

ARR040000 Recertification Notice of Intent for Regulated Small Municipal Separate Storm Sewer Systems (MS4s) General Permit

version 1.17

(Submission #: HQ3-S2VF-V22X0, version 1)

Digitally signed by:
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Date: 2024.05.21 08:10:31 -0500
Reason: Copy Of Record
Location: North Little Rock, Arkansas



Details

AFIN 88-00840
Submission ID HQ3-S2VF-V22X0
Submission Reason Renewal

Form Input

Permit Information

Recertification Instruction

Please review all fields carefully for typos or inaccurate information. If the information in the corresponding field is incorrect, please update the corresponding field with the correct information by typing over the existing information.

If the Permittee (Legal Name) changes, you will need to also submit a permit transfer form.

The update SWMP must be submitted in accordance with the permit.

Permittee (Legal Name)

The permittee means any person (an individual, association, partnership, corporation, municipality, state, or federal agency) who has the primary management and ultimate decision-making responsibility over the operation of a facility or activity.

Permit No.
ARR040014

AFIN
88-00840

Permittee (Legal Name)
Garland Cointy

Site Contact Person

Contact Person Information

First Name Shelly
Last Name Tucker

Title
Environmental Inspections Director

Phone Type Business
Number 5016099067
Extension

Email
shellyw@garlandcounty.org

Urbanized/Core Areas

urbanized/core areas

Receiving Stream

Ouachita River

Is this MS4 identified on the list of the EPA approved Total Maximum Daily Loads (TMDL)?

No

From our database, the Responsible Official are listed in the following**Responsible Official First Name**

Darryl

Responsible Official Last Name

Mahoney

Responsible Official Title

GC Judge

Did the Responsible Official Change?

No

Please provide the Responsible Official Email Address

dmahoney@garlandcounty.org

From our database, the Cognizant Official are listed in the following**Cognizant Official First Name**

Shelly

Cognizant Official Last Name

Tucker

Cognizant Official Title

Director

Did the Cognizant Official Change?

No

Please provide the Cognizant Official Email Address

shellyw@garlandcounty.org

Mailing Address

501 Ouachita Ave Suite B-5

Hot Springs, AR 71901

Is the invoice address the same as the mailing address?

Yes

Attach Updated SWMP and Updated Storm Sewer System Map

[Garlnad County SWMP 2024.pdf - 05/21/2024 08:09 AM](#)

Comment

NONE PROVIDED

Garland COUNTY

STORMWATER
MANAGEMENT PROGRAM

Permit ARR 040014

2024 thru 2029

Written November 2009
Updated May 2024

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STORMWATER MANAGEMENT PROGRAM (SWMP)

ADEQ Permit Number ARR040014

Goals

The goals of Garland County's Stormwater Management Program (SWMP) are to 1) reduce the discharge of pollutants from the MS4, 2) satisfy the appropriate water quality requirements of the Arkansas Department of Environmental Quality and the Clean Water Act and 3) To protect and maintain our community's environmental health by creating a clean and safe place to live, work, and visit; thereby ensuring a sustainable future for Garland County residents.

Term of SWMP

The SWMP shall cover the term of the permit, reviewed annually, and updated as necessary.

Implementation

Implementation of the revised and updated SWMP may be achieved through participation with other permittees, public agencies or private entities in corparative efforts to satisfy the requirements.

SWMP Resources

Garland County shall provide finances, staff, equipment, and support capabilities to implement their activities under the SWMP. However, due to limited assets and funding the county, at times, may not be able to fully meet all the annual goals set forth in this program due to unforeseen issues and budget restraints.

Table of Organization

Cognizant/Responsible Official

Daryl Mahoney, Garland County Judge
501 Ouachita Ave Room 210
Hot Springs, Arkansas 71901
dmahoney@garlandcounty.org
(501)622-3600

Environmental Inspections Director

Shelly Tucker
501 Ouachita Ave Room
Hot Springs Arkansas 71901
shellyw@garlandcounty.org
(501)609-9067

Supporting Departments

County Judge and Quorum Court

The County Judge and Garland County Quorum Court approve ordinances, make changes to ordinances, contracts, fees and annual budgets.

Garland County Environmental Services

The Environmental Service Department works in conjunction daily in every aspect of county's Environmental Inspections Divisions programs. The Director is contact with contractors for solid waste dumpsters for construction sites, for bulky waste pickups, for sanitation scheduling, and set up new services. This is the department that funds our program.

Garland County Road Department

The Road Department works to sweep the streets, clean and maintain roadside ditches, and clean inlets, they implements construction BMPs for road and bridge construction when needed. Also they help with spills in an emergency situation, bringing sand or other material until a cleanup crew can get to the location.

Garland County Office of Emergency Services

The OES is the first contacted for any emergency or disaster in our county. They dispatch our department if the situation has anything to do with an environmental issue.

