

**Permanent Stormwater System Maintenance and Responsibility Agreement
Sumter County**

Under the South Carolina Stormwater Management and Sediment Reduction Act of 1991 (48-14-10, et. seq.), Regulation 72-308 requires the Landowner, its successors and assigns, including any homeowners association, to adequately maintain all stormwater management/Best Management Practice (BMP) facilities. This includes all pipes and channels built to convey stormwater to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance is herein defined as good working condition so that these facilities are performing their design functions.

The Sumter County Storm Water Utility (the SCSWU) requires that The Landowner, its successor and assign, to inspect the stormwater management/BMP facility at a minimum, annually, or after significant rainfall events that may have directly affected the performance of the facility. The purpose of the inspection is to assure safe and proper functioning of the facilities. The inspection shall cover the entire facility, berms, outlet structure, pond areas, access roads, etc.

The Landowner, its successor and assign, hereby grant permission to the Sumter County Storm Water Utility and/or DHEC, its authorized agents and employees, to enter upon the Property and to inspect the stormwater management/BMP facilities when deemed necessary. The purpose of inspection is to follow-up on reported deficiencies and/or to respond to citizen complaints. The SCSWU and/or DHEC shall provide the Landowner, its successor and assign, copies of the inspection findings and a directive to commence with any necessary repairs.

The Landowner, its successor and assign, will perform the work necessary to keep these facilities in good working order as appropriate. If a maintenance schedule has been developed as part of the approved design plans, or has been recorded with the SCSWU, this schedule will serve as the official maintenance schedule for the facility and must be adhered to in its approved form.

This Agreement imposes no liability of any kind whatsoever on the SCSWU and/or DHEC. Therefore, the Landowner agrees to hold the SCSWU and/or DHEC free from any liability in the event of stormwater management/BMP facility failure.

I accept responsibility for ownership and proper maintenance of the stormwater system (pond, swales, etc.) on the _____ site per the approved maintenance plan. I will complete any necessary repairs and/or preventive maintenance procedures in a timely manner to ensure proper functioning as a stormwater management device(s). Further, I will maintain a ledger of maintenance activities and have it available at all times for inspection by the SCSWU. It is my understanding that the maintenance plan may be amended/revised at the discretion of the SCSWU and I will abide by any prescribed changes.

I will continue to own and maintain the pond until the SCSWU is notified in writing of a transfer in ownership and maintenance responsibility. The notification will include a date for the transfer of responsibility and a letter of acceptance from the new owner.

I understand that failure to adhere to the signed maintenance agreement may result in fines of up to \$1,000.00 per day, per violation and /or the institution of a court action.

Signature of Owner/Agent	Printed Name of Owner/Agent	Date
Mailing Address	City/State/Zip	Phone Number
Notary Stamp/Signature/Date		