**Chapter 236**

**STORMWATER MANAGEMENT AND**

**ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)**

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ARTICLE I

**§ 236-1.** **Purpose & Intent.**

A. The Purpose is to protect water quality in the Town of Bedford while providing for the health, safety and general welfare of the citizens of the town. The intent is to protect the local natural resources of the Town by establishing and enforcing the minimum pre-construction, post construction and reconstruction stormwater management and design control standards in a Stormwater Management program. The intent will also prohibit illicit discharges that often contain pathogens, nutrients, surfactants and various toxic pollutants by setting up and enforcing an Illicit Discharge and Detection Elimination program.

B. This will enable the Town of Bedford to comply with the requirements of the Town’s Municipal Separate Storm Sewer System (MS4) General Permit issued by the USEPA under the National Pollution Discharge Elimination System (NPDES) program and applicable regulations, including 40 CFR § 122.26 for stormwater discharges.

C. This will allow the Town of Bedford to exercise the powers granted by the State of New Hampshire through RSA 149-I and other applicable statues to:

(1) Exercise general regulation over the planning, location, construction, and operation and maintenance of stormwater facilities in the municipality, whether or not owned and operated by the municipality;

(2) Adopt any rules and regulations deemed necessary to accomplish the purposes of this statute, including the adoption of a system of fees for services and permits;

(3) Establish standards to regulate the quantity of stormwater discharged and to regulate stormwater contaminants as may be necessary to protect water quality;

(4) Review and approve plans for stormwater management in proposed subdivisions or commercial developments or redevelopment;

(5) Issue permits or approvals for stormwater discharges or for the construction, alteration, extension, or repair of stormwater facilities;

(6) Suspend or revoke permits when it is determined that the permittee has violated any applicable ordinance or condition of the permit;

(7) Regulate and prohibit discharges into stormwater facilities of sanitary, industrial, or commercial sewage or waters that have otherwise been contaminated; and

(8) Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of stormwater contamination, whether public or private.

**§ 236-2. Definitions.**

A. The following terms shall have the meanings indicated:

**ACCIDENTAL DISCHARGE –** A discharge prohibited by these regulations, which occurs by chance, and without planning or thought prior to occurrence.

**BEST MANAGEMENT PRACTICE (BMP) -** An activity, procedure, restraint, or an accepted and proven structural, non-structural or vegetative measure, which reduces the quantity or improves the quality of stormwater runoff.

**CHANNEL** – A natural or artificial watercourse with a definite bed and banks that conducts flowing water continuously or periodically.

**CONSTRUCTION ACTIVITY –** Activities subject to the EPA Phase II Stormwater Program and the NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include, but are not limited to, clearing, grubbing, grading, excavating, and demolition.

**CONTAMINANT –** Any physical, chemical, biological, or radiological substance or matter in water or on land.

**DISCHARGE –** To dispose, deposit, spill, pour, inject, seep, dump, leak, or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked, or placed by any means including any direct or indirect entry of any solid or liquid matter into the Municipal Storm Sewer System (MS4).

**DISTURBANCE -** Any construction, reconstruction, land altering or grading activities, other than for agricultural practices.

**ENVIRONMENTAL PROTECTION AGENCY (EPA)** - The Federal agency responsible for implementing the Federal Water Pollution Control Act,

(3 U.S.C. **§** 1251 et seq.) AKA the “Clean Water Act”.

**EROSION -** The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment or movement of soil.

**EROSION CONTROL -** The prevention or reduction of the movement of soil particles or rock fragments due to stormwater runoff.

**ILLICIT CONNECTIONS** - An illicit, unauthorized or illegal connection that drains into or is connected to the Municipal Separate Storm Sewer System (MS4) shall mean either of the following:

[1] Any pipe, drain, open channel or other conveyances that have the potential to allow an illicit discharge to enter the MS4 system. Including, but not limited to, any conveyances, which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system. This includes 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 an authorized enforcement agency.