County Volunteer Fire Departments

Spill prevention and response is a requirement in Garland County's MS4 permit ARR040014. The county's Volunteer Fire Departments all play a huge role in this part of our program. Most all of the responding vehicles have some sort of hazmat spill material on them. Our office is still notify and we also respond. Each of our trucks (4) are equip with a large quantity of hazmat spill materials.

Public Outreach and Education

Permit Requirements

Regulation 40 CFR 122.34(b)(1): “The permittee must implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.”

Responsible Party

The County Judge has appointed the Garland County Environmental Inspections Division to be responsible for the development and implementation of the public outreach and education efforts for Garland County MS4's Program.

Public Education (1)

Develop and distribute electronic and printed educational materials

Topics that have been identified will be developed, adapted, and/or gathered for distribution at public meetings, in support of presentations, and with educational displays. Examples may include fact sheets, pamphlets, website content, newsletters, press releases, and PSAs.

Measureable Goals:

- A minimum of 5 different topics for educational materials developed.

Public Education (2)

Conducting educational classes/programs

Educational presentations using video training material, targeting county employees or businesses that day to day work activities have potential to impact stormwater quality.

Measureable Goal:

- All new county employees will have knowledge of Stormwater program.
- Owners/Contractors responsible for construction to have knowledge of the Stormwater program.

Public Education (3)

Develop and distribute information to mass adult audience

An insert is printed on the county's solid waste bill which reaches over 50% of the population. eBlast are used on the county's webpage, we also use our sheriff's office Facebook page and Nixle for any information that needs to be gotten to the public immediately.

Measureable Goal:

- To reach 50% of the adult Public.
- To immediately reach the public when necessary.

Public Education (4)

Create displays and staff educational booth

Displays highlighting the annual topics of emphasis will be created and set up/staffed at Trash Bash, libraries, schools, local festivals, county fairs, etc.

Measureable Goal:

- Stormwater displays will be used at events.
- Maintain and update material as needed.

Performance Standard

Stormwater outreach/education programs will reach more than 50% of the urbanized area population.

2025	2026	2027	2028	2029
(1) Develop and distribute educational material.	(1) Develop and distribute educational material.	(1) Develop and distribute educational material.	(1) Develop and distribute educational material.	(1) Develop and distribute educational material.
(2) Conduct classes for new employees on Stormwater program.	(2) Conduct classes for new employees on Stormwater program.	(2) Conduct classes for new employees on Stormwater program.	(2) Conduct classes for new employees on Stormwater program.	(2) Conduct classes for new employees on Stormwater program.
(3) Information to mass Adult audience through website, social media, bill inserts, etc	(3) Information to mass Adult audience through website, social media, bill inserts, etc	(3) Information to mass Adult audience through website, social media, bill inserts, etc	(3) Information to mass Adult audience through website, social media, bill inserts, etc	(3) Information to mass Adult audience through website, social media, bill inserts, etc
(4) Update displays and educational booths material that highlight Stormwater program and topics.	(4) Update displays and educational booths material that highlight Stormwater program and topics.	(4) Update displays and educational booths material that highlight Stormwater program and topics.	(4) Update displays and educational booths material that highlight Stormwater program and topics.	(4) Update displays and educational booths material that highlight Stormwater program and topics.

Public Involvement/Participation

Permit Requirements

The permittee must, at a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program.

Responsible Parties

The County Judge has appointed the Garland County Environmental Inspections Division to be responsible for the development and implementation of the public involvement and participation efforts for Garland County MS4's Program.

Public Participation (1)

Engage Residents in Stormwater Policy Development through media

Public service announcements through media outlets concerning meetings and activities on County's Stormwater program.

Measureable Goals:

- Using several different forms of media to announce of upcoming public events, such as Trash Bash, E-day, Spring Fling, Trash for C\$sh.
- PSA for emergencies within the county, reaching as many as soon as possible.

Public Participation (2)

Conduct public meetings/hearings

Public Notice Meetings are hold each month by our Quorum Court. Any person wanted to speak at those meetings are allowed. There is also a monthly Environmental Services Committee that meets. Those meetings are listed on our county website and are open to the public. Many topics are discussed, from how to improve or issues that we are having currently and how to resolve.

Measureable Goal:

- Encourage all Garland County citizens to attend the Public Notice Meetings
- Post dates and times of meetings on county's website.

Public Participation (3)

Public Participation Event

Help coordinate several public events, such as Trash Bash, Trash for Ca\$h. We also participate in Spring Fling, Haz Waste Dump Day (x2), E-Day. We also participate in the annual Leadership Hot Springs event.

Measureable Goal:

- Help coordinate and participate in public events.

Performance Standard

Public participation and involvement activities will be conducted, targeting as many age group as possible.

