



1/18/2005

A Contractor's Guide to Stormwater Pollution Prevention in Botetourt County.

## **Botetourt County Stormwater Management Program**

### **Construction Site Stormwater Pollution Prevention Education Bulletin Number 1**

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Stormwater and stormwater runoff typically move un-treated into our County's rivers and streams. The fact that stormwater is untreated makes it critically important to limit what we put down our storm drains and in our drainageways. It also becomes important to take precautionary measures to reduce accidental releases of pollutants into the storm sewer system. As part of Botetourt County's stormwater management program the county will be enforcing violations of its solid waste ordinance, specifically those regulations pertaining to litter control and cleanup on construction sites.

#### **Construction Site Litter and Debris: What you need to know.**

##### ***What can I do to prevent violations and ensure clean construction sites?***

- 1) Educate your employees about the importance of construction site litter control.
- 2) Provide trash receptacles on site and at break areas, parking areas and other areas of potential trash buildup.
- 3) Avoid discarding or hiding construction site debris in storm drains or adjacent waterways.
- 4) Cover and secure all debris and material stockpiles.
- 5) Cover and secure all truck and dump truck loads.
- 6) Initiate a weekly construction site trash clean up.
- 7) If trash gets offsite and onto adjacent properties, clean and remove it as soon as you can.

Following these simple suggestions for on-site stormwater pollution prevention will assure your compliance with state and federal stormwater mandates and will reinforce positive perceptions of homebuilders and the development community.



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### ***What is construction site litter?***

#### **As defined by Sec. 20-77. of the Botetourt County Code.**

In Botetourt County litter is defined as: all waste materials, including but not limited to, bottles, glass, crockery, cans, scrap metal, paper, plastic, rubber, garbage, offal, waste building material at construction sites, disposable packages or containers thrown or deposited as prohibited in this article, hazardous waste, substances or materials but not including properly disposed of waste from the primary processes of mining, logging, saw-milling, farming or manufacturing.

### ***Who is responsible for litter control and clean up?***

It shall be the duty of each proprietor and each operator of any business, industry or institution to keep the adjacent and surrounding area clear and free of litter. These areas include, but are not restricted to, public and private sidewalks, roads and alleys; grounds; parking lots; loading and unloading areas; and all vacant lots which are owned or leased by such establishment or institution.

Each owner, agent, occupant or lessee whose property faces on county sidewalks, or strips between streets and sidewalks, shall be responsible for keeping such sidewalks or strips free of litter.

It shall be unlawful for any person to sweep or push litter from sidewalks into streets. Such litter shall be deposited in a proper receptacle which shall be covered to prevent scattering by wind and animals.

### ***Who is responsible for litter control and clean up on construction sites?***

#### ***Sec. 20-90. Botetourt County Code.***

#### ***Control of litter at construction or demolition sites, specifically addresses litter control and clean up on construction sites and states:***

(a) It shall be unlawful for any owner, agent or contractor to permit the accumulation of litter before, during or after completion of any construction or demolition project.

(b) It shall be the duty of the owner, agent or contractor in charge of a construction or development site to furnish litter receptacles and to collect and contain, to prevent scattering, other bulk litter on a daily basis. All litter shall be removed from such site not less than once a week.



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***What are the penalties?***

Unless otherwise specifically provided, a violation of any provision of this article shall constitute a Class 4 misdemeanor.

*Class 4 misdemeanors are defined by County code as:* A fine of not more than two hundred fifty dollars (\$250.00). Additionally, each day any violation of this Code or any other ordinance or any rule or regulation referred to in this section shall continue shall constitute a separate offense, except where otherwise provided.

***Who enforces these rules?***

Enforcement officers of the county sheriff's department, the state police, the state game commission and the state division of forestry are hereby empowered to issue citations to, or arrest, persons violating any provision of this article, and may serve and execute all warrants and other process issued by a court in enforcing the provisions of this article. In addition, mailing by registered mail of such process to his last known place of residence shall be deemed as personal service upon the person charged, for the purposes of this article.

Furthermore, prosecution for a violation of any provision of this article may be initiated by any law-enforcement officer or private citizen who witnesses the offense or who discovers an article of litter bearing a person's name or address on the private property of another or on public property, except property that is designated for solid waste disposal.

These penalties exist for the protection of Botetourt County's natural resources. The Virginia Department of Environmental Quality and the United States Environmental Protection Agency are requiring Botetourt County to enforce these and other regulations as part of our Stormwater Management Program. We look forward to working with you to keep storm sewers clean and to help Botetourt County protect it's treasured water resources.

If you have additional questions about Stormwater or this information please call or contact:

**Botetourt County Engineering**  
**30 West Back St. #4**  
**Fincastle, VA 24090**  
**[www.botetourt.org](http://www.botetourt.org)**  
**540-473-8316**

***"In fulfillment of the Clean Water Act and state Stormwater regulations Botetourt County is working to increase public knowledge of stormwater pollution and it's effect on water quality."***