[2] Any pipe, drain, open channel or conveyance connected from a residential, commercial or industrial land use, to the storm drain system that has not been documented in plans, maps, or equivalent records and approved by an authorized federal, state or local enforcement agency.

**ILLICIT DISCHARGE -** Any direct or indirect non-storm water discharge to the Municipal Separate Storm Sewer System (MS4), excepting discharges pursuant to a specific NPDES permit and discharges resulting from firefighting activities.

**INFILTRATION -** The act of conveying the surface water into the ground, to permit the groundwater to be recharged resulting in the reduction of stormwater runoff from a project site.

**LAND DISTURBING ACTIVITY –** Any activity on a property that results in a change in the existing soil cover (vegetative and non-vegetative) and/or the existing soil topography. Land-disturbing activities include, but are not limited to, development, redevelopment, demolition, construction, reconstruction, clearing, grading, filling and excavation.

**MAINTENANCE** – Any activity that is necessary to keep a stormwater facility in good working order to function as designed. Maintenance shall include complete reconstruction of a stormwater facility if reconstruction is needed in order to restore

**MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4) -** Publicly owned and operated facilities by which stormwater is collected, including but not limited to, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains, piped storm drains, pumping facility, retention or detention basins, reservoir or other drainage structure that discharges to the waters of the State of New Hampshire or the United States.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES**) **PERMIT-** A permit issued pursuant to 33USC **§** 1342(b) that authorizes the discharge of pollutants to the waters of the United States, whether the permit is applicable to an individual , group, or general area-wide basis .

**NH STORMWATER MANUAL** - Reference guide prepared by the NH Department of Environmental Services to manage stormwater, which, unless expressly exempted by the Town, shall include any and all amendments and updates adopted subsequent to the enactment of these standards.

**NON-STORMWATER DISCHARGE -** Discharge to the municipal storm drain system not composed entirely of stormwater.

**OPERATION AND MAINTENANCE PLAN -** A plan setting up the future responsible parties along with the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to insure that it continues to function as designed.

**OUTFALL -** The point at which stormwater flows out from a point source discernible, confined and discrete conveyance into waters of New Hampshire or of the United States.

**OWNER -** A person with a legal or equitable interest in the property.

**PRE-CONSTRUCTION -** All activity in preparation for construction.

**POLLUTANT -** Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent or other matter, whether originating at a point or nonpoint source, that is or may be introduced into any sewage treatment works or waters of the State of New Hampshire or the United States.

**POLLUTION –** The contamination or other alternation of any water’s physical, chemical or biological properties by the addition of any constituent and includes, but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses or to livestock, wild animals, birds, fish or other aquatic life.

**PROJECT AREA** - Disturbed area plus any area with associated off-site improvements.

**RECHARGE –** The amount of water from precipitation that infiltrates into the ground and is not evaporated or transpired.

**RESPONSIBLE PARTY** - Entity responsible for submitting a SWMP such as the owner, developer, applicant or owner’s legally designated representative.

**SEDIMENT -** Mineral or organic matter transported or deposited by water or air.

**STORMWATER AND LAND DEVELOPMENT MANAGEMENT PLAN REGULATIONS (SWMP) -** The regulations required by the Town, which manages Stormwater Runoff through a parcel of land by using pollutant source controls, structural BMP’s and construction phase practice.

**STORMWATER POLLUTION PREVENTION PLAN (SWPPP) -** A plan, required by the Town, from a person or business to identify sources of pollution or contamination at a site and to eliminate or reduce pollutant discharges of the Stormwater Runoff through site design, pollutant source controls, structural BMPs and construction phase practices.

**STORMWATER RUNOFF -** Any water coming from rainfall, snowmelt or irrigation systems etc. that is not absorbed, evaporated or otherwise stored within the contributing drainage area.

**WATER QUALITY STANDARDS (WQS) -** Defines the water quality goals of a water body by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. NH and EPA have adopted WQS through the “303(d)” list to protect public health and welfare, enhancing the quality of water and serve the purposes of the Clean Water Act (CWA).

