

## ARTICLE VII

### Storm Water Management Ordinance

**§24-701** Statutory Authorization. The authority of this chapter is based on home rule provisions of the Georgia Constitution, Article IX, Section II, Chapter 2-49. This ordinance shall be known as the Storm water Management Ordinance, Chatham County. Adoption of this ordinance supercedes any previous ordinances.

**§24-702** Findings.

1. Uncontrolled storm water drainage/discharge may have a significant, adverse impact on the health, safety, the welfare of Chatham County, and the quality of life of its citizens. More specifically, surface water runoff can carry pollutants and nutrients into receiving water.
2. Uncontrolled storm water drainage can increase the incidence of flooding and the level of floods which occur, endangering roads, other public and private property and human life.
3. Altered land surfaces can change the rate and volume of runoff.
4. Many future problems can be avoided through proper storm water management.
5. Every parcel of real property, both public and private, either uses or benefits from the maintenance of the municipal/county separate storm sewer system.
6. Current and anticipated growth will contribute to and increase the need for improvement and maintenance of the municipal/county separate storm sewer system.
7. Encroachment such as structures and fill on flood hazard areas, reduces the flood carrying capacity, increases the flood heights and velocities, and increases flood hazards in areas beyond the encroachment itself.
8. Adverse water quality and quantity consequences described above could result in substantial economic losses. Potential losses include, but are not limited to, increased water treatment costs, as well as State and Federal fines associated with water quality violations.

**§24-703** Objectives. The objectives of this ordinance include the following:

1. Protect, maintain, and enhance the short-term and long-term

public health, safety, and general welfare. This objective will be achieved by providing for regulation and management of municipal/county separate storm sewer system, including public (and private) facilities in Chatham County's service area.

2. Comply with Georgia Department of Natural Resources (DNR) and Federal Environmental Protection Agency (EPA) storm water regulations developed pursuant to the Clean Water Act. These requirements include:
  - a. Control the contribution of pollutants to the municipal/county separate storm sewer system by storm water discharge associated with commercial and industrial activity and the quality of storm water discharged from sites of commercial and industrial activity;
  - b. Control the contribution of pollutants to the county separate storm sewer system by storm water discharge associated with development and redevelopment activities;
  - c. Prohibit illicit connections to municipal/county separate storm sewers;
  - d. Control discharge to municipal/county separate storm sewers of spills, dumping or disposal of materials other than storm water; and,
  - e. Control, through intergovernmental agreements, contributions of pollutants from one municipal/ county system to another.
3. Establish minimum requirements and procedures to regulate the adverse effects of increased storm water runoff and development in flood hazard areas.

**§24-704** Definitions. For the purposes of this ordinance, unless specifically defined below, words or phrases shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most effective application. Words in the singular shall include the plural, and words in the plural shall include the singular. Words used in the present tense shall include the future tense. The word "shall" connotes mandatory and not discretionary; the word "may" is permissive.

Unless otherwise specified, or it is apparent from the context, definitions herein will be the same as those in other Chatham County codes.

For purposes of this ordinance, the following terms, phrases and words, and their derivatives, shall have the meaning given

herein:

1. Accidental Discharge shall be defined as a discharge prohibited by this ordinance into the municipal/county separate storm sewer system which occurs without planning or consideration prior to occurrence. Accidental discharge shall not include a discharge caused by negligence.
2. Appeal Authority shall mean the Chatham County Board of Commissioners, one of whose purpose is to review appeals to this ordinance and render decisions and variances.
3. Base flood elevation shall mean the minimum expected water surface elevation identified by the Federal Emergency Management Agency or as determined by the Director.
4. Best Management Practices (BMPs) shall mean a wide range of management procedures, activities, and prohibitions or practices which control the quality and/or quantity of storm water runoff and which are compatible with the planned land use.
5. Chatham County shall mean Unincorporated Chatham County.
6. Clean Water Act shall mean the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.)
7. Conveyance shall mean storm water features designed for the movement of storm water through the drainage system, such as concrete or metal pipes, ditches, depressions, swales, etc.
8. Department shall mean the Chatham County Department of Engineering which is responsible for all storm water management activities and implementation of the provisions of this ordinance.
9. Development Activity shall mean any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, dredging, clearing, grubbing, scraping, grading, filling, paving, excavation or other activities disturbing the soil or vegetation.
10. Director shall mean either the County Engineer or any of that person's duly authorized representatives.
11. Discharge shall mean the release of treated or untreated water from the site.
12. Easement shall mean an acquired legal right for the specific use of land owned by others.

