STATE OF SOUTH CAROLINA	)	
	)	PERMANENT STORMWATER SYSTEM
	)	MAINTENANCE AND RESPONSIBILITY
	)	AGREEMENT
COUNTY OF LEXINGTON	)	

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, shall adequately maintain the Stormwater management/Best Management Practices (BMP) facilities. In addition, the Small Municipal Separate Storm Sewer Sytem permit number SCR 030000 under which Lexington County has covereage requires the County to ensure that all permanent BMPs installed to address stormwater quantity and quality are maintained in perpetuity. 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 stormwater. Adequate maintenance is herein defined as good working condition so that these facilities are performing as designed.

Lexington County (County) requires The Landowner, its successors and assigns, to inspect the Stormwater management/BMP facility and the stormwater system components annually. The purpose of the inspection is to assure safe and proper functioning of the facilities. The inspection shall cover the entire stormwater system, including berms, outlet structure, pond areas, access roads, vegetation, etc.

The Landowner, its successors and assigns, herby grant permission to the County, its authorized agents and employees, to enter upon the Property and to inspect the stormwater system and BMP facilities whenever the County deems necessary. The purpose of inspection is to follow-up on reported deficiencies and/or to respond to citizen complaints and, if necessary, take corrective action. The County shall provide the Landowner, its successors and assigns, copies of the inspection findings and a directive to commence with the repairs if necessary. Should a Homeowner's Association or BMP owner fail to maintain the stormwater system or any BMPs, the County can begin enforcement action.

The Landowner, its successors and assigns, will perform the work necessary to keep these facilities in good working order as appropriate. The stormwater system and BMP owner(s) will follow the maintenance schedule as outlined in the recorded Operation and Maintenance Plan.

This Agreement imposes no liability of any kind whatsoever on the County and the Landowner agrees to hold the County harmless from any liability in the event the stormwater management/BMP facilities fail to operate properly.

I, _____, accept responsibility for the ownership and proper maintenance of the stormwater system (pond, swales, water quality treatment credit areas, etc.) on the _____(project name and phase) site located on _____(TMS #), owned by _____(Owner) per the approved Operation & Maintenance plan(s). I will complete any necessary repairs and/or preventive maintenance procedures in a timely manner to ensure the stormwater system is properly functioning .

- **I will continue to own and maintain the the practices and stormwater system identified in this Operation and Maintenance Plan until the County 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 a civil penalty subject to the penalty jurisdiction of the Magistrate's Court. Each separate day of a violation consititutes a new and separate violation.**
- **I will complete an annual inspection on all permanent practices included in this O&M Plan and submit the inspection report to the County's Public Works Department (400 Ball Park Road, Lexington, SC 29072) by July 1 or each year.**

If the owner is a Homeowner's Association, check here: ☐

Provide the names of all board members of the Homeowner's Association. The President must sign the agreement.

