

Rankin County Stormwater Management Ordinance

Section I. Introduction/ Purpose

A. Statement of Need and Purpose

Whereas, during the construction process, soil is the most vulnerable to erosion by wind and water. This eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction causes the loss of native vegetation necessary for terrestrial and aquatic habitat and healthy living environment for citizens of Rankin County.

Whereas, land development projects and associated increases in impervious cover alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, and sediment transport and deposition. Stormwater runoff contributes to increased quantities of water-borne pollutants, and stormwater runoff, soil erosion and non point source pollution can be controlled and minimized through the regulation of stormwater runoff from development sites.

Whereas, stormwater runoff is a major contributor to degradation and pollution of receiving waters. Discharges into a stormwater runoff system may occur because of stormwater runoff, spills, dumping, and/or improper connections to the stormwater system from developments, residential, industrial, commercial, or institutional establishments. Such discharges not only impact waterways individually, but geographically dispersed, small volume discharges can have a cumulative impact on receiving waters, which can adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters.

Therefore, Rankin County establishes this set of water quality and quantity policies applicable to all surface waters to provide reasonable guidance for the regulation of stormwater runoff for the purpose of protecting local water resources from degradation. It is determined that the regulation of stormwater runoff discharges from land development projects and other construction activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and non point source pollution associated with stormwater runoff is in the public interest and will prevent threats to public health and safety.

The purpose of this local regulation is to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity which disturbs or breaks the topsoil, results in the movement of earth on land, introduces pollutants by intentional or careless release of known environmental

pollutants, or otherwise has the potential to contribute stormwater runoff in Rankin County.

B. Applicability

This ordinance shall be applicable to any land subdivision or site plan applications for land disturbance activities that cover an area of one acre or more, unless eligible for an exemption or granted a waiver by the County Engineer or Building Official under the specifications of Section III, B of this ordinance. The ordinance also applies to land development activities that are smaller than the minimum applicability criteria if such activities are part of a larger common plan of development that meets the following applicability criteria, even though multiple separate and distinct land development activities may take place at different times on different schedules. In addition, all plans must also be reviewed by the County Engineer, the Building Official, or their designee, to ensure that established water quality standards will be maintained during and after development of the site and that post construction runoff levels are consistent with any local and regional watershed plans.

Section II. Definitions

Best Management Practices (BMPs) - schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Certified Contractor - An individual who has received training and is licensed by the State Contracting Board and the Rankin County Building Department to inspect and maintain erosion and sediment control practices.

Clearing - Any activity which removes the vegetative surface cover.

Construction Activity - Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbances. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Drainage Way - Any channel that conveys surface runoff throughout the site.

Design Manual - The most recent edition of the State's "Planning and Design Manual for the Control of Erosion, Sediment, and Stormwater" or equivalent.

Erosion Control - Measures that prevent erosion.

Grading - Excavation or fill of material, including the resulting conditions thereof.

Illicit Discharge - Any direct or indirect discharge into a stormwater drainage system that is not composed entirely of stormwater.

Land Disturbance Activity - Any activity which changes the volume or peak flow discharge rate of rainfall from the land surface. This may include grading, digging, cutting, scraping, or excavation of soil, placement of fill materials, paving, construction, substantial removal of vegetation, or any activity which bares soil or rock or involves the diversion or piping of any natural or manmade watercourse.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit - A permit issued by EPA (or by a State under authority delegated pursuant to 33 USC, 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Perimeter Control - A barrier that prevents sediment from leaving a site either by filtering sediment-laden runoff or diverting it to a sediment trap or basin.

Phasing - Clearing a parcel of land in distinct phases, with the stabilization of each phase before the clearing of the next.

