and conveying stormwater.

*National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit.* A permit issued by EPA (or by a state under authority delegated pursuant to 33 USC § 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 area-wide basis.

*Non-stormwater discharge.* Any discharge to the storm drain system that is not composed entirely of stormwater.

*Notice of violation (NOV).* A document which is issued by the City to notify the operator, Person or user that an illegal discharge or illicit connection has been identified and that it is in violation of this Ordinance.

*Person.* Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

*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, ordinances, 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.* 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 and human-made or altered drainage channels, reservoirs, and other drainage structures.

*Stormwater.* Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

*User.* Any Person who owns real property on which a facility is owned.

*Violation.* An act, action, allowance, or occurrence that fails to comply with any prohibition or requirement set forth in this Ordinance.

*Violator.* Any Person or user who is in violation of this Ordinance.

*Wash Water:* See *Wastewater*.

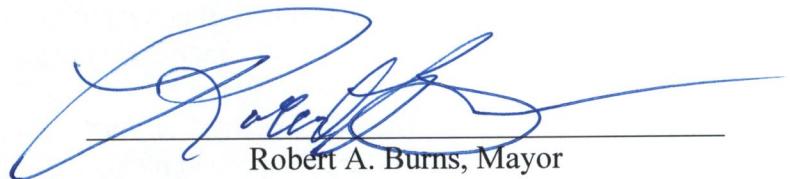
*Wastewater.* Any water or other liquid, other than uncontaminated Stormwater or Uncontaminated Potable Water, discharged after use. Examples of Wastewater include, but are not limited to: water discharged after use generally for industrial or manufacturing process; sewage treatment; or water used for washing, flushing, or cleaning.

*Watercourse.* Any channel, ditch, gully, swale, or stream, which sole purpose is to convey the flow of water.

*Waters of the state.* All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State of North Carolina or any portion thereof.

**Section 3.** This Ordinance shall be effective upon adoption.

Adopted this 8th day of April, 2025.



Robert A. Burns, Mayor

Attest:



Bridgette H. Robinson

Bridgette H. Robinson, City Clerk