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

Notary Signature/Date/Stamp

Witness

Witness

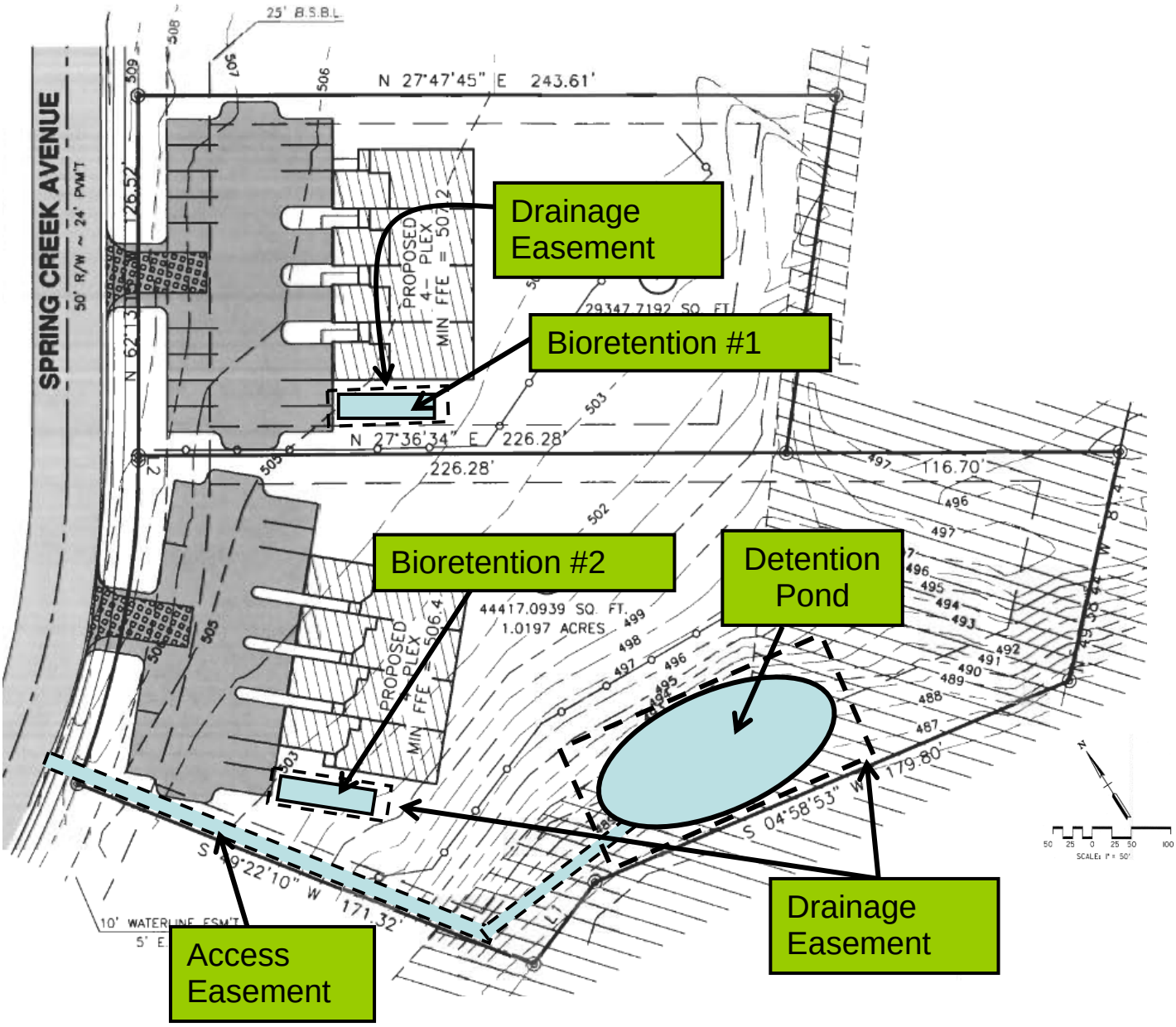
STATE OF SOUTH CAROLINA)
) ACKNOWLEDGEMENT
COUNTY OF LEXINGTON)

I, _____, Notary Public, certify that _____, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

