

FAIRFAX COUNTY STORMWATER MANAGEMENT PROGRAM

You and Your Stormwater Management Facility

A Guide to Understanding
Your Roles and Responsibilities



Private Stormwater Management (SWM) Facility Ownership

You and many other Fairfax County residents play a critical role in environmental stewardship within the County. By maintaining your stormwater facility so that it works as it was designed, you help reduce flooding and control pollution from stormwater runoff entering our County's streams and the Chesapeake Bay. This brochure describes the private inspection program and your responsibilities as an owner.

The County's Responsibilities for Private SWM Facilities

Fairfax County is responsible for controlling flooding and reducing pollution in our streams from stormwater runoff. By effectively meeting this goal, we also fulfill our obligations under federal, state and regional regulations.

Properly maintaining stormwater management facilities is one of the tools in our toolbox for achieving this goal. In addition to performing inspection and maintenance activities on nearly 2,000 public facilities, we regularly inspect all private facilities to ensure they are functioning as designed. There are nearly 6,000 facilities in the County and more than two-thirds of them are privately owned. In an effort to support and educate private owners, we provide maintenance information and guidelines to ensure SWM facilities function properly.

What to Expect During Your Scheduled Inspection

Approximately every five years, we are required to inspect your private stormwater management facility to make sure it is working properly. This section describes what you can expect during the inspection process.

NOTIFICATION AND INSPECTION

As the property owner of record, you will receive a pre-inspection letter informing you of our impending inspection of your stormwater management facility. This letter does not provide an exact day or time, but rather serves as notification that we will be coming in the near future. County staff will then visit your property to perform a visual assessment of the facility. You do not need to be available for the inspection, but you are required to provide access. If we cannot complete the inspection for any reason, we will notify you by mail requesting your assistance in scheduling the inspection.

INSPECTION RESULTS

Following the inspection, we will send you a "notice of inspection" via certified mail within 30 to 45 days. The notice of inspection will categorize the inspection observations as: no deficiencies were noted during the assessment; recommended

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to ensure continued functionality; or required to restore proper functionality. If no deficiencies were noted, we will update our records and close the inspection file for that inspection cycle. While we encourage you to continue to perform regular, routine maintenance and keep an inspection log, we will not inspect the facility for another five years.

If our inspectors identify any deficiencies that recommend maintenance, we will not enforce the results of the inspection. We will request that a responsible party perform the recommended maintenance to ensure continued functionality of the facility and close the inspection file for the inspection cycle. Should you choose to perform the recommended maintenance, we request that you notify us so we can update our records accordingly. While we encourage you to continue to perform regular, routine maintenance and keep an inspection log, we will not inspect the facility for another five years.

If there are any identified deficiencies that require immediate maintenance, you will have 135 days to respond with a resolution of the corrective action(s) identified. The notice of inspection letter will include information to help you understand what you need to do to restore the functionality of your SWM facility. Once we receive your response showing completion of required maintenance items, we will close the County's records on your facility for the inspection cycle. Again, you should continue to do regular maintenance and keep an Inspection Log, as most maintenance needs are ongoing and taking care of your facility is your responsibility, no matter when it will be inspected next.

ENFORCEMENT

The County expects you to be responsible for taking care of the stormwater management facility on your property. We anticipate that most property owners, when informed of their responsibilities and how to comply, will take the necessary steps to help protect local streams and Chesapeake Bay. We are available to assist you in obtaining compliance and ensuring your facility is maintained and functioning properly.

There is an active enforcement program for private facilities that are not maintained properly. Failure to properly maintain a stormwater facility may be considered a violation of the County's Stormwater Management Ordinance (Chapter 124, Stormwater Management Ordinance Section 124-8-3(b)(7), The Code of Fairfax County, Virginia or Zoning Ordinance [Section 17-108(6)].

What are Your Responsibilities as a SWM Facility Owner?

You are responsible for ensuring that your private stormwater management facility is maintained and functions properly. Maintenance may include regular "house-keeping" activities such as removing weeds and invasive vegetation or removing excess sediment. Regular maintenance (much like keeping the oil changed in your

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car) keeps everything in good working condition and prevents costly repairs in the future.

We realize that you may not know what you need to do to keep your stormwater facility working properly. This information package includes a maintenance checklist that is specific to the type of facility on your property. In most cases, homeowners can perform maintenance and any necessary repairs of their facility without outside assistance. However, you may also need to hire a contractor to perform a maintenance task. As a courtesy to you, we maintain a list of contractors who have completed a County-sponsored Stormwater Facility Maintenance Awareness Training program and have included it in your information package. Please note that we do not endorse any of these listed contractors, nor does this list encompass all possible companies qualified to perform this type of work.



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