2025	2026	2027	2028	2029
(1) Public Service Announcements through media for upcoming events	(1) Public Service Announcements through media for upcoming events	(1) Public Service Announcements through media for upcoming events	(1) Public Service Announcements through media for upcoming events	(1) Public Service Announcements through media for upcoming events
(2) Public Meeting Posted on website.	(2) Public Meeting Posted on website.	(2) Public Meeting Posted on website.	(2) Public Meeting Posted on website.	(2) Public Meeting Posted on website.
(3) Help organize and participate in Trash Bash, Ca\$h for Trash, Spring Fling, HazWaste Day, etc	(3) Help organize and participate in Trash Bash, Ca\$h for Trash, Spring Fling, HazWaste Day, etc	(3) Help organize and participate in Trash Bash, Ca\$h for Trash, Spring Fling, HazWaste Day, etc	(3) Help organize and participate in Trash Bash, Ca\$h for Trash, Spring Fling, HazWaste Day, etc	(3) Help organize and participate in Trash Bash, Ca\$h for Trash, Spring Fling, HazWaste Day, etc

Illicit Discharge Detection and Elimination (IDDE)

Permit Requirements

The permittee shall develop, implement, and enforce a program to detect and eliminate illicit discharges into the small MS4.

Responsible Parties

The County Judge has appointed the Garland County Environmental Inspections Division to be responsible for the development and implementation of the illicit discharge detection and elimination efforts for Garland County MS4's Program

Illicit Discharge Detection and Elimination (1)

Maintenance of a Garland County Stormwater Ordinance

Garland County Quorum Court passed the Stormwater Ordinance in April 2006. In May 2014 some minor revisions were passed and a Drainage Ordinance was also adopted to work in conjunction with the Stormwater Ordinance. IDDE is defined within our Stormwater Ordinance.

Measureable Goals

- The Ordinance will be reviewed periodically and updated as necessary.

Illicit Discharge Detection and Elimination (2)

Maintenance of a Storm Sewer Map for Garland County

Garland County completed a map of the storm sewer features in the urbanized, unincorporated areas of the county. As new development occurs in the MS4 area, the Inspection Division along with a contracted shoreline mapping company, will work together to incorporate newly developed stormwater features into the existing map. The County uses ArcGIS for mapping.

Measureable Goals

- Maps will be reviewed at least annually to ensure they are current.

Illicit Discharge Detection and Elimination (3)

Illicit Discharge Reporting, Response, and Enforcement System

Garland County currently enforces an illegal dump/burning, solid waste, and stormwater ordinance. We maintain a website about this program and encourage the public to notify us of potential environmental problems. Garland County has had a very effective program for investigating, inspecting, enforcing and eliminating illicit discharges in our MS4. Within 48 hours of a complaint received or discovery of illicit discharge, an investigation is initiated. Depending on the severity, action of: post stop work order, require permits if un-permitted, issuing citation, or refer to additional agencies for enforcement, for the site in question. Immediate action is required by violator, follow up by the Inspection Division could be daily until site is in compliance.

Garland County Environmental Inspections along with our Volunteer Fire Departments and Department of Emergency Services respond to and contain hazardous materials incidents that have a potential to pollute the County's MS4.

Septic issues are investigated by and enforced by the Arkansas Department of Health- Garland County Unit and Garland County Environmental Inspections.

Measureable Goals

- Illegal Dumping/Burring, Solid Waste, junkyard, and stormwater complaints will be documented
- The Environmental Inspections Division will investigate concerns and work to resolve issues
- Hazardous materials incidents will be addressed by the Garland County Environmental Inspections Division.

Illicit Discharge Detection and Elimination (4)

Detect and Eliminate Illicit Discharges

Garland County Environmental Inspections Division will conduct dry weather screening of all outfalls in the MS4 area. This program establishes priorities and schedules for screening the entire MS4 at least once during the permit term. Priority will be based on density of development, age of development, sensitivity of the receiving water; and/or other relevant factors.

If illicit discharges are detected, Garland County will work to determine the source of the pollutant. Once the source is identified, the offending discharger will be notified and directed to correct the problem as expeditiously as reasonably possible. Where the elimination of an illicit discharge within ten (10) days is not possible, Garland shall require the operator of the illicit discharge to take all reasonable measures to minimize the discharge of pollutants to the MS4.

Measureable Goals

- Conduct dry weather screenings of outfalls in the MS4 area within the permitted period.
- Schedule of outfall screening will be conducted within the permitted period,
- Eliminate any illicit discharges detected as needed.

Illicit Discharge Detection and Elimination (5)

Monitor excessive Non-Stormwater discharges

Garland County Environmental Inspections Division coordinates with other agencies such as the Department of Emergency Management, the Garland County Road Department, the County Volunteer Fire Departments, the Garland County Environmental Services Department etc, to monitor the possible types of “allowable non-Stormwater discharges” that may be relevant to their entity’s activities.

Measureable Goals

- Education of County Employees and volunteer.

Performance Standard

The stormwater illicit discharge detection and elimination program encompasses a large range and extents into so many different areas within the MS4. Maintain our map is a very important part, dry weather screening of outfalls, etc. Monitor and enforcing our ordinances to prevent any/all runoff into the MS4. Early detection is key and that requires all departments within our county, working together.