Pollutant - Any substance that causes or contributes to pollution. Pollutants may include, but are not limited to paints, varnishes, solvents, petroleum hydrocarbons, automotive fluids, cooking grease, detergents (biodegradable or otherwise), degreasers, cleaning chemicals, non-hazardous liquid and solid wastes, yard wastes, refuse, rubbish, garbage, litter, discarded or abandoned objects, munitions, accumulations that may cause or contribute to pollution, any floatables, pesticides, herbicides, fertilizers, hazardous substances and wastes, sewage, fecal coliform and pathogens, dissolved and particulate metals, animal wastes, wastes and residues that

result from constructing a building or structure including concrete/cement (this includes water from washing out cement trucks) and noxious or offensive matter of any kind or any other substance which has been or may be determined to be a pollutant.

Pollution - The contamination or other alteration of any water's physical, chemical or biological properties by the addition of any substance or condition including but not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or 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.

Sediment Control - Measures that prevent eroded sediment from leaving the site.

Site - A parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.

Site Development Permit - A permit issued by the County for site improvements involving the disturbance of land surface.

Stabilization - The use of practices that prevent exposed soil from eroding.

Start of Construction - The first land-disturbing activity associated with a development, including land preparation such as clearing, grading and filling; installation of streets, and walkways; excavation for basements, footings, piers or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

Storm Drainage System. Any one (1) or more of various devices used in the collection, treatment or disposition of storm, flood or surface drainage waters, including but not limited to any roads with drainage systems, natural and human-made or altered drainage channels, reservoirs, manmade structures and natural watercourses and/or floodplains for the conveyance of runoff, such as detention or retention areas, berms, swales, improved gutters, pumping stations, pipes, ditches, siphons, catch basins, inlets, and other equipment and appurtenances and all extensions, improvements, remodeling, additions and alterations thereof; and any and all rights or interests in such stormwater facilities.

Stormwater Management Plan - A set of plans prepared by or under the direction of a licensed professional engineer that indicates the specific measures and sequencing to be used to control sediment and erosion on a development site before, during and after construction.

Stormwater/Stormwater Runoff. Any surface flow, runoff, and/or drainage consisting entirely of water from any form of natural precipitation, which is not absorbed, transpired, evaporated or left in surface depressions, and which then flows controlled or uncontrolled into a watercourse or body of water.

Stormwater Pollution Prevention Plan (SWPPP): A document which describes the Best Management Practices (BMPs) and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

Watercourse - Any body of water, including, but not limited to lakes, ponds, rivers, streams, and bodies of water delineated by Rankin County, FEMA, NRCS, and/or USACE.

Waterway - A channel that directs surface runoff to a watercourse or to the public storm drain.

Section III. Permit Applications

- A. No person shall be granted a site development permit for land disturbing activities related to land subdivisions and commercial or industrial development which would require the disturbance of 1-acre or more of land surface without the approval of a Stormwater Management Plan (Section V) by the County Engineer.
- B. No person shall be granted a site development permit for land disturbing activities not related to land subdivisions and commercial or industrial development which would require the disturbance of 1-acre or more of land surface without the approval of a Drainage Plan (Section IV) by the Building Official. Such activities will not be subject to the requirements of Sections V and VI of this ordinance except when it is determined by the Building Official, based on a review of the proposed activities and site conditions, that circumstances exist which would warrant further review. In the event the Building Official determines further review is warranted, the Building Official may request review by the County Engineer and may require compliance with all other sections of this ordinance.
- C. No site development permit is required for the following activities:
1. Any emergency activity which is immediately necessary for the protection of life, property, or natural resources.
 2. Farming and other accepted agricultural uses as permitted in the zoning ordinance provided no sediment will leave the site in and the integrity of the vegetative cover will be maintained.
 3. Home gardens, home landscaping, or lawn preparations on existing lots of parcels shall be exempted from the provisions stated herein except where it is determined by the County Engineer or Building Official that the possibility for erosion or alteration of drainage patterns or structures is such to necessitate a site development permit.
 4. Upon review and consideration of the potential impacts to water quality from a proposed development or land disturbance activity, the County Engineer, Building Official, and Board of Supervisor collectively may consider granting a waiver of some or all of the requirements set forth in this ordinance in such cases where it is determined the potential for negative impacts to water quality and drainage are minimal. The applicant will be responsible for providing information as may be required by the County Engineer, Building Official, and Board of Supervisors for making a thorough and adequate determination of potential impacts to water quality from a development or land disturbance activity.
- D. The applicant will be required to file with Rankin County a faithful performance bond or bonds, letter of credit, or other improvement security in an amount deemed sufficient by the County Engineer to cover all costs of stormwater management improvements, landscaping, and maintenance of stormwater management improvements as well as engineering and inspection costs to cover the costs of

