

Appendix

1 Definitions

“Best Management Practices” means storm water management practices that have been demonstrated to effectively control movement of pollutants, prevent degradation of soil and water resources, and that are compatible with the planned land use.

“Clean Water Act” means the Federal Water Pollution Control Act, as amended, codified at 33 U.S.C §1251 et. seq.

“Concept Plan” means a preliminary version of the Storm Water Plan, illustrating the general intent of the proposed development including but not limited to the layout of physical improvements, existing site conditions, layout of all storm water management facilities, location and description of planned BMPs, and phasing plan (if planned).

“County” means Georgetown County, South Carolina.

“County Council” mean the elected officials of Georgetown County, South Carolina.

“Critical Urbanized Area” means that land within Georgetown County and designated as an “Urbanized Area” having a small municipal separate storm sewer system (MS4) and having a geographical boundary as defined by the most current NPDES Phase II Regulations.

“Development” or “Develop Land” means any of the following actions undertaken by any person, including, without limitation, any public or private individual or entity:

- (a) Division of a lot, tract, or parcels or other divisions by plat or deed with the intent of construction of a residential or commercial structure(s).
- (b) The construction, installation, or alteration of a structure, impervious surface or drainage facility.
- (c) Clearing, scraping, grubbing or otherwise significantly disturbing the soil, vegetation, mud, sand or rock of a site.
- (d) Adding, removing, exposing, excavating, leveling, grading, digging, burrowing, dumping, piling, dredging, or otherwise disturbing the soil, vegetation, mud, sand or rock of a site.

“Disconnected Impervious Areas” or “Disconnected Impervious Surfaces” means those impervious areas or impervious surfaces which produce storm water runoff that discharges through or across a non-impervious area or surface (i.e. vegetated cover), of sufficient width to reduce or eliminate pollutants associated with storm water runoff, prior to discharge to the storm water system.

“Environment” means the complex of physical, chemical, and biotic factors that act upon an ecological community and ultimately determine its form and survival.

“Land Disturbance” means the use of land by any person that results in a change in the natural vegetated cover or topography, including clearing that may contribute to or alters the quantity and/or quality of storm water runoff.

“Georgetown County Storm Water System” means the conveyance or system of conveyances (including roads with drainage systems, highways, right-of-way, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, storm drains, detention ponds, and other storm water facilities) which is (a) owned or operated by Georgetown County; (b) designed or used for collecting or conveying storm water; (c) not a combined sewer system; and (d) not part of a Publicly Owned Treatment Works (POTW).

“Illicit connection” means a connection to the Georgetown County Storm Water System which results in a discharge that is not composed entirely of storm water runoff except discharges pursuant to an NPDES permit.

“Impervious Coverage” or “Impervious Surface” means those surfaces that can not effectively infiltrate rainfall (i.e. building rooftops, pavements, sidewalks, driveways, etc.), and that is not constructed using pervious pavement technology.

“Industry or enterprise” means an organization created for business venture.

“Improper disposal” means any disposal other than through an illicit connection that result in an illicit discharge, including, but not limited to the disposal of used oil and toxic materials resulting from the improper management of such substances.

“Illicit discharge” means any activity which results in a discharge to the Georgetown County Storm Water System or receiving waters that is not composed entirely of storm water except (a) discharge pursuant to an NPDES permit and (b) other allowable discharges as defined in this Ordinance.

“Land Disturbing Activity” means any use of the land by any person that results in a change in the natural cover or topography that may cause erosion and contribute to sediment and alter the quality and quantity of storm water runoff.

“MS4” means Municipal Separate Storm Sewer System.

“Maintenance” means any action necessary to preserve storm water management facilities in proper working condition, in order to serve the intended purposes set forth in this Ordinance and to prevent structural failure of such facilities.

“Major Subdivision” means a subdivision of greater than ten lots as defined in current Georgetown County Ordinances.

“Major Violation” means any action (knowingly or otherwise) that creates or has the potential to create an adverse impact due to flooding or water quality impairment to more than one property, as a result of non-conformance with the storm water management ordinance.

“Minor Subdivision” means a subdivision of ten lots or less as defined in current Georgetown County Ordinances.

“Minor Violation” means any action (knowingly or otherwise) that creates or has the potential to create an adverse impact due to flooding or water quality impairment to an adjacent property or the property owner’s own facilities, as a result of non-conformance with the storm water management ordinance.

“Modeling Plan” means a submittal of documents, calculations, data, and results demonstrating the attainment of a specified water quality performance standard. The submittal shall include the following but not necessarily be limited to: an explanation of the analysis approach, identification of

pollutants or indicators and relationships thereof, description of model methodology, expected range of accuracy in result prediction, and sources of all data to be used for modeling

“Natural Resources” means land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the Federal, State or local government, any foreign government, any Indian tribe, or, if such resources are subject to a trust restriction on alienation, any member of an Indian tribe.