2025	2026	2027	2028	2029
(1) Review and Update as necessary.	(1) Review and Update as necessary.	(1) Review and Update as necessary.	(1) Review and Update as necessary.	(1) Review and Update as necessary.
(2) Maintain Stormwater map and update when necessary.	(2) Maintain Stormwater map and update when necessary.	(2) Maintain Stormwater map and update when necessary.	(2) Maintain Stormwater map and update when necessary.	(2) Maintain Stormwater map and update when necessary.
(3) Investigate concern/complaints. Take corrective action.	(3) Investigate concern/complaints. Take corrective action.	(3) Investigate concern/complaints. Take corrective action.	(3) Investigate concern/complaints. Take corrective action.	(3) Investigate concern/complaints. Take corrective action.
(4) Establish priority areas for outfalls. Establish priority areas for dry weather screenings.	(4) Establish priority areas for outfalls. Establish priority areas for dry weather screenings.	(4) Establish priority areas for outfalls. Establish priority areas for dry weather screenings.	(4) Establish priority areas for outfalls. Establish priority areas for dry weather screenings.	(4) Establish priority areas for outfalls. Establish priority areas for dry weather screenings.
(5) Conduct educational programs. Take corrective action as needed.	(5) Conduct educational programs. Take corrective action as needed.	(5) Conduct educational programs. Take corrective action as needed.	(5) Conduct educational programs. Take corrective action as needed.	(5) Conduct educational programs. Take corrective action as needed.

Construction Site Stormwater Runoff Control

Permit Requirements

Garland County is required, at a minimum, to develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to the small MS4 from construction activities that result in land disturbance of greater than or equal to one (1) acre or less than (1) one acre if that construction activity is part of a larger common plan of development (Subdivision). Garland County Stormwater Ordinance requires these this and also any site, regardless of size, that as the potential to pollute and all commercial sites to submit a plan for review and be permitted with our county. Any development that is larger than 5 acres must first obtain an ADEQ permit, then also be permitted through Garland County.

Responsible Parties

The County Judge has appointed the Garland County Environmental Inspections Division to be responsible for the development and implementation of the Construction Site Stormwater Runoff Control efforts for Garland County MS4's Program

Stormwater Runoff Controls (1)

Maintenance of Garland County's Ordinance addressing Construction Site Stormwater Runoff

Garland County Quorum Court passed the Stormwater Ordinance in April 2006. In May 2014 some minor revisions were passed and a Drainage Ordinance was also adopted to work in conjunction with the Stormwater Ordinance.

Measureable Goals

- The ordinance will be reviewed and updated as necessary.

Stormwater Runoff Controls (2)

Pre-Construction Site Plan Review by Garland County Environment Inspections

All development plans are submitted to the Garland County Environmental Inspections Division for review and approval. Below list includes the following steps in which applicants are required prior to permitting:

- Addressing of property site-Garland County Department of Emergency Management
- Floodplain compliance-Garland County Floodplain Management
- Approved for water/sewage-Garland County Health Department or City of Hot Springs
- Trash Service-Garland County Environmental Services
- Fire Protection-Volunteer Fire Department for the area the property is in.

After the list is completed, the plan is reviewed and approved once adequate Sediment and Erosion Controls methods and other aspects of the plan are validated.

Measureable Goals

- The number of permitted sites in Garland County will be documented.
- Monitor the process and revise if necessary.

Stormwater Runoff Controls (3)

Inspection of Construction Sites & Enforcement of Ordinance

Garland County Environmental Inspection Division will inspect active construction sites with Garland County Stormwater Permits on a monthly basis. These sites will be inspected to ensure they are following their Stormwater Pollution Prevention Plan as required. If a site is not being maintained or not in compliance, a Non-Compliance fee can be issued and if the site remains out of compliance a stop work order is issued for site until corrections are made and compliance is gained.

Measureable Goals

- On a monthly basis, all active construction sites with a permit from Garland County will be inspected to verify that site are in compliance.
- The Environmental Inspection Division will investigate any concerns from the public and alleviate stormwater violations.
- The Environmental Inspection Division will document the number of stormwater concerns reported by the public or discovered during inspections.
- The Environmental Inspection Division will document the number of concerns requiring enforcement action.

Performance Standard

The construction site stormwater control program shall include pre-construction site plan reviews of 100% of projects from construction activities that result in a land disturbance of greater than or equal to one (1) acre or any size if part of a larger common plan (subdivision) and any size of commercial. These sites will be inspected on a monthly basis to ensure compliance.