failure or repair of stormwater management improvements installed on the site for such a period as specified by Rankin County.

E. Review and approval:

1. The Rankin County Engineer and Building Official will review each application for a site development permit to determine its conformance with the provisions of this and other applicable local regulations. Within thirty (30) days after receiving an application the Rankin County Engineer or Building Official shall in writing:

- a. approve the permit application;
- b. approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulations and issue the permit subject to these conditions; or
- c. disapprove the permit application indicating the deficiencies and the procedure for submitting a revised application and/or submission.

2. Failure of the County Engineer or Building Official to act on original or revised applications within thirty (30) days of receipt shall authorize the applicant to proceed in accordance with the plans filed unless such time is extended by agreement between the applicant and the County Engineer or Building Official.

F. In instances where a proposed land disturbance activity will exceed five (5) acres or will occur on any tract as a part of an overall development plan, or will occur as a part of an environmental restoration project under the supervision of state or federal regulatory agencies, no site development permit shall be issued by the County Engineer or Building Official until the development plan is reviewed and approved by the MDEQ.

G. In instances where Site Plans and/or building permit applications have been submitted and accepted prior to the effective date of this ordinance and are in compliance with submittal requirements effective prior to enactment of this ordinance, such submittals will not be subject to the conditions of this ordinance provided construction of the project has begun within 6 months of the completed review and approval and the project is not discontinued until completion except for reasons beyond the applicants control. All plans and applications for which construction has not begun within six months of approval will be revoked and made subject to the conditions of this ordinance.

Section IV. Drainage Plan

The Drainage Plan shall comply with the minimum general requirements set forth in this section. A Drainage Plan will be required for all land disturbance activities that are determined to pose a minimal threat to water quality and are not otherwise covered under Section III, A of this ordinance.

- A. A Drainage Plan shall include, at a minimum, the following components:
1. Submittal of a completed building permit application identifying the proposed site activities, site address, and site owner information.
 2. A site sketch showing the site boundaries, locations and extents of land disturbance activities, direction of existing and planned stormwater flows, existing and/or proposed drainage features including, but not limited to, ditches, culverts and streams, and the name and location of the receiving water.
 3. For activities that disturb greater than 1-acre of land but less than 5-acres, the applicant shall, by submitting a signed building permit application, verify awareness of and compliance with all other local and state regulations including the State's Small Construction Stormwater General Permit.

Section V. Stormwater Management Plan

The stormwater management plan shall comply with the minimum general and technical requirements set forth in this Section. The complexity of the plan shall be commensurate with the severity of site conditions and potential for off-site damages. In order to avoid redundancy, the State required Stormwater Pollution Prevention Plan may serve as the Stormwater Management Plan provided the minimum requirements set forth in this Section are adequately addressed. The County Engineer, Building Official, or their designee may require additional information if deemed necessary and appropriate to evaluate the feasibility of the plan. The State's "Planning and Design Manual for the Control of Erosion, Sediment and Stormwater" and "Stormwater Pollution Prevention Plan (SWPPP) Guidance Manual for Construction Activities" shall be used as a guide when developing the plan. The Stormwater management Plan must specifically address measures for the management of stormwater runoff during construction as well as from the completed development (post-construction). Non-structural practices for the management of stormwater runoff will take preference over structural practices.