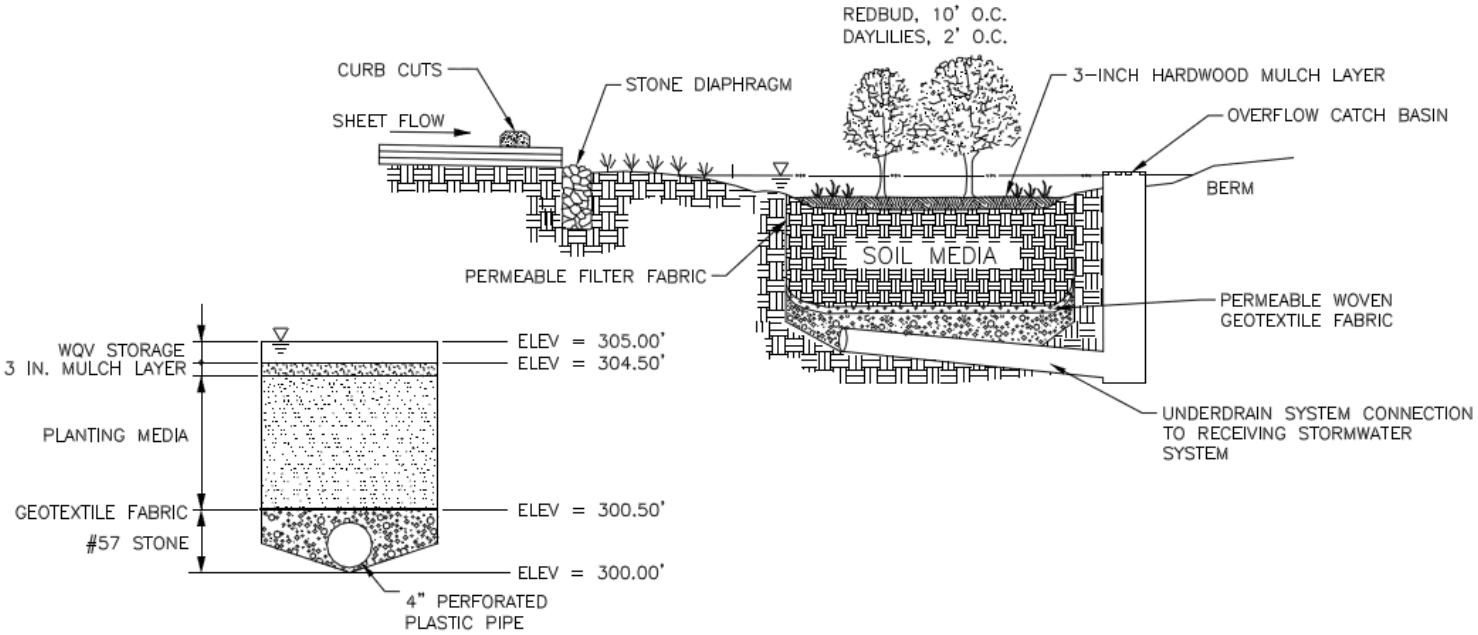
Witnessed my hand and official stamp this _____ day of _____, _____.

Notary Public for South Carolina
My Commission Expires:_____

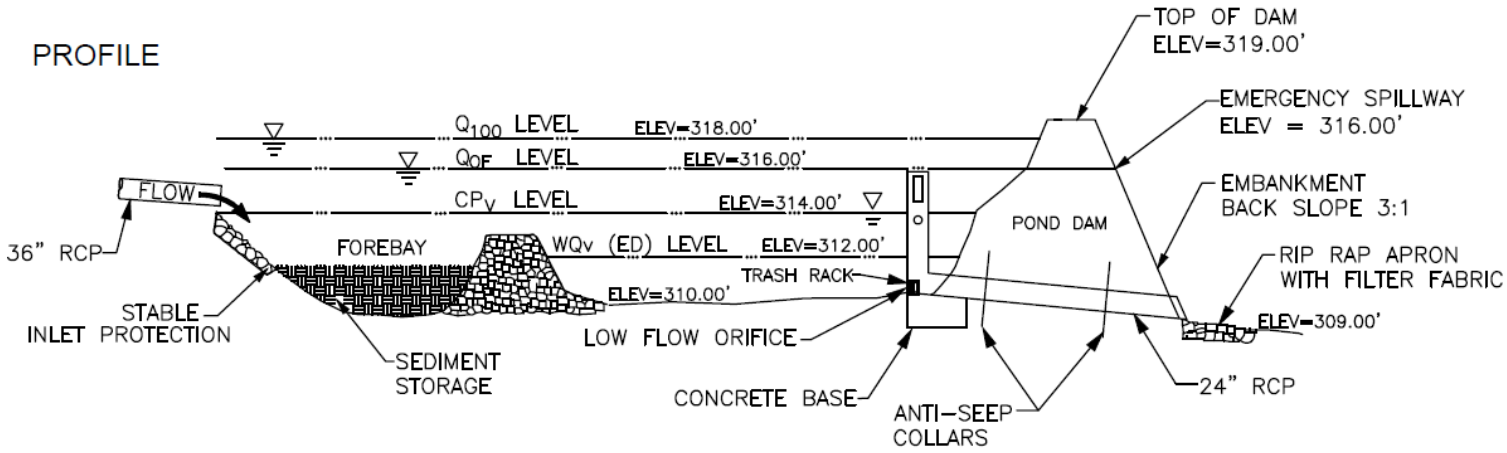
BMP Location Plan (Example)



