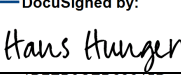




# PUBLIC WORKS

## Policy & Procedure

Subject:	<b>Private Stormwater Inspection Enforcement Policy</b>		
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Approved by:	<small>DocuSigned by:</small>  <small>107EB0CED63645D...</small>		Supersedes: N/A
HANS HUNGER, PE CITY ENGINEER			Effective Date: 12/31/2022

### 1.0 **PURPOSE:**

The purpose of this policy is to document private stormwater drainage system inspection procedures required pursuant to PMC 21.10.230, PMC 21.10.260, PMC 21.10.270 and the National Pollutant Discharge and Elimination System (NPDES) Phase II Municipal Stormwater General Permit (MSWGP). To provide consistent guidance to City staff conducting storm drainage system inspection and notification processes. To also clarify procedures for entering private property when conducting these inspections as allowed pursuant to PMC 21.10.270 and PMC 21.10.230.

### 2.0 **POLICY:**

Engineering staff shall conduct annual inspections of all private stormwater drainage systems approved on or after February 16, 2010, under the Department of Ecology's 2005 Stormwater Management Manual of Western Washington (SWMMWW) or subsequent stormwater manuals to ensure the proper maintenance and function of these systems. Private drainage systems approved under prior surface water design manuals may be inspected semi-regularly to ensure their maintenance and function. It is essential to ensure the maintenance and function of private stormwater systems to minimize impacts to the city owned and operated stormwater system and natural waterways.

### 3.0 **PROCEDURES:**

#### Background

Beginning in 2010, pursuant to Section S5.C4.c.iii of the Western Washington Phase II Municipal Stormwater Permit (NPDES Permit) issued in 2007, the City began conducting annual inspections of private stormwater facilities approved under the 2005 SWMMWW.

#### Entry onto Private Property

No notification is required prior to entering private property to conduct stormwater system inspection pursuant to PMC 21.20.270. However, the City should make reasonable effort to notify property owners or their agent when possible. Notification is required prior to entering a

property, pursuant to PMC 21.10.230(3), to conduct a stormwater system inspection on private property without a recorded maintenance agreement.

#### Denial of Access

If access to the private drainage system is denied by physical or other means, the property owner shall be notified that maintenance of the stormwater system is mandated under PMC 21.20.270. Further, the property owner has the option for the inspection of their storm system.

1. Provide/allow access by City staff to conduct the inspection, which is a service provided by the Surface Water Utility.
2. Pay for a qualified third party to conduct an inspection of the system consistent with current SWMMWW and City of Puyallup maintenance standards and provide a copy of the detailed inspection report to identified City staff within 30 days of this notification.
  - a. If maintenance/repair is required, they must provide documentation verifying that said maintenance/repair has been conducted within that same 30 day time period or allow city staff to re-inspect.

#### Timing of Inspections

Inspections shall be conducted at reasonable times, during normal business hours (Monday through Friday between 8 AM and 5 PM).

#### Maintenance or Repair Requirements

If inspections reveal that maintenance or repair is required to ensure the facility is functioning properly, the property owner and/or their agent shall be notified in writing that they have 30 days to conduct the maintenance or repair work and provide documentation verifying that said maintenance/repair has been conducted. Said notification shall also Identify Specific Repair and Maintenance Items (if applicable).

#### Extension of Maintenance or Repair Period

If the property owner can provide sufficient justification; and delay of repair/maintenance of the private stormwater facilities will not result in adverse impacts to the public storm system or natural waterways, the City Engineer or designee may grant an extension of the 30 day maintenance/repair window. Said extension shall be granted in writing and shall not exceed the timelines for maintenance and repair identified in the NPDES Permit.

#### Re-Inspection

Upon the expiration of the 30 day maintenance/repair period identified in the property owner notification letter, City staff shall conduct a follow up inspection of the private stormwater system to ensure identified maintenance and repair items have been addressed.

#### Enforcement

If maintenance and/or repair items have not been addressed within the timeline required, or if the property owner has denied staff access and has failed to provide sufficient documentation verifying the drainage facilities have been inspected and maintained/repared within 30 days, the case may proceed to enforcement action for resolution pursuant to PMC 21.10.290 or PMC 21.11.070.

**4.0 ORGANIZATIONS AFFECTED:**

Public Works Engineering  
Development and Permitting Services