A. The Stormwater Management Plan shall include, at a minimum, the following components:

1. Names, address, and telephone numbers of the owner and developer of the property on which application for a permit is being made as well as the names, addresses, and phone numbers for all consultants to the owner and developer for the project including registered engineers and architects.
2. Sufficient engineering analysis to show that the proposed stormwater management measures are capable of controlling runoff from the site in compliance with this ordinance the specifications of the State's "Planning and Design Manual for the Control of Erosion, Sediment and Stormwater".
3. A written of graphic inventory of the natural resources at the site and surrounding area as it exists prior to the commencement of the project and a description of the watershed and its relation to the project site. This description should include a discussion of soil conditions, forest cover, topography, wetlands, watercourses, and adjacent receiving waters. Particular attention should be paid to environmentally sensitive features that provide opportunities or constraints for development such as wetlands, flood plains, and State waters. Drawings should be at a scale no smaller than 1"=100' and cover the entire area of the site as well as at least 100' beyond site boundaries.
4. A written description of the required maintenance burden for any proposed stormwater management facility. Provisions for maintenance of management facilities, including easements, responsible parties, anticipated maintenance requirements, and estimates of costs of maintenance.
5. The County Engineer or Building Official may also require a concept plan to consider the maximum development potential of a site under existing zoning, regardless of whether the applicant presently intends to develop the site to its maximum potential.

6. A sequence of construction of the development site including stripping and clearing, rough grading, construction and installation of utilities, infrastructure, buildings, and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure and disturbed areas and the sequence of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation and other permanent control measures.

7. All erosion and sediment control and stormwater management measures necessary to meet the objectives of this local regulation throughout all phases of construction and permanently upon completion of the development.

8. Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime, fertilizer, or other soil amendment application, and kind and quantity of mulching for both temporary and permanent vegetative control measures, and a final landscaping plan for proposed permanent stormwater management practices.

B. Modifications to the plan

1. Major amendments of the stormwater management plan shall be submitted to the County Engineer or Building Official and shall be reviewed and approved, or disapproved, in the same manner as the original plan.

2. Field modifications of a minor nature may be authorized by the County Engineer or Building Official, or their designee, when the approved plan is determined to be ineffective and in need of modification in order to adequately manage stormwater and to comply with the intent of this ordinance.

Section VI. Design Requirements

Grading, erosion control practices, sediment control practices, detention/retention facilities, water quality measures, and waterway crossings shall meet the design criteria set forth in the most recent version of the State's "Planning and Design Manual for the Control of Erosion, Sediment and Stormwater", and shall be adequate to prevent transportation of sediment and other potential pollutants from the site to the satisfaction of the County Engineer, Building Official, or their designee.

A. Minimum control requirements

Applicants submitting any development application should consult the current "Planning and Design Manual for the Control of Erosion, Sediment and Stormwater" for the exact design criteria for the stormwater management practices appropriate for their site. All stormwater management practices will be designed so that the specific storm frequency storage volumes as identified in current Design Manual are met, unless the County Engineer or Building Official grants the applicant a waiver or the applicant is exempt from such requirements. In addition, if hydrologic or topographic conditions warrant greater control than provided by the minimum control requirements, the County Engineer and Building Official reserve the right to impose any and all additional requirements deemed necessary to control the volume, timing, rate, and composition of runoff.

B. Site design feasibility

Stormwater management practices for a site shall be chosen based on the physical conditions of the site. Among the factors to be considered are:

1. topography, slopes, and terrain;
2. maximum drainage area;
3. maximum area and duration of disturbance;
4. depth to water table;
5. soil characteristics;
6. existing vegetation;
7. maximum potential head; and
8. impacts to nearby sensitive areas.