BMP Schematics Example
Bioretention Area 1



BMP Schematics Example
Dry Extended Detention Pond



Submit Inspection Checklists by July 1 each year to:
Public Works Stormwater Division
440 Ball Park Road
Lexington, SC 29072
Phone: (803) 785-8201

Stormwater Pond

Annual Inspection Checklist for BMP Owners

Circle one: Dry Pond Wet Pond

Site name: _____ BMP Number: _____

_____

Owner Change since last inspection? Y N
Owner Name _____
Address _____
Phone Number _____
Location: _____

Inspection Date: _____ Time: _____

Inspector: _____
Weather Conditions: _____
Was flow observed: If so, what was the appearance of the water (i.e. color, sheen, estimated flow rate, etc.)?

_____

Maintenance Item	Inspected? (Yes/No)	Maintenance needed? (Yes/No)	Comments
Embankment (Dam) and Emergency Spillway			
Circle Type: Reinforced concrete, corrugated pipe, masonry, other _____			
1. Vegetation			
2. Erosion on embankment/dam			
3. Animal burrows			
4. Cracking, bulging or sliding of dam			
A. Location:			
B. Describe			
5. Drains are clear and functioning			
6. Leaks or seeps noted on embankment			
A. Location			
B. Describe			
7. Vegetation or rip rap lining in emergency spillway			
8. Emergency spillway clear of obstructions			
9. Other (describe)			
Riser and Principal spillway			
Circle Type: Reinforced concrete, corrugated pipe, masonry, other _____			
1. Low flow orifice blocked			
2. Trash rack			
A. debris removal needed			
B. corrosion noted			
3. Excessive sediment buildup in riser			
4. Concrete/Masonry condition			
A. cracks or displacement			
B. spalling			
5. Metal pipe condition			
6. Control Valve operational			

Maintenance Item	Inspected? (Yes/No)	Maintenance needed? (Yes/No)	Comments
7. Pond drain valve operational			
8. Outfall channels functioning			
9. Other (describe)			
Ponding Area			
1. Water being held in ponding area at time of inspection? Y N			
2. Undesirable vegetative growth			
3. Debris removal needed			
4. Visible pollution			
5. Shoreline erosion			
6. Visible sediment deposition in ponding area			
6. Other (describe)			
Sediment Forebay			
1. Sediment deposition noted			
2. Sediment cleanout needed (over 50% full)			
Other			
1. Erosion at stormwater outfalls into pond			
2. Headwalls and endwalls			
3. Encroachment into pond or easement area			
4. Complaints from residents	N/A		
5. Public hazards (describe)	N/A		
6. Needs to be mowed			
7. Other vegetation needs to be removed			
8. Other - describe			

Note: If any inspection items were checked "yes" for maintenance needed, list maintenance actions and dates completed below.

