



Charlotte-Mecklenburg Storm Water Services Storm Water Pollution Control Ordinance Penalty Worksheet

I. General Information

1. **Name and Title of Inspector and Person Completing Report:**
Click here to enter text.
2. **Date of Report:**
Choose report date.
3. **Cityworks Server Activity Report #:**
Click here to enter text.
4. **Penalty Assessment Case #:**
Click here to enter text.
5. **Location of Violation(s):**
Click here to enter text.
6. **Person(s) Responsible for Violation(s):**
Click here to enter text.
7. **Name of Ordinance and Section(s) Violated:**
Click here to enter text.
8. **Brief Description of Violation(s) (include dates, observations, sampling data, etc.):**
Click here to enter text.
9. **Date(s) of Notice(s) of Violation:**
 - <Click to choose date>: <indicate type of notice, e.g. 1st NOV, 2nd NOV, or verbal NOV>
 - <Click to choose date>: <indicate type of notice, e.g. 1st NOV, 2nd NOV, or verbal NOV>
 - <Click to choose date>: <indicate type of notice, e.g. 1st NOV, 2nd NOV, or verbal NOV>
 - <Click to choose date>: <indicate type of notice, e.g. 1st NOV, 2nd NOV, or verbal NOV>
10. **Deadline(s) for Compliance:**
 - <Click to choose date>: <Click to insert comments.>
 - <Click to choose date>: <Click to insert comments.>

- <Click to choose date>: <Click to insert comments.>
- <Click to choose date>: <Click to insert comments.>

11. Date(s) of Compliance:

- <Click to choose date>: <Click to insert comments.>
- <Click to choose date>: <Click to insert comments.>
- <Click to choose date>: <Click to insert comments.>
- <Click to choose date>: <Click to insert comments.>

12. Corrective Action(s) Taken to Achieve Compliance:

Click here to enter text.

13. Number of Days from Initial Violation(s) to Compliance Date(s):

Click here to enter text.

14. Adjustment in Days due to Circumstances beyond Violator’s Control:

Click here to enter text.

15. Explanation for Adjustment:

Click here to enter text.

16. Violation(s) Class (refer to Enforcement Guidance in Attachment 1):

Click here to enter text.

City of Charlotte – Civil Penalty Assessment Worksheet	
Violator:	<Insert Violator Name>
Today’s Date:	<Click to choose today’s date>
Amount of each civil penalty is to be adjusted with applicable aggravating/mitigating factors.	
Base per day penalty amount:	<input type="text" value="\$0.00"/>
(based on the type of pollutant, amount/volume discharged, and the degree and extent of harm caused by the violation to the environment, water quality, habitat, wildlife, public health and/or property)	
Aggravating Factors:	
1) Amount of money saved by noncompliance:	<input type="text" value="\$0.00"/>
Penalty Adjustment: 5% increase for every \$1000 in savings resulting from non-compliance (maximum 25% increase)	
Increase for aggravating factor #1 =	<input type="text" value="\$0.00"/>
2) Whether the violation was committed willfully/intentionally:	<input type="text" value=""/>

Penalty Adjustment: 25% increase if violation was committed willfully/intentionally

Increase for aggravating factor #2 =

3) Prior record of the violator in complying or failing to comply with this Ordinance or any other water pollution control ordinance or regulation
(enter number of prior violations in past 5 years):

Penalty Adjustment: 50% increase in base penalty amount for each violation within 5 years prior to current violation (maximum 200% increase)

Increase for aggravating factor #3 =

Total for Aggravating Factors:

Mitigating Factors:

1) Cost of rectifying the damage:

Penalty Adjustment: 5% reduction for every \$1000 in expenditures (maximum 25% reduction)

Deduction for mitigating factor #1 =

2) Once notified of the violation, whether the violator took reasonable measures to comply with the Storm Water Pollution Control Ordinances

Penalty Adjustment: 10% reduction if reasonable measures were implemented, provided they were taken within a reasonable time frame upon receiving notice

Deduction for mitigating factor #2 =

3) Knowledge of the requirements by the violator and/or reasonable opportunity or obligation to obtain such knowledge

Penalty Adjustment: 5% reduction if the violator did not have knowledge of Ordinance requirements or reasonable opportunity or obligation to obtain the knowledge.

Deduction for mitigating factor #3 =

4) Whether the violator voluntarily took reasonable measures to restore any areas damaged by the violation

Penalty Adjustment: A 5% reduction is recommended in the base per day penalty amount if voluntary measures were taken either before the violator was notified of the violation and/or the measures implemented were above-and-beyond the corrective actions stated in their notice of violation.

Deduction for mitigating factor #4 =

5) Whether the violator reported the violation to an appropriate authority

Penalty Adjustment: 5% reduction if the violator reported the violation to Charlotte-Mecklenburg Storm Water Services or other appropriate authority

Deduction for mitigating factor #5 =

6) Technical and economic reasonableness of reducing or eliminating the discharge

Penalty Adjustment: 5% reduction if the violator did not have the technical knowledge or economic resources to reduce or eliminate the discharge

Deduction for mitigating factor #6 =

Total for mitigating factors:

Base per day penalty amount + total for aggravating factors – total for mitigating factors =

Total number of days in violation:

Total Civil Penalty =

Enforcement Costs (labor, monitoring, and other administrative costs incurred by City)

Choose size of case: Low labor and admin costs (small case) = 10% of civil penalty; Moderate case = 20%; Large case = 30%

*Note that a lower violation class and small civil penalty does not always mean that enforcement costs will be low (and vice versa)

Comments: <Enter any comments about the size of case or enforcement costs here.>

Total Enforcement Costs =

Restoration and Cleanup Costs incurred by the City (if City spent money to conduct remediation and repairs due to violator negligence) =

<Describe restoration and cleanup costs incurred by the City. Attach invoices, receipts and other documents to verify costs incurred.>

Total Civil Penalty + Enforcement Costs + Cost to City =

IV. Signatures Verifying the Information Provided Above

By my signature I do hereby affirm that the information provided in this document is accurate to the best of my knowledge based on information made available to me in this matter.

Staff of Charlotte-Mecklenburg Storm Water Services:

<Name>

Choose a jurisdiction. Water Quality Program Manager

Click here to enter a date.
Date

<Name>

Water Quality Supervisor

Click here to enter a date.
Date

<Name>

Environmental Specialist (Inspector)

Click here to enter a date.
Date

<Name>

Stormwater Pollution Control Ordinance Administrator

Click here to enter a date.
Date

List Witnesses (if applicable):

1. <Name>, <indicate affiliation to case>
2. <Name>, <indicate affiliation to case>
3. <Name>, <indicate affiliation to case>