C. Conveyance requirements

All stormwater management practices shall be designed to convey stormwater to allow for the minimal exposure to pollutants, maximum removal of pollutants, and reduction in flow velocities. This shall include, but not be limited to:

1. protection of existing waterways and streams where possible;
2. protection of inlet and outfall structures;
3. avoidance of erosive flow velocities;
4. maximizing flow paths from inflow points to outflow points; and
5. consideration of characteristics of run-on from up gradient, and impacts of runoff to existing conveyances down gradient.

D. Clearing and grading

1. Clearing and grading of sensitive natural areas such as wetlands, streams, and floodplains shall not be permitted except when in compliance with all other sections of this and other applicable local, state, and federal regulations. Applicants must provide verification of compliance with other applicable regulations.
2. Clearing techniques that retain natural vegetation and natural drainage patterns and avoid highly erodible soils and steep slopes shall be preferred.
3. Phasing shall be required on all sites greater than thirty acres, with the size of each phase to be established at plan review and approved by the County Engineer or Building Official.
4. Clearing, except that necessary to establish erosion and sediment control measures, shall not begin until all appropriate erosion and sediment control measures have been installed and stabilized.
5. Cut and fill slopes shall be no greater than 2:1, except as specifically approved by the County Engineer to meet other County environmental objectives.

E. Erosion control

1. Soil must be stabilized within five days of clearing or inactivity of construction.
2. If vegetative erosion control methods, such as seeding, have not become established within four weeks the County Engineer, Building Official, or their designee may require that the site be reseeded, or that additional measures be employed.
3. On steep slopes or in drainage ways, special techniques that meet the design criteria outlined in the Design Manual shall be used to ensure stabilization.
4. Soil stockpiles that will remain for more than two weeks must be stabilized or otherwise protected from erosion.
5. Techniques shall be employed to prevent the generation and transport of objectional quantities of dust from the site.
6. Measures to divert runoff away from steep slopes, disturbed slopes, and highly erodible soils shall be employed.

F. Sediment Control

1. Sediment controls such as settling basins or sediment traps and perimeter controls that meet the design criteria included in the Design Manual and approved by the County Engineer or Building Official shall be required.
2. Where possible, settling basins shall be designed in a manner that allows adaptation to provide long-term stormwater management from the finished development.

G. Waterways and watercourses

1. When a wet watercourse must be crossed regularly during construction a temporary stream crossing shall be provided that meets current design standards and bears approval of the MDEQ and USACE.

2. When in-channel work is conducted, the channel shall be stabilized before, during, and after work and in accordance with all other federal, state, and local regulations. Applicants must provide verification of compliance with other applicable regulations.
3. All on-site stormwater conveyance channels shall be designed according to the criteria outlined in the Design Manual.
4. Stabilization adequate to prevent erosion must be provided at the outlets of all pipes, paved channels, and outfalls with anticipated concentrated, high velocity flows.
5. All work within identified floodplain areas must meet the requirements of the Rankin County Flood Damage Prevention Ordinance.

H. Construction site access

1. A stabilized temporary access road shall be provided at all sites.
2. Other measures such as stabilized entrance/exit protection may be required at the discretion of the County Engineer and Building Official in order to ensure that sediment is not tracked onto public streets by construction vehicles or washed into storm drains.

Section VII. Inspection

A. The County Engineer, Building Official, or their designee shall make inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the permittee in writing wherein the work fails to comply with the stormwater management plan as approved. Plans for grading, stripping, excavating, and filling work bearing the stamp of approval of the County Engineer or Building Official shall be maintained at the site during the progress of the work. In order to obtain inspections, the permittee shall notify the Building Official at least two (2) working days before the following:

1. Start of site work;
2. erosion and sediment control measures are in place and stabilized;
3. site clearing has been completed;
4. rough grading has been completed;
5. sanitary sewer and storm drains connected (before backfilling);
6. final grading has been completed; and
7. final landscaping has been completed.