2025	2026	2027	2028	2029
(1) Review and update as necessary.	(1) Review and update as necessary.	(1) Review and update as necessary.	(1) Review and update as necessary.	(1) Review and update as necessary.
(2) Monitor process, review, issue and document # of permits.	(2) Monitor process, review, issue and document # of permits.	(2) Monitor process, review, issue and document # of permits.	(2) Monitor process, review, issue and document # of permits.	(2) Monitor process, review, issue and document # of permits.
(3) Monitor by monthly inspections each permitted site. Take corrective action as needed.	(3) Monitor by monthly inspections each permitted site. Take corrective action as needed.	(3) Monitor by monthly inspections each permitted site. Take corrective action as needed.	(3) Monitor by monthly inspections each permitted site. Take corrective action as needed.	(3) Monitor by monthly inspections each permitted site. Take corrective action as needed.

Post-Construction Stormwater Management

Permit Requirements

Garland County is required, at a minimum, to develop, implement, and enforce a program to reduce pollutants in post-construction runoff to their MS4 from new development and redevelopment projects that result in land disturbance of greater than or equal to one (1) acre.

Responsible Parties

The County Judge has appointed the Garland County Environmental Inspections Division to be responsible for the development and implementation of the Post-Construction Stormwater Management efforts for Garland County MS4's Program.

Post-Construction (1)

Maintenance of Garland County's Ordinance addressing Post-Construction Stormwater Management

Garland County Quorum Court passed the Stormwater Ordinance in April 2006. In May 2014 some minor revisions were passed and a Drainage Ordinance was also adopted to work in conjunction with the Stormwater Ordinance.

Measureable Goals

- The ordinance will be reviewed and updated as necessary.

Post-Construction (2)

Best Management Practices (BMP) Manual for Garland County

A BMP Manual has been written for Garland County, specific to the conditions and needs for the area.

This manual addresses:

- Construction Planning & Sequencing
- Construction Entrance
- Various Erosion Controls
- Various Sediment Controls
- Vegetation & Erosion Control Mats

Post-Construction (3)

Construction Site Inspections

All large scale development plans, subdivision plans, lot splits, and conditional use permits are submitted to the Garland County Environmental Inspections for review and approval. Review of the project includes the following points which pertain to water quality: location in the urbanized area, floodplain compliance, proper sanitation needs, and water drainage. Before a construction site stormwater permit can be closed, Garland County will inspect the site to ensure that controls are installed as required.

- Authorized by County Ordinance #0-14-33

Measureable Goals

- 100 percent of sites requiring a SWPPP will be inspected to ensure controls have been installed as required
- The number of applicable sites in Garland County's jurisdiction requiring post-construction controls will be documented
- The number of long-term operation and maintenance (O&M) plans developed will be documented.

Performance Standards

The post-construction program shall include pre-construction site plan review of 100 percent of projects from construction activities that result in a land disturbance of greater than or equal to one acre to ensure that required controls are designed per requirements. Applicable sites shall be inspected to ensure that controls are installed per requirements. Long-term operation and maintenance of stormwater controls is the responsibility of the property owner.

2025	2026	2027	2028	2029
(1) Review annually. Update as necessary.	(1) Review annually. Update as necessary.	(1) Review annually. Update as necessary.	(1) Review annually. Update as necessary.	(1) Review annually. Update as necessary.
(2) Review BMP manual annually and update if needed.	(2) Review BMP manual annually and update if needed.	(2) Review BMP manual annually and update if needed.	(2) Review BMP manual annually and update if needed.	(2) Review BMP manual annually and update if needed.
(3) Review sites to ensure proper installment of BMPs	(3) Review sites to ensure proper installment of BMPs	(3) Review sites to ensure proper installment of BMPs	(3) Review sites to ensure proper installment of BMPs	(3) Review sites to ensure proper installment of BMPs
(4) Document # of sites with long-term O&M plans.	(4) Document # of sites with long-term O&M plans.	(4) Document # of sites with long-term O&M plans.	(4) Document # of sites with long-term O&M plans.	(4) Document # of sites with long-term O&M plans.

Pollution Prevention/ Good Housekeeping for Municipal Operations

Permit Requirements

Garland County is required, at a minimum, to develop and implement an operation and maintenance program that includes a training component for employees and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

Responsible Parties

The County Judge has appointed the Garland County Environmental Inspections Division to be responsible for the development and implementation of Pollution Prevention/Good Housekeeping for Municipal Operations efforts for Garland County MS4's Program.

Pollution Prevention/Good Housekeeping (1)

Train MS4 Employees

MS4 employees will be equipped with a knowledge and understanding of how to reduce the potential impact of their municipal operations activities on stormwater quality. Training will focus on control measures used during new construction and land disturbances and fleet and building maintenance.

Measureable Goal

- Each years newly hired MS4 employees will attend training programs and/or work alongside the Inspections Officers for training.

Pollution Prevention/Good Housekeeping (2)

Maintain a List of Industrial Facilities Owned or Operated by the MS4

Garland County owns and operates three (3) facility in the MS4 area that requires an Industrial Stormwater Permit. This is the Garland County Household Hazardous Waste Drop-off Facilities. The permit number are:

1. ARR10B950 Landfill Cedar Glades Stormwater permit ARG160084
2. ARR000598 Hwy 7 North - No-Exposure Exclusion permit.
3. ARR000599 Hwy 70 West - No-Exposure Exclusion permit.