**§ 236-3. Regulations**

A. The Town of Bedford may adopt, and periodically amend, regulations, rules and/or written guidance relating to the terms, conditions definitions, enforcement, fees, procedures and administration of this Stormwater and IDDE Chapter by majority vote of the Town Council after conducting a public hearing to receive comments. Such hearing shall be advertised in a newspaper of general local circulation at least fourteen (14) days prior to the hearing date. Failure of the Town of Bedford to issue such rules or regulations or a legal declaration of their invalidity by a court shall not act to suspend or invalidate the effect of this Chapter.

B. Such regulations, rules and/or guidance may include without limitation, provisions for the establishment of one or more categories of administrative review approvals for specific types or sizes of projects. Administrative review applications that meet all the standard requirements may be issued by one or more agents designated in writing by the Town of Bedford without the requirement of a public hearing as detailed in this bylaw. Administrative review approval shall comply with all other provisions of this Chapter.

**§ 236-4. Severability**

A. The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence or clause of this bylaw or the application thereof to any person, establishment or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

**§ 236-5. Notification**

**A. Notification of Spills or Other Non-Stormwater Discharges**

1. As soon as any person responsible for a facility, site activity or operation has information of any known or suspected release of pollutants or non-stormwater discharges which are resulting or may result in illicit discharges or pollutants discharging into the Town of Bedford municipal storm system, state waters or waters of the United States, said person shall take all necessary steps to ensure the discovery, containment and cleanup of such release so as to minimize the effects of the discharge.
2. If the substance poses an immediate health or safety concern, the Town of Bedford and the State of New Hampshire Emergency Services shall be immediately notified.
3. If the substance does not pose an immediate health or safety concern, then the Town of Bedford Health Department should be notified as soon as possible, however, no later than twenty four (24) hours post event.

**§ 236-6. Transitional Provisions**

Residential property owners shall have 60 days from the effective date of this bylaw to comply with its provisions provided good cause is shown for the failure to comply with the this Chapter during that period.

ARTICLE II

**Stormwater and Land Disturbance Management Plan Regulations**

**§ 236-7. Applicability.**

A. Prior to any Construction Activity, Reconstruction or Land Disturbance, the Responsible Party shall submit a Stormwater and Land Disturbance Management Permit Application to the Department of Public Works for any tract(s) of land that results in a total Disturbance equal to or greater than the amounts described within the Stormwater and Land Disturbance Management Regulations.

B. Any person that fails to follow the requirements of a Stormwater and Land Disturbance Management Permit and the related Erosion and Sedimentation Control Plan, including the Operations and Maintenance Plan, issued under the Stormwater and Land Disturbance Management Regulations, shall be in violation of the Town of Bedford’s Bylaws.

**§ 236-8. Approval and/or Permit**

The applicant shall seek approval and/or a permit prior to beginning to the commencement of land disturbing or redevelopment activity based on thresholds described in the Stormwater and Land Disturbance Management Regulations.

**§ 236-9. Entry**

Filing an application for an approval or permit grants the Department of Public Works and its employees or agents permission to enter the site to verify the information in the application and to inspect for compliance with approval or permit conditions.

**§ 236-10. Inspection and Site Supervision**

The Department of Public Works or its designated agent shall make inspections as outlined in the Regulations to verify and document compliance with the Stormwater and Land Disturbance Management Permit.

**§ 236-11. Compliance with EPA’s General Permit for MS4s in New Hampshire**

This allows the Department of Public Works the authority to implement the permit in accordance with the most recent General Permit for MS4s in New Hampshire. Regulations can be more stringent but must be at least as stringent as the MS4s.

**§ 236-12. Surety**

The Bedford DPW may require the applicant to post a surety bond, irrevocable letter of credit, cash or other acceptable security prior to construction activity. The form of the bond and the bond amount shall be approved by the Bedford DPW to ensure all of the work will be completed in accordance with the plans. Phasing may occur and the bonds may be released accordingly as the project comes into compliance with the permit.

