

IMPORTANT NOTICE

The City of North Augusta Ordinance 2021-22 approved by City Council in December 2021 amended Chapter 14, Article V, Division 3: Construction Permitting for Land Disturbing Activities

1) Major Modifications to Stormwater Permits Require Fees

Major Modifications: If a developer needs to revise an existing permit for a “Major Modification”, a stormwater review fee is required. The review fee for Major Modifications is one-half (1/2) of the review fee that was paid for the initial permit.

2) Stormwater Pond Maintenance Agreement to be Recorded with RMC Office with parcel.

Stormwater Maintenance Agreement: A written agreement from the landowner or responsible party assuring the maintenance and inspection of stormwater management facilities and/or Best Management Practices related to them are maintained in proper working condition as shown or described on the approved development site plan in order to serve the intended purposes as set forth in this Ordinance and state regulations. The agreement grants permission of City or State inspectors to verify compliance. The agreement must be recorded with the land record for the parcel in the county it is located.

Section 14-170.4. Stormwater and erosion control plans

(4) Provisions for maintenance of stormwater control facilities, including easements and estimates of the cost of maintenance. An executed, signed, and notarized maintenance agreement and maintenance plan from the responsible party(ies) or individual(s) accepting ownership and maintenance of permanent stormwater control device/structures during construction must be provided prior to stormwater permit issuance.

a. A notarized permanent stormwater maintenance responsibility agreement and a maintenance plan for stormwater control facilities or treatment practices must be executed and must be recorded as part of the property record in the county where it is located and the agreement constitutes a covenant running with the land, and shall be binding on the Landowner, its administrators, executors, assigns, heirs and any other successors in interests, including but not limited to any homeowners' association. This step must be completed prior to requesting a notice of termination (NOT) for your stormwater permit.

b. Any changes in permanent maintenance responsibilities must be documented with a new notarized maintenance agreement and maintenance plan and recorded with the land in the county in which it resides as soon as approved by the city. The city must be notified of the change by providing a new notarized agreement and a letter of acceptance from the entity accepting permanent maintenance responsibilities. Prior to executing a change of ownership of maintenance responsibility, a letter of inspection may be requested by either party involved and obtained from the city SWMD at no fee. Subsequent inspection letters if requested, will be available for a \$50.00 fee to be paid prior to the inspection.

c. Failure to execute, record and/or acquire approval from the city for a change of ownership and maintenance responsibilities agreement for the stormwater control devices at a site, constitutes leaving the original recorded agreement in force and that agreement will be enforceable by the stormwater department for maintenance responsibility.