Measureable Goal

- Conduct monthly inspections on County owned facilities within the MS4 that are not exempt.
- Maintain list of industrial facilities owned and operated by the MS4 which require an industrial permit.
- New hire MS4 employees will be trained on proper handling, storage, and spill prevention of hazardous waste.

Performance Standards

The pollution prevention/good housekeeping program will include annual new hire employee training and/or on-site hands on training. A monthly inspections will be performed at all county owned facilities to ensure compliance.

2025	2026	2027	2028	2029
(1) Conduct monthly inspections on county owned facilities within the MS4 that are not exempt.	(1) Conduct monthly inspections on county owned facilities within the MS4 that are not exempt.	(1) Conduct monthly inspections on county owned facilities within the MS4 that are not exempt.	(1) Conduct monthly inspections on county owned facilities within the MS4 that are not exempt.	(1) Conduct monthly inspections on county owned facilities within the MS4 that are not exempt.
(2) Conduct annual new hire MS4 employee training.	(2) Conduct annual new hire MS4 employee training.	(2) Conduct annual new hire MS4 employee training.	(2) Conduct annual new hire MS4 employee training.	(2) Conduct annual new hire MS4 employee training.
(3) Review and update as needed the list of industrial facilities owned by Garland County.	(3) Review and update as needed the list of industrial facilities owned by Garland County.	(3) Review and update as needed the list of industrial facilities owned by Garland County.	(3) Review and update as needed the list of industrial facilities owned by Garland County.	(3) Review and update as needed the list of industrial facilities owned by Garland County.

Legal Authority and SWMP Resources

Ordinances of Garland County (Both Attached)

- Stormwater and Drainage Ordinance GC #0-14-33
- Nuisance Property Ordinance GC #0-17-34
- Best Management Practices (BMP Manual was attached to original ordinance GC 0-06-15 filed in 2006)

Accessible Online at:

Stormwater/Drainage Ordinance

<https://garlandcounty.org/DocumentCenter/View/2870/Current-SW-Ordinance>

Nuisance Property Ordinance

<https://garlandcounty.org/DocumentCenter/View/730/Current-Nuisance-Property-Ordinance>

- Reg 22
https://www.adeq.state.ar.us/regs/files/reg22_final_080426.pdf
- Reg 18
https://www.adeq.state.ar.us/regs/files/reg18_final_160314.pdf

Garland County Rural Areas are an important resource that should be developed with care in order to retain their value and function. It is our mission to facilitate the development of these areas to benefit the County and its citizens.

Best Management Practices filed June 2006

<https://garlandcounty.org/DocumentCenter/View/2989/BestManagementPractices>

ORDINANCE NO. 0-14-33

BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

"AN ORDINANCE TO REPEAL O-06-15, AND TO ADOPT THE REVISED STORMWATER MAINTENANCE EROSION AND SEDIMENT CONTROLS WITH SANCTIONS TO ENSURE COMPLIANCE; AND FOR OTHER PURPOSES."

WHEREAS, the previous ordinance adopted maintenance erosion and sediment controls for the purpose of protecting, maintaining and enhancing the environment of Garland County and the public health, welfare and safety of the citizens of the county, by controlling discharges of pollutants to the county's stormwater system and to maintain and improve the quality of the receiving waters into which the stormwater outfalls flow, including, without limitation, lakes, rivers, streams, ponds, wetlands, and groundwater of the county; and,

WHEREAS, all previous ordinances and/or amendments to ordinances (O-06-15) are hereby repealed and the revised Stormwater Maintenance Erosion and Sediment Controls with Sanctions to Ensure Compliance are attached and marked as Exhibit "A" and Exhibit "B", and incorporated herein as if set forth word for word, and are hereby approved; and,

WHEREAS, the Environmental Services Committee and the Public Works and Buildings Committee have previously met and approved the request to repeal O-06-15 and to adopt the revised Stormwater Maintenance Erosion and Sediment Controls with Sanctions to Ensure Compliance.

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, ARKANSAS:

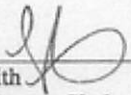
SECTION 1. That Ordinance-06-15 is hereby repealed and the Stormwater and Drainage Controls and Sanctions are attached and marked as Exhibit "A" and Exhibit "B" and incorporated herein as if set forth word for word, and hereby approved.

SECTION 2. SEVERABILITY. If any provisions of this Ordinance or the application thereto to any person or circumstances are held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provisions or applications, and to this end, the provisions of this Ordinance are declared to be severable.

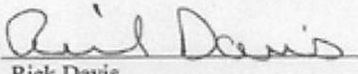
SECTION 3. This Ordinance shall be codified in the Garland County Code of Ordinances and the sections may be re-numbered and re-lettered to accomplish such intention.