**§ 236-13. Final Reports**

Upon completion of the work, the applicant shall submit a report (including certified as-built construction plans) from a Professional Engineer (PE), surveyor or Certified Professional in Erosion and Sedimentation Control (CPESC), certifying that all erosion and sedimentation control devices and approved changes and modifications, have been completed in accordance with the conditions of the approved Erosion and Sediment Control Plan, Operations and Maintenance Plan and Stormwater and Land Disturbance Management Plan. Any discrepancies shall be noted in the cover letter.

**§ 236-14. Town Acceptance of Drainage and Stormwater Structures and Systems.**

When a developer has completed and requests the Town to accept, per their approved site/subdivision plan, a drainage system, stormwater management system and/or a stormwater BMP for a subdivision of three or more housing units, the Town, in its sole discretion and pursuant to the procedures of RSA 41:14-a, shall have the option to accept it. When the Town accepts the drainage system, the developer shall submit a contribution equal to $1,000 for each drainage/stormwater management system (infiltration basin, detention basin, retention basin or underground treatment/storage BMP) and $2,500 for every acre or portion thereof to the Stormwater Management Revolving Fund to compensate the Town for on-going maintenance. The minimum contribution for any project shall be $5,000.

**§ 236-15. Enforcement and penalties.**

The purpose of this section is to enact locally, administrative and enforcement procedures set forth in RSA Title LXIV, specifically RSA 676:15, 17, 17-a and 17-b, and to authorize penalties and remedies for enforcement of the provisions of these Standards. Any violation of these Standards shall be subject to enforcement by the Bedford Town Council or their designated agent.

**§ 236-16. Conflicts of law.**

Nothing contained herein, or any Stormwater Land Disturbance Management Permit granted pursuant hereto, shall be construed to exempt any Responsible Party from complying with all applicable State or Federal laws/regulations. In the event of conflicting requirements, the stricter standard shall apply.

**§ 236-17. Waivers.**

A waiver of these Standards, in whole or in part, may be granted when the strict application of these standards would impose unnecessary hardship because of the unique characteristics of the land including, but not limited to, to the size, character, location, nature of use, or other unspecified conditions of the Project Area and no fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property. Waivers shall only be granted with approval of both the Planning Department and the Department of Public Works.

**§ 236-18. SLDMP Validity.**

All construction contemplated by the Stormwater and Land Disturbance Management Plan and the SWPPP shall be completed within a period of four (4) years from the date of approval.

ARTICLE III

**Illicit Discharge and Detection Elimination (IDDE)**

**§ 236-19. Applicability**

A. Illicit discharges enter the system through either direct connections (such as wastewater piping either mistakenly or deliberately connected to the storm drains) or by indirect connections. Indirect connections can include failing individual sewage disposal systems, cracked sanitary pipes, spills collected by drain outlets or by dumping an illicit discharge directly into the storm basin.

B. Illicit discharges result in high levels of pollutants including heavy metals, toxics, oil and grease, solvents, nutrients, viruses and bacteria being released directly into the receiving waters of the State or the United States. The MS4 drainage system is not designed to accept, process, or discharge such non-stormwater wastes. The pollutant levels from these illegal discharges degrade the receiving water quality and threaten aquatic, wildlife and human health.

**§ 236-20. Prohibition of Illicit Discharges**

A. No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater. Any prohibited discharge or illicit discharge shall be immediately removed and suspended.

B. The following items are not considered as Illicit Discharges:

(1) Water line flushing

(2) Uncontaminated ground water infiltration

(3) Uncontaminated pumped ground water

(4) Discharges from potable water sources including landscape irrigation and lawn or garden watering

(5) Washing of personal motor vehicles by residents

(6) Foundation & footing drains including crawl space pumps

(7) Air conditioning condensation (Managed, minimal amounts)

(8) Diverted/pumped stream flows, springs & riparian habitats and wetlands and rising groundwater

(9) Dechlorinated swimming pool discharges

(10) Discharge from street sweeping

(11) Dye testing as long as the officials are made aware prior to the test

(12) Non-stormwater discharge permitted under an NPDES permit, waiver or waste discharge order administered under the authority of the US EPA, provided that the discharge is in full compliance with the requirements of the permit, waiver or order and applicable laws and regulations

(13) Discharge for which advanced written approval is received from the Department of Public Works and the Planning and Zoning Administrator.