Maintenance Action Needed	**Date Due**	**Completed? Y/N**

Inspector Signature: Printed Name:

Stormwater Constructed Wetland

Annual Inspection Checklist for BMP Owners

Submit Inspection Checklists by July 1 each year to:
Public Works Stormwater Division
440 Ball Park Road
Lexington, SC 29072
Phone: (803) 785-8201

Site name: _____ BMP Number: _____
Owner Change since last inspection? Y N
Owner Name _____
Address _____
Phone Number _____
Location: _____

Inspection Date: _____ Time: _____

Inspector: _____
Weather Conditions: _____
Was flow observed: If so, what was the appearance of the water (i.e. color, sheen, estimated flow rate, etc.)?

_____

Maintenance Item	Inspected? (Yes/No)	Maintenance needed? (Yes/No)	Comments
Embankment (dam) and Emergency Spillway			
Circle Type: Reinforced concrete, corrugated pipe, masonry, other _____			
1. Vegetation			
2. Erosion on embankment/dam			
3. Animal burrows			
4. Cracking, bulging or sliding of dam			
A. Location:			
B. Describe			
5. Drains are clear and functioning			
6. Leaks or seeps noted on embankment			
A. Location			
B. Describe			
7. Vegetation or rip rap lining in emergency spillway			
8. Emergency spillway clear of obstructions			
9. Other (describe)			
Riser and Principal spillway			
Circle Type: Reinforced concrete, corrugated pipe, masonry, other _____			
1. Low flow orifice blocked			
2. Trash rack			
A. debris removal needed			
B. corrosion noted			
3. Excessive sediment buildup in riser			
4. Concrete/Masonry condition			
A. cracks or displacement			
B. spalling			
5. Metal pipe condition			
6. Control Valve operational			

Maintenance Item	Inspected? (Yes/No)	Maintenance needed? (Yes/No)	Comments
7. Pond drain valve operational			
8. Outfall channels functioning			
9. Other (describe)			
Permanent Pool			
1. Ponding generally at right levels			
2. Undesirable vegetative growth			
3. Floatable debris removal needed			
4. Visible pollution			
5. Shoreline erosion			
6. Sediment deposits noted			
7. Other (describe)			
Sediment Forebays			
1. Sediment deposition noted			
2. Sediment cleanout needed (over 50% full)			
Other			
1. Erosion at stormwater outfalls into wetland area			
2. Headwalls and endwalls			
3. Encroachment into pond or easement area			
4. Complaints from residents	N/A		
5. Public hazards (describe)	N/A		
6. Needs to be mowed			
7. Other vegetation needs to be removed			
8. Other - describe			
Constructed Wetland Area			
1. Vegetation healthy			
2. Evidence of invasive species			
3. Sediment deposits noted in wetland area (clean out when 50% full or when vegetation damage noted)			

Note: If any inspection items were checked "yes" for maintenance needed, list maintenance actions and dates completed below.

Maintenance Action Needed	**Date Due**	**Completed? Y/N**

Inspector Signature: Printed Name:

Stormwater Bioretention Area

Annual Inspection Checklist for BMP Owners

Submit Inspection Checklists by July 1 each year to:
Public Works Stormwater Division
440 Ball Park Road
Lexington, SC 29072
Phone: (803) 785-8201

Site name: _____ BMP Number: _____
Owner Change since last inspection? Y N
Owner Name_____

Address _____

Phone Number _____ Location: _____

Inspection Date: _____ Time: _____
Inspector: _____
Weather Conditions:
_____
Was flow observed: If so, what was the appearance of the water (i.e. color, sheen, estimated flow rate, etc.)?
_____

Maintenance Item	Inspected? (Yes/No)	Maintenance needed? (Yes/No)	Comments
Treatment area			
1. Evidence of drainage (Is water ponding less than 24 hrs after rain event?)			
2. Signs of erosion noted (in contributing watershed or in bioretention area?)			
3. Mulch condition – thin or decomposing?			
4. Sediment deposits noted in treatment area?			
5. Vegetation condition			
6. Overflow spillway in good condition?			
7. Wetland vegetation noted in treatment area? (evidence of poor drainage)			
8. Other - describe			

Note: If any inspection items were checked "yes" for maintenance needed, list maintenance actions and dates completed below.