SECTION 4. This Ordinance being necessary to insure a timely billing and collection of fees and penalties, an emergency is hereby declared to exist and this ordinance shall be in force and take effect upon passage and publication.

ATTEST:



Sarah Smith
Garland County Clerk

APPROVED:

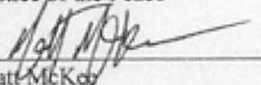

Rick Davis
Garland County Judge

DATE: 5-12-14

SPONSOR:


John P. Faulkner
Justice of the Peace

SPONSOR:


Matt McCoy
Justice of the Peace

Nuisance Property Ordinance GC 0-17-34

ORDINANCE NO. O-17-34

BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS AN ORDINANCE TO BE ENTITLED:

"AN ORDINANCE TO AMEND THE NUSIANCE PROPERTY ORDINANCE O-07-22; AND FOR OTHER PURPOSES."

WHEREAS, the Environmental Services, Public Works and Buildings and the Public Health, Welfare & Safety Committees have reviewed Ordinance O-07-22 for the purpose of making updates and revisions; and,

WHEREAS, the Environmental Services, Public Works and Buildings and the Public Health, Welfare & Safety Committees previously met in a joint meeting and recommended that the updates and revisions to Ordinance O-07-22 listed below be ratified by the full Quorum Court.

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS:

Section 1. Authorization

Arkansas Code Annotated 14-14-813 authorizes counties to regulate unsightly and unsanitary conditions on property and order property owners to remove unsightly and unsanitary conditions on property within the county. Further, this Ordinance is authorized pursuant to the principles of the police power to regulate the health, safety and welfare of the community conferred by Amendment 10, United States Constitution.

Section 2. Definitions

1. **Abandoned, dilapidated or burned out buildings or structures:** Any structure that is not occupied and for an extended period of time has been without proper upkeep sufficient to prevent structural decay and possible partial or complete collapse and/or has been partially burned out and not repaired for over one (1) year and is open to unauthorized entry.
2. **Abatement:** Any action the County may take or require on public or private property as may be necessary to remove or alleviate a nuisance property situation, including but not limited to cleanup, demolition, sale, removal, repair and boarding.
3. **County:** Garland County, Arkansas and any authorized representative thereof, including: Sheriff's Deputies, County Environmental Officers, Illegal Dumps Control Officers, and County Environmental Inspectors, are authorized by the County Quorum Court to enforce this ordinance and are serving in a capacity to protect the health, safety and welfare of the citizens of Garland County.
4. **Hazardous, safety or environmental or health threat:** Any situation on a property that is, or is likely to become, a threat to the health, safety and welfare of the residents of Garland County.
5. **Imminent safety hazard:** Any condition which creates a present, extreme and

- immediate danger to life, property, health or public safety.
- 6. **Junked or abandoned vehicles and mobile homes:** Automobiles, trucks, mobile homes or other mobile equipment that are no longer serviceable and operable and have been abandoned or stripped of parts and are not part of an established junkyard operation.
- 7. **Junk:** This term shall have the definition set forth in Arkansas Code Annotated 27-74-402.
- 8. **Mobile home:** Any type of house, office, dwelling or trailer that was originally manufactured to be capable of being towed down the highway on detachable axles and wheels.
- 9. **Nuisance property:**
 - (a) Any property where it is determined an unsafe condition exists that poses a threat to the health, safety and welfare of the community.
 - (b) Any property where it is found that a party allows unsightly and unsanitary conditions of any building or structure, the area around any building, property, or accessory apparatus that is a hazardous, safety, environmental or health threat and is found in any way to adversely affect or devalue the surrounding properties.
- 10. **Owner:** The owner of record based on the County Assessor's record.
- 11. **Offending party:** A party who is determined by a County authorized representative to be responsible for a nuisance property.
- 12. **Party:** Any person, owner, tenant, partnership, trust, corporation, firm, institution, association, city, town, municipal authority, agency, office, employee, venture or other legal entity or agent or organization thereof that owns or operates on a property within the County.
- 13. **Property:** Any real property, premises and/or structures or apparatus thereon.
- 14. All other terms set forth herein shall be given, and construed by, their common meaning.

Section 3. Offensive, Unsanitary, or Hazardous Conditions on Property

That it shall be unlawful and constitute a violation for any party to allow unsanitary and unsightly conditions or unsafe conditions of any building or structure, nor shall a party allow or cause the area around any building, property, or accessory apparatus to become a hazardous, safety, environmental or health threat. Such violating property shall be considered to be a Nuisance Property. This enumeration shall include but not be limited to the following:

- 1. Any abandoned, dilapidated or burned out building or structure, which imposes a threat to public safety, or is weakened and likely to collapse, or that is in any way a hazardous, safety or environmental or health threat.
- 2. Garbage, rubbish, junk, or accumulations of materials and/or articles, whether containerized or not, that pose an unsanitary and unsightly condition or unsafe condition.
- 3. The overt storage of more than three (3) junked or abandoned vehicles or mobile homes or any other large equipment unless reasonably out of sight.
- 4. The overt storage of more than 30 tires.
- 5. The overt storage of any white goods and other appliances or furnishings normally utilized inside a structure or dwelling.
- 6. The overt storage of any unprotected building or manufacturing supplies and materials in unsightly quantities and arrangements or in such a manner as to allow rapid

- deterioration or scattering.
7. Illegal storage, handling, or disposal of any solid or liquid household, automotive, commercial, demolition, or agricultural waste, whether improperly containerized, dumped, spilled, piped, burned, or abandoned, that risk present or future harm in any way to the neighboring area or to the waters of the state.

