

**10-1-2**

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS TO AMEND RESOLUTION 08-1-2: THE MONTGOMERY COUNTY, TENNESSEE WATER QUALITY BUFFER AND ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM (WITH INCLUDED COMMUNITY OUTREACH AND EDUCATION SECTION), BY REPLACING SECTION 3.5 WITH THE LANGUAGE SPECIFIED IN THE INCLUDED DOCUMENT IDENTIFIED AS MONTGOMERY COUNTY TN. BUILDING AND CODES DEPARTMENT, STORM WATER SECTION - EXHIBIT "A".**

**WHEREAS**, on July 3, 2003, Tennessee Department of Environment & Conservation accepted Montgomery County's Notice of Intent and issued a Notice of Coverage for Montgomery County under the State of Tennessee's National Pollutant Discharge Elimination System General Storm Water Discharge Permit for Small Municipal Separate Storm Sewer Systems; and

**WHEREAS**, the state National Pollutant Discharge Elimination System Phase II permit, dated February 26, 2003 and applicable to Montgomery County, states as one of its requirements that Montgomery County, Tennessee shall develop and implement a set of requirements to establish, protect and maintain water quality buffers in areas of new development and redevelopment; and

**WHEREAS**, the Montgomery County Board of Commissioners, assembled in Regular Session on the 14<sup>th</sup> day of January, 2008, passed and approved Resolution 08-1-2: The Montgomery County, Tennessee Water Quality Buffer And Illicit Discharge Detection And Elimination Program (With Included Community Outreach And Education Section); and

**WHEREAS**, Section 3.5 of Resolution 08-1-2 has been found to be too restrictive.

**NOW, THEREFORE, BE IT RESOLVED** by the Montgomery County Board of Commissioners assembled in Regular Session on this 8th day of February, 2010, that the current language of Section 3.5 of Resolution 08-1-2: The Montgomery County, Tennessee Water Quality Buffer and Illicit Discharge Detection And Elimination Program (With Included Community Outreach And Education Section) be deleted in its entirety and replaced by the language as specified in the included document identified as Montgomery County TN. Building and Codes Department, Storm Water Section - **Exhibit A**, which language shall take effect and be enforced upon passage by Montgomery County Board of Commissioners, the public welfare requiring it.

**Duly passed and approved this 8<sup>th</sup> day of February, 2010.**

**Sponsor** \_\_\_\_\_

**Commissioner** \_\_\_\_\_

**Approved** \_\_\_\_\_  
**County Mayor**

**Attested** \_\_\_\_\_  
**County Clerk**

**Montgomery County TN. Building and Codes Department, Storm Water  
Section - Exhibit "A":**

3.5) Sinkholes: All land development or re-development activity subject to this resolution shall establish and maintain a 60 foot wide undisturbed buffer around any structure associated with a sinkhole that allows water to be discharged into a subsurface formation. Sinkhole structures allowing subsurface discharge may include, but are not limited to, open throats, cave openings, solution channels, swallets, swallow holes, standpipes or sinks.

No structures or land disturbing activities are allowed within the area surrounding a sinkhole that is delineated by the 100 year flood zone contour line (hachure), determined assuming plugged conditions (zero cubic feet per second discharge) for the sinkhole structure.

Subsurface Sewage Disposal System secondary disposal fields (duplicate area disposal fields) may be allowed within the 100 year flood zone contour line (hachure) based on approval by the Tennessee Department of Environment and Conservation.

Storm water flowing into a sinkhole from a construction or development site must be treated to prevent pollutant introduction into the sinkhole.