C. The following discharges are specifically prohibited, but are not meant to be all-inclusive:

(1) Connection of sanitary sewer to storm sewer (MS4)

(2) Sanitary sewer overflows

(3) Any new or used motor oil, antifreeze, or other motor vehicle fluid

(4) Any industrial waste

(5) Any hazardous waste, including hazardous household waste

(6) Any domestic sewage or septic tank waste, grease trap waste, or grit trap waste

(7) Any garbage, rubbish or yard waste, including leaf litter and grass clippings

(8) Any wastewater from:

(a) A commercial carwash facility;

(b) Any vehicle washing, cleaning or maintenance at any new or used automobile, or other dealership, rental agency, body shop, repair shop, or maintenance facility; or

(c) From any washing, cleaning, or maintenance business or commercial or public service vehicle that operates more than two such vehicles

Unless permitted by NHDES as a dust/salting rinsing facility.

(9) Any wastewater from the washing, cleaning, de-icing, or other maintenance of an aircraft.

(10) Any wastewater from a commercial mobile power washer or from the washing or other cleaning of a building exterior that contains harmful quantities of soap, detergent, degreaser, solvent, or any other harmful cleaning substance.

(11) Any wastewater from any floor, rug or carpet cleaning

(12) Any wastewater from the wash down or other cleaning of pavement that contains any harmful quantity of soap, detergent, solvent, degreaser, emulsifier, dispersant, or any other harmful cleaning substance, or any wastewater from the wash down or other cleaning of any pavement where any spill, leak, or other release of oil, motor fuel or other petroleum or hazardous substances has occurred, unless all harmful quantities of such released material have been previously removed.

(13) Any effluent from a cooling tower, condenser, compressor, emissions scrubber, emissions filter, or the blowdown from a boiler (including fly ash, ash slag or similar.

(14) Any ready-mixed concrete, mortar, ceramic or asphalt base material, “urban fill,” or hydro-mulch material, or from the cleaning of commercial vehicles or equipment containing, or used in transporting or applying such material.

(15) Any runoff or wash down water from any animal pen, kennel, or fowl or livestock containment area.

(16) Any water from a swimming pool, fountain or spa containing any harmful quantity of chlorine, muriatic acid or other chemical used in the treatment or disinfection of the swimming pool water or in pool cleaning.

(17) Any water from a water curtain in a spray room used for painting vehicles or equipment.

(18) Any containment runoff from an auto salvage or junkyard.

(19) Any substance or material that will damage, block or clog the MS4.

(20) Any release from a petroleum storage tank or any leachate or runoff from soil contaminated by a leaking storage tank, or any discharge of pumped, confined, or treated wastewater from the remediation of any such petroleum storage tank release, unless it complies with state and federal standards and does not contain any harmful quantity of any pollutant.

(21) Any pet waste from a commercial enterprise or livestock waste.

D. No person shall introduce or cause to be introduced into the MS4 any harmful quantity of sediment, silt, earth, soil, or other material associated with clearing, grading, excavation or other construction activities (or associated with landfilling or other placement or disposal of soil, rock, or other earth materials), in excess of what could be retained on site or captured by employing sediment and erosion control measures to the maximum extent practicable (under the prevailing circumstances).

E. No person shall connect a line carrying domestic sanitary or industrial sewage to the MS4; this includes grey water discharges such as washing machine discharge, sink drains, etc., or allow such a connection to continue.

F. No person shall cause or allow any pavement wash water from a service station to be discharged into the MS4 unless such wash water has passed through a properly functioning and maintained, grease, oil, and sand interceptor before discharge into the MS4.