Maintenance Action Needed	**Date Due**	**Completed? Y/N**

Inspector Signature: Printed Name:

Stormwater Enhanced Swales

Annual Inspection Checklist for BMP Owners

Circle one: Dry Swale Wet Swale

Submit Inspection Checklists by July 1 each year to:
Public Works Stormwater Division
440 Ball Park Road
Lexington, SC 29072
Phone: (803) 785-8201

Site name: _____ BMP Number: _____
Owner Change since last inspection? Y N
Owner Name _____
Address _____
Phone Number _____
Location: _____

Inspection Date: _____ Time: _____

Inspector: _____
Weather Conditions: _____
Was flow observed: If so, what was the appearance of the water (i.e. color, sheen, estimated flow rate, etc.)?

_____

Maintenance Item	Inspected? (Yes/No)	Maintenance needed? (Yes/No)	Comments
Channel treatment area			
1. Evidence of trash/debris build up?			
2. Signs of erosion noted in channel			
3. Evidence of ponding (wetland vegetation)			
A. In dry swale, more than 12 hrs			
B. In wet swale, more than 48 hrs			
4. Vegetation in good condition?			
Spillway systems			
1. Dry Swale – outlet of underdrain stabilized?			
2. Wet Swale - Check dam(s) in good condition?			
3. Other (specify)			

Note: If any inspection items were checked "yes" for maintenance needed, list maintenance actions and dates completed below.

Maintenance Action Needed	**Date Due**	**Completed? Y/N**

Inspector Signature: Printed Name:

Storm Water Infiltration Trench

Annual Inspection Checklist for BMP Owners

Submit Inspection Checklists by July 1 each year to:
Public Works Stormwater Division
440 Ball Park Road
Lexington, SC 29072
Phone: (803) 785-8201

Site name: _____ BMP Number: _____
Owner Change since last inspection? Y N
Owner Name _____
Address _____
Phone Number _____
Location: _____

Inspection Date: _____ Time: _____

Inspector: _____
Weather Conditions: _____
Was flow observed: If so, what was the appearance of the water (i.e. color, sheen, estimated flow rate, etc.)?

_____

Maintenance Item	Inspected? (Yes/No)	Maintenance needed? (Yes/No)	Comments
Treatment area			
1. Treatment area – free of debris/trash?			
2. Treatment area – free of erosion?			
3. Contributing watershed – stabilized?			
4. Treatment area – water ponding more than 24 hrs?			
5. Observation well(s) – water within 1 foot of bottom of trench/basin?			
6. Signs of subsurface collapse in treatment area?			
7. Other (describe)			

Note: If any inspection items were checked "yes" for maintenance needed, list maintenance actions and dates completed below.

Maintenance Action Needed	**Date Due**	**Completed? Y/N**

Inspector Signature: Printed Name:

Stormwater Manufactured BMP

Annual Inspection Checklist for BMP Owners

Submit Inspection Checklists by July 1 each year to:
Public Works Stormwater Division
440 Ball Park Road
Lexington, SC 29072
Phone: (803) 785-8201

Site name: _____ BMP Number: _____
BMP Name/Manufacturer
_____
Owner Change since last inspection? Y N
Owner Name _____
Address _____
Phone Number _____
Location: _____

Inspection Date: _____ Time: _____

Inspector: _____
Weather Conditions: _____
Was flow observed: If so, what was the appearance of the water (i.e. color, sheen, estimated flow rate, etc.)?

_____

Note: The following maintenance plan items must be filled in based upon the manufacturer's recommendations and submitted to Lexington County for approval with the maintenance agreement.

Maintenance Item	Inspected? (Yes/No)	Maintenance needed? (Yes/No)	Comments

Note: If any inspection items were checked "yes" for maintenance needed, list maintenance actions and dates completed below.

Maintenance Action Needed	**Date Due**	**Completed? Y/N**

Inspector Signature: Printed Name: