



BUILDING AND CODES DEPARTMENT

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Construction Inspection Suspension, Certificate of Occupancy Hold and Civil Penalty Policy

When a building permit is issued in Montgomery County, each permittee is required to sign an Erosion Prevention and Sediment Control Agreement. That Agreement sets the expectations for construction site conditions in Montgomery County and is based on:

1. State of Tennessee General NPDES Permit for Discharges of Stormwater Associated With Construction Activities;
2. The US EPA Mandated NPDES Municipal Separate Storm Sewer System Notice of Coverage issued to the County by the Tennessee Dept. of Environment and Conservation;
3. The Montgomery County Stormwater Resolution 14-2-2;
4. Current, approved County NPDES Program Policies and Procedures.

Inspections for erosion control effectiveness and trash and construction debris control will be performed on a regular basis during the entire period that a construction permit is active.

In addition, area drainage is inspected to ensure that the design drainage patterns are maintained during and following construction activities.

The inspections can be either scheduled inspections, or inspections resulting from complaints filed with Building and Codes.

When a site erosion control inspection is failed due to sediment/rock release, because of a failure to control trash and construction debris or because of a drainage issue, the time period for bringing the site into compliance will be determined by the severity of the violation. In general, a period of 3 to 5 business days will be allowed for remediation. In all cases sites must be in compliance before predicted rain or high wind events. At the end of the warning period, a re-inspection will be conducted.

If the reinspection shows that the site is still non-compliant, the permit holder will be required to remediate the site within 24 hours.

If the next reinspection shows non-compliance, all pending building inspections will be suspended until the site is brought into compliance. If no building inspections remain then the Certificate of Occupancy will not be issued until the site is in compliance. A \$50.00 Civil Penalty may also be issued.


Building inspections and Certificates of Occupancy will be suspended immediately for repeated violations of the same deficiencies until the site is in compliance with Montgomery County Stormwater Regulations. A \$50.00 Civil Penalty may also be issued for each repeat offence.

Legal Authority: Stormwater Civil Penalties are authorized under Montgomery County Stormwater Regulations (Resolution 24-2-2) as allowed by TCA 68-221-1106.

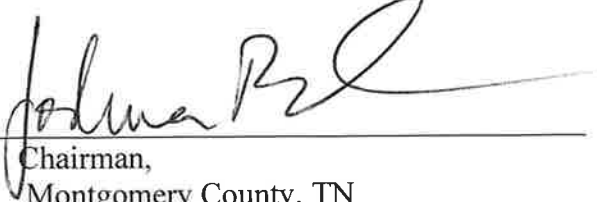
Appeals: Civil Penalties can be appealed to the Stormwater Board of Appeals.

Montgomery County, TN. Construction Inspection Suspension, Certificates of Occupancy Hold and Civil Penalty Policy (Version Dated 5/1/2024) is approved for use by the Montgomery County, TN Stormwater Management Program.

Policy Effective Date: 5/2/2021

Submitted by:  _____ Date: 5/1/2024
John H. Doss
Montgomery County, TN
Storm Water Coordinator

Approved by:  _____ Date: 5/1/2024
Rod Streeter
Montgomery County, TN
Building Commissioner

Approved by:  _____ Date: 5/1/2024
Chairman,
Montgomery County, TN
Building and Codes Committee