G. No person shall use or cause to be used, or dispose of, discard, store or transport any pesticide or herbicide contrary to any directions for use on any labeling required by state or federal statute or regulation. Any use of any pesticide, herbicide or fertilizer in a manner that the person knows, or reasonable should know, is likely to cause, or does cause, a harmful quantity of pesticide, herbicide or fertilizer to enter the MS4 or the waters of the State of New Hampshire or the United States shall be prohibited.

H. No person shall allow trash, debris, or demolition debris to stand on property or collect on property nor allow the storage of toxic or hazardous substances on property so as to allow exposure to precipitation and stormwater runoff, which can affect stormwater discharge to the MS4 or groundwater.

I. Any residential, commercial, or industrial property located within 150 feet of any pond, lake, stream, or river bank, shall assure that trash, debris, demolition debris, materials, containers, grass clippings, leaf and yard waste, wood chips, material used for cover or any other material, does not litter this buffer area by any means natural (wind or storm movement of material), by careless discard of such materials, or by any other means that displaces those objects from the owner’s property boundary to anywhere within the 150 foot buffer zone area or within the water body itself.

**§ 236-21. Prohibition of Illicit Connections**

A. The construction, use, maintenance, or continued existence of illicit connections to the storm drain system is prohibited.

B. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

C. A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

**§ 236-22. IDDE Responsibility for Administration**

A. The Division of Public Works shall administer, implement and enforce the provisions of the IDDE ordinance and shall prepare the associated regulations. Regulations can be more stringent but must be at least as stringent as the MS4s. Any powers granted or duties imposed upon the authorized enforcement agency may be delegated in writing by the Director of Public Works to persons or entities acting in the beneficial interest of or in the employ of the Town of Bedford.

B. The standards set forth herein are promulgated pursuant to this Chapter and regulations are minimum standards; therefore, these regulations do not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

**§ 236-23. Violations, Enforcement and Penalties**

A. It shall be unlawful for any person or entity to violate any provision or fail to comply with any of the requirements of the Stormwater Management and Illicit Discharge Detection and elimination (IDDE) Ordinance or the Stormwater and Land Disturbance Management Regulations. Any person or entity who has violated or continues to violate these provisions may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in the form of the administrative enforcement process as described in this Ordinance. The Town may seek the issuance of a warrant from the New Hampshire 9th Circuit District Division – Merrimack to ensure compliance with this Ordinance, including abating the violation, and/or may petition the Hillsborough County Superior Court for appropriate relief.

B. When it is determined that a violation of this Ordinance or the Regulations has occurred, the Town may order compliance by written notice of violation. Where elimination of an illicit discharge within 60 days of its identification is not possible, the Town and violator may establish an expeditious schedule for its elimination, including immediate and interim measures and report dates of identification and schedules for removal in the Town’s annual reports.

C. Such notice of violation may require, without limitation, the following at the violator’s expense:

(1) The performance of monitoring, analyses, and reporting;

(2) The immediate elimination of illicit discharges and illegal connections;

(3) The violating discharges, practices, or operations shall cease and desist;

(4) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of affected property;

(5) Payment of the costs to cover the Town’s administrative and abatement costs; and,

(6) The implementation of pollution prevention practices.

D. If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation then the Town or its agent may take any and all measures necessary to abate the violation and/or restore the property.

E. Within 60 days after abatement of the violations, the owner of the property will be notified of the Town’s cost of abatement, including administrative costs. The property owner may file a written protest objecting to the assessment or to the amount of the assessment within 15 days of such notice to the Town Council. If the amount due is not paid within 30 days after receipt of notice, or if appeal ataken within 5 days after decision on said appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property.

F. The Town may seek civil penalties for violations of this ordinance. Civil fines may be imposed not to exceed $10,000 per day for each occurrence and may be imposed for every day that each violation continues.

G. The remedies listed in this Ordinance are not exclusive of any other remedies available under any applicable Federal, State or local law and the Town of Bedford may seek cumulative remedies.

H. The Town Council retains the authority to enter into a written consent agreement with the violators to address timely abatement of the violations of this Ordinance, for the purpose of eliminating violations of the same and recovering fines, costs and fees without court action.