

City of Charlotte Post-Construction Stormwater Ordinance
Penalty Assessment Guide

Violation Category	Examples	Penalty
<p><u>Class I Violation</u> Minor violation <u>not</u> resulting in any detrimental impacts to surface water quality</p>	<p>a) Failure to submit required inspection report within specified time period b) Failure to perform minor maintenance of Stormwater Control Measure (SCM) (minor vegetation issues, minor erosion, etc.)</p>	<p>1st Offense - Written Corrective Action Request (CAR) + Educational material 2nd Offense (automatic if no compliance within CAR timeline) - Written Notice of Violation (NOV) 3rd Offense (automatic if no compliance within NOV timeline) - Written NOV + \$500 4th Offense and beyond (automatic if no compliance within NOV timeline) - Written NOV + Fine \$1,000/month up to a maximum of \$10,000</p>
<p><u>Class II Violation</u> Minor violation <u>not</u> resulting in any detrimental impacts to surface water quality but have the potential to cause such impacts</p>	<p>a) Failure to perform significant maintenance of SCM (i.e. vital structural SCM components not functioning properly)</p>	<p>1st Offense - Written CAR + Educational material 2nd Offense (automatic if no compliance within CAR timeline) - Written NOV 3rd Offense (automatic if no compliance within NOV timeline) - Written NOV + \$1,000 4th Offense and beyond (automatic if no compliance within NOV timeline) - Written NOV + Fine \$1,000/month up to a maximum of \$10,000</p>
<p><u>Class III Violation</u> Violation <u>resulting</u> in detrimental impacts to downstream properties and/or surface waters</p>	<p>a) Failure to perform significant maintenance of SCM that results in detrimental impacts to downstream properties/surface waters b) Removal of required SCM c) Failure to obtain required permits and/or stormwater management plans</p>	<p>1st Offense - Written CAR + Educational material 2nd Offense (automatic if no compliance within CAR timeline) - Written NOV + \$1,000 fine/day 3rd Offense (automatic if no compliance within NOV timeline) - Written NOV + \$5,000 fine/day 4th Offense and beyond (automatic if no compliance within NOV timeline) - Written NOV + \$10,000 fine/day</p>