“NPDES” means National Pollutant Discharge Elimination System (see “Clean Water Act”).

“NPDES permit” means the NPDES permit for storm water discharges issued pursuant to the Clean Water Act and the federal storm water discharge regulations (40 CFR 122.26).

“Outfall” means the point where Georgetown County Storm Water System discharges to waters of the United States.

“Person” means any and all persons, natural or artificial and includes any individual, association, firm, corporation, business trust, estate, trust, partnership, two or more persons having a joint or common interest, state or federal or an agent or employee thereof, or any other legal entity.

“Pollutant” means those man-made or naturally occurring constituents that when introduced to a specific environment creates undesirable effect. Typical pollutants found in storm water include but are not limited to sediment (suspended and dissolved), nutrients (nitrogen and phosphorus), oxygen demanding organic matter, heavy metals (iron, lead, manganese, etc.), bacteria and other pathogens, oil and grease, household hazardous waste (insecticide, pesticide, solvents, paints, etc.) and Polycyclic Aromatic Hydrocarbons (PAHs).

“Property Owner” or “Owner” means the legal or beneficial owner of land, including but not limited to a mortgagee or vendee in possession, receiver, executor, trustee, or long-term or commercial lessee, or any other person or entity holding proprietary rights in the property or having legal power of management and control of the property.

“Department of Planning & Development” means the Planning & Development Director or any duly authorized representatives.

“Department of Public Services” (Department) means the Public Services Director or any duly authorized representatives.

“Receiving Waters” means all natural water bodies, including oceans, salt and freshwater marsh areas, lakes, rivers, streams, ponds, wetlands, and groundwater which are located within the jurisdictional boundaries of Georgetown County. Storm water management ponds, wetlands, ditches, and swales constructed for the sole purpose of controlling and treating storm water are excluded.

“Regulation” means any regulation, rule or requirement prepared by the County, and adopted by the Georgetown County Council pursuant to this Article.

“Riparian Areas” means vegetated ecosystems along a waterbody through which energy, materials, and water pass. Riparian areas characteristically have a high water table and are subject to periodic flooding and influence from the adjacent waterbody. These systems encompass wetlands, uplands, or some combination of these two land forms. They will not in all cases have all of the characteristics necessary for them to be classified as wetlands.

“Storm water” means storm water runoff, snowmelt runoff, and surface runoff and drainage.

“Storm water management” means the collection, conveyance, storage, treatment and disposal of storm water runoff in a manner to meet the objectives of this Ordinance and its terms, including, but not limited to measures that control the increased volume and rate of storm water runoff and water quality impacts caused by manmade changes to the land.

“Storm Water Management Facilities” means the conveyance or system of conveyances (including roads with drainage systems, highways, right-of-way, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, storm drains, detention ponds, and other storm water facilities) which is (a) designed or used for collecting or conveying storm water; (b) not a combined sewer system; and (c) not part of a Publicly Owned Treatment Works (POTW).

“Storm Water Management Plan” or “SWMP” means the set of drawings and other documents that comprise all of the information and specifications for the programs, drainage systems, structures, BMPs, concepts, and techniques for the control of storm water and which is incorporated as part of the NPDES permit for Georgetown County and as part of this Article.

“Total Impervious Coverage” means all impervious coverage or impervious surfaces on a site regardless if it is directly connected to each other, and that is not constructed using pervious pavement technology.

“Unincorporated areas” means the areas of Georgetown County that have not been incorporated as a single governing body separate from that of the County. The unincorporated area currently excludes the Town of Andrews, Town of Pawley’s Island, and City of Georgetown.

“Variance” means the modification of the minimum storm water management requirements contained in this Article and the Storm Water Management Program for specific circumstances where strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of this Ordinance.

“Water Quality” means those characteristics of storm water runoff that relate to the physical, chemical, biological, or radiological integrity of water.

“Water Quantity” means those characteristics of storm water runoff that relate to the rate and volume of the storm water runoff.

“Wetlands” means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar type areas.

“Working Day” means Monday through Friday, excluding all County-observed holidays.

2 Synopses of Referenced Regulations

72-300 Standards for Stormwater Management and Sediment Reduction

These proposed regulations pursuant to the Stormwater Management and Sediment Reduction Act of 1991 establish the procedure and minimum standards for a statewide uniform program for storm water management and sediment reduction with the option of being operated locally. The regulations establish the procedure for local governments or conservation districts to apply for program component delegation. They also establish the criteria to be met for delegation. Minimum standards and specifications are established for land disturbing activities that require a permit.