# Permanent Stormwater System Maintenance and Responsibility Agreement

Under the South Carolina Stormwater Management and Sediment Reduction Act of 1991 (48-14-10, et. seq.), Regulation 72-308 requires the Landowner, its successors and assigns, including any homeowners association, shall adequately maintain the stormwater management/Best Management Practices (BMP) facilities. This includes all pipes and channels built to convey stormwater to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance is herein defined as good working condition so that these facilities are performing their design functions.

The Georgetown County Department of Public Services, Stormwater Division (Stormwater Division) requires that The Landowner, its successors and assigns, shall inspect the stormwater management/BMP facility regularly. The purpose of the inspection is to assure safe and proper functioning of the facilities. The inspection shall cover the entire facilities, berms, outlet structure, pond areas, access roads, etc.

The Landowner, its successors and assigns, hereby grant permission to the Stormwater Division, its authorized agents and employees, to enter upon the Property and to inspect the stormwater management/BMP facilities whenever the Stormwater Division deems necessary. The purpose of inspection is to follow-up on reported deficiencies and/or to respond to citizen complaints. The Stormwater Division shall provide the Landowner, its successors and assigns, copies of the inspection findings and a directive to commence with the repairs if necessary.

The Landowner, its successors and assigns, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the stormwater management/BMP facilities (including sediment removal) is outlined on the approved plans, the schedule will be followed.

This Agreement imposes no liability of any kind whatsoever on the Stormwater Division, and the Landowner agrees to hold the Stormwater Division harmless from any liability in the event the stormwater management/BMP facilities fail to operate properly.

**I accept responsibility for ownership and proper maintenance of the stormwater system (pond, swales, etc.) on the _____ site per the approved maintenance plan. I will complete any necessary repairs and/or preventive maintenance procedures in a timely manner to ensure proper functioning as a stormwater management device(s).**

**It is my understanding that the maintenance plan may be amended/revised at any time by the Stormwater Division, and I will abide by any prescribed changes.**

**I will continue to own and maintain the pond until the Stormwater Division is notified in writing of a transfer in ownership and/or maintenance responsibility. The notification will include a date for the transfer of responsibility and a letter of acceptance from the new owner.**

**I understand that failure to adhere to the signed maintenance agreement may result in fees of up to $1,000.00 per day, per violation and /or the institution of a court action.**

_____ _____ _____

**Signature of Owner/Agent Printed Name of Owner/Agent Date**

_____ _____ _____

**Mailing Address City/State/Zip Phone Number**

_____

**Notary Stamp/Signature/Date**