B. The permittee or his/her agent shall make regular inspections of all control measures in accordance with the inspection schedule outlined in the approved stormwater management plan. The purpose of such inspections will be to determine the overall effectiveness of the plan and the need for additional control measures or maintenance. All inspections shall be documented in written form (may use inspection form provided in the State's "Stormwater Small Construction General Permit") upon request of the County Engineer, Building Official, or their designee, and upon completion of site work.

C. The County Engineer, Building Official, or their designee shall enter the site property of the applicant as deemed necessary to make regular inspections to evaluate the effectiveness of stormwater management measures and plan, and to ensure the validity of the reports filed under subsection B of this Section. Permittee is required to provide immediate access to the County Engineer, Building Official, or their designee for the purpose of conducting inspections.

Section VIII. Illicit Discharges

- A. It shall be unlawful for any person to allow discharges to the county stormwater runoff conveyance system that are not composed entirely of stormwater runoff and that contribute to increased nonpoint source pollution and degradation of receiving waters.
- B. It shall be unlawful for any person to throw, deposit, empty, drain, discharge, or to permit to be thrown, deposited, emptied, drained or discharged into any creek, or upon its margins, slopes, banks, or stormwater drainage system within the county any pollutants, including but not limited to, garbage, rubbish, refuse, hair, ashes, cinders, fruit, vegetables, paper, rags, any animal carcass or waste, sewerage, excrement, urine, liquid, or semi-liquid waste from any industry, or any noxious substance or liquid. These non-stormwater discharges may occur due to spills, dumping and improper connections to the county separate storm system from residential, industrial, commercial or institutional establishments. Non-stormwater discharges not only impact waterways individually, but geographically dispersed, small volume non-stormwater discharges can have cumulative impacts on receiving waters. The impacts of these discharges adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters. These impacts can be minimized through the regulation of spills, dumping and discharges into the county separate storm sewer system. Therefore, it is determined that the regulation of spills, improper dumping and discharges to the county storm system is in the public interest and will prevent threats to public health and safety, and the environment.
- C. No person shall, or allow others under its control, to throw, drain, or otherwise discharge or cause to be discharged into a storm drainage 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. The commencement, conduct or continuance of any illegal discharge to the storm drainage system is prohibited except as follows:
1. Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety.
 2. Water line flushing performed by a government agency.
 3. Landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wetland flows, swimming pools (if de-chlorinated – typically less than one PPM chlorine), fire fighting activities, and any other water source not containing Pollutants.

4. Dye testing is an allowable discharge, but requires a written notification to the authorized enforcement agency prior to the time of the test.
- D. The prohibition shall not apply to any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system. Proof of compliance with said permit may be required in a form acceptable to Rankin County or its agent prior to allowing discharges into the county drainage system. Dumping excess cement and washing out cement trucks are included in this article.

Section IX. Enforcement

A. Violation and Penalties

1. In the event that any person holding a site development permit pursuant to this ordinance violates the terms of the permit or implements site development in such a manner as to adversely affect the health, welfare, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood the County Engineer or Building Official may suspend or revoke the site development permit.

2. No person shall construct, or begin to construct, alter, repair, or maintain any grading, excavation, or fill, contribute to an illicit discharge, or cause the same to be done, contrary to or in violation of any terms of this ordinance. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and each day during which any violation of any of the provisions of this ordinance is committed, continued, or permitted, shall constitute a separate offense. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine of not more than \$5,000 for each offense. In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions of this ordinance shall be required to bear the expense of such restoration or mitigation of damages caused by the failure to comply.

Section X. Separability

The provisions and sections of this ordinance shall be deemed to separable, and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

Section XI. Compatibility With Other Permit and Ordinance Requirements

This ordinance is not intended to interfere with, abrogate, or annul any other ordinance, rule, or regulation, statute, or other provision of law. The requirements of this ordinance should be considered minimum requirements and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provisions are more restrictive or impose the higher protective standards for human health or the environment shall be considered to take precedence.