Section 4. Emergency Abatement

That whenever a nuisance found on any property in the County constitutes an imminent safety hazard to life or property, the County authorized representatives can immediately abate the nuisance in such manner as they may direct to rectify the hazard sufficiently so it no longer poses an imminent safety hazard to life or property.

Section 5. Contact and Action by County

That the following contact and action sequence shall be followed when County authorized representatives require a party to mitigate a nuisance within the County:

Initial Inspection: The County shall physically inspect the property in question and determine the seriousness of the situation and assess if there is a violation of this ordinance. If one exists, the owner of the property shall be determined utilizing County records.

First Contact: The County shall in written form notify any offending party who owns or operates on any property within the County of a nuisance found on the property with a written Notice of Pending Action. If the offending party is not the owner, an attempt will also be made to contact the owner. This notice shall define the nuisance found on the property and an expected method of remediation. Depending on the nature of the violation, and so long as there is no imminent serious danger or hazard to life or property, the County shall, in writing, give the offending party up to 30 days to remedy the violation on the property. In the case of imminent serious danger and hazard to life or property the County shall have the right to immediately begin emergency mitigation without notification of any party but shall attempt to in writing notify the offending party as soon as reasonably possible as to the reasons for the emergency corrective actions being implemented on said property.

Second Contact: If after the time allowed following the initial Notice of Pending Action, the violation is not adequately corrected a Notice of Violation shall be sent to the party by certified mail and be conspicuously posted on the egress to the property. This notice shall clearly define the seriousness of the violation and the possible penalties and fines that may be imposed if the violation is not immediately and properly addressed.

Third Contact: If after seven (7) days from the date of Notice of Violation the nuisance is not corrected properly or the offending party has not shown a concerted attempt to correct the violation, the party will be cited to appear in District Court to face charges of violation of this ordinance.

Extenuating Circumstances: If the offending party has shown a concerted effort to rectify the violation but needs more time, the County shall have the authority to extend a defined period of time commensurate to the proper mitigation of the violation. If the violation is not rectified within the extended defined period of time, the County shall serve a citation on the party to appear in district court to face charges of violation of this ordinance.

If any offending party operating on a property within the County neglects or refuses to abate the nuisance in accordance with such notice as provided in this subsection, the County authorized

representative, may abate said nuisance by any means necessary, including seeking a Quorum Court resolution of condemnation of a structure and selling, razing or boarding up, and assess net costs of abatement against the responsible offending party thereof, to be collected by payment, lien, attachment to property tax, or any other means allowed by law.

Section 6. Exemptions:

This Ordinance does not apply to:

- (a) Land valued as agricultural property that is being farmed or otherwise used for agricultural purposes; or
- (b) A parcel of land larger than ten (10) acres if the unsanitary and unsightly condition on the parcel is not visible from a public road or highway.

Section 7. Violation Fees, Penalties and Fines

That any offending party who maintains a violation in the County as defined under this Ordinance, shall, on conviction thereof, be punished by fine of not less than Fifty Dollars (\$50.00) nor more than Five Thousand Dollars (\$5,000.00), for any one (1) specified offense or violation, or double that sum for each repetition of the offense or violation. If an act prohibited or rendered unlawful is, in its nature, continuous in respect to time, the fine or penalty for allowing the continuance thereof, in violation of the ordinance, shall not exceed Two Hundred Fifty Dollars (\$250) for each day that it may unlawfully continue.

Section 8. Adoption of New Laws

Garland County through the Quorum Court may exercise the powers with respect to new state regulations and codes pertaining to unsightly and unhealthy properties or structures within the County and adopt any rules and regulations deemed necessary to accomplish the purposes of the Ordinance.

Section 9. Severability

If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the Ordinance which can be given effect without the invalid provisions or application, and to this end, the provisions of this Ordinance are declared to be severable.

Section 10. Codification

This Ordinance shall be codified in the Garland County Code of Ordinances and the sections may be re-numbered and re-lettered to accomplish such intention.

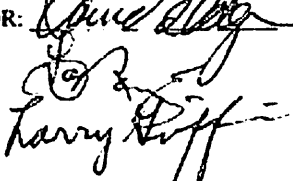
ATTEST:


Sarah Smith
County Clerk

APPROVED:


Rick Davis
Judge Davis

SPONSOR:


Harry Duff

DATE:

07.10.2017