13. Extended Detention shall mean the storage and release of the 1-year, 24-hour storm runoff over a 24-hour period.
14. Flood Hazard Area shall mean those delineated geographical areas of special flood hazard identified by the Federal Emergency Management Agency or other areas as determined by the Director.
15. Hot Spot shall mean a land use or activity on a site that produces higher concentrations of trace metals, hydrocarbons or other priority pollutants than are normally found in urban storm water runoff. Examples include, but are not limited to, gas stations, vehicle service and maintenance areas, salvage yards, material storage sites, garbage transfer facilities, and commercial parking lots with high-intensity use.
16. Illicit Connection shall mean a connection to a municipal/county separate storm sewer system which results in discharge that is not composed entirely of storm water runoff except discharges pursuant to a National Pollutant Discharge Elimination System (NPDES) permit (other than the NPDES permit for discharges from the municipal/county separate storm sewer system).
17. Maintenance shall mean any action necessary to preserve storm water management facilities in proper working condition, in order to serve the intended purposes set forth in this ordinance or to prevent structural failure of such facilities.
18. Manual shall mean the latest edition of the Georgia Storm Water Management Manual.
19. Municipal/County Separate Storm Sewer System (MS4) shall mean a conveyance or system of conveyances (including roads with drainage systems, highways, rights-of-ways, municipal/county streets, catch basins, curbs, gutters, ditches, man-made channels, storm drains, detention ponds, other storm water facilities) which is:
  - a. Owned or operated by Chatham County;
  - b. Designed or used for collecting or conveying storm water;
  - c. Not a combined sewer; and
  - d. Not part of a Publicly Owned Treatment Works (POTW).
20. NPDES shall mean the National Pollutant Discharge Elimination System permit granted by the Georgia Department of Natural Resources.

21. Open tidal waters shall mean natural bodies of water influenced by daily tide fluctuations that have no downstream man-made flow restrictions.
22. Person shall mean any and all persons, natural or artificial and includes any individual, firm, corporation, government agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal entity.
23. Pollution shall mean the contamination or other alteration of any water's physical, chemical or biological properties, including change in temperature, taste, color, turbidity, or odor of such waters of discharge or any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.
24. Post-developed conditions shall mean the conditions following the completion of the land development activity in terms of topography, vegetation, land use, and quality, rate, volume, and direction of storm water runoff.
25. Pre-developed conditions shall mean those land use conditions that exist prior to the initiation of the proposed land development activity in terms of topography, vegetation, land use, and quality, rate, volume, and direction of storm water runoff.
26. Private shall mean property or facility owned by individuals, corporations, and other organizations and not by city, county, state, or federal government.
27. Procedure shall mean a procedure adopted by the Department, by and through the Director, to implement a regulation adopted under this ordinance, or to carry out other responsibilities as may be required by other codes, ordinances or resolutions of Chatham County or other agencies.
28. Record Drawings shall mean a set of engineering site drawings that delineate the permitted storm water management facility as actually constructed and are prepared in accordance with the standards specified in the Chatham County Engineering Policy.
29. Regulation shall mean any regulation, rule or requirement adopted by Chatham County pursuant to the requirements of this

ordinance.

30. Sanitary Sewer System shall mean the complete sanitary sewer system of Unincorporated Chatham County which discharges sewage directly or indirectly into the sewage treatment plant, including sanitary sewer pipelines, manholes, and flushing inlets and appurtenances to the foregoing, but shall exclude any portion or facilities of the sewage treatment plant.
31. Site shall mean any lot, plot, parcel or tract of land.
32. Storm Water shall mean storm water runoff, snow melt runoff, and surface runoff.
33. Storm Water Management shall mean the prevention and mitigation of storm water quantity and quality impacts.
34. Storm Water Management Facilities shall mean constructed or natural components of a storm water drainage system, designed to perform a particular function, or multiple functions, including, but not limited to, pipes, swales, ditches, canals, wetlands, culverts, street gutters, storm water ponds, flood hazard areas, constructed wetlands, infiltration devices, catch basins, oil/water separators, sediment basins, natural and modular pavement.
35. Storm Water Runoff shall mean the flow of water that results from precipitation.
36. Variance shall mean the modification of the minimum storm water management requirements of specific circumstances where strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of this ordinance.
37. Water Quality shall mean those characteristics of storm water runoff that relate to the physical, chemical, biological or radiological integrity of water.
38. Water Quantity shall mean those characteristics of storm water runoff that relate to the rate and volume of the storm water runoff.
39. Watershed shall mean the drainage area contributing storm water runoff to a single point in the storm water system.

**§24-705**    Scope of Responsibility.

1. The provisions of this ordinance shall apply throughout Chatham County and to drainage systems maintained by intergovernmental agreement between Chatham County and

municipal jurisdictions.

2. The Director or designee shall be responsible for the coordination and enforcement of the provisions of this ordinance.
3. The Department shall be responsible for the conservation, management, extension and improvement of the MS4, including activities necessary to control storm water runoff and activities necessary to carry out storm water management programs included in Chatham County's NPDES storm water permit.
4. The application of this ordinance and the provisions expressed herein shall be the minimum storm water management requirements and shall not be deemed a limitation or repeal of any other local requirements authorized by State statute. Other storm water project improvements, as defined under Georgia Law, may be required.

**§24-706**    Powers of the Department.

1. The Department shall have the power to administer and enforce all regulations and procedures adopted to implement this ordinance, including the right to maintain an action or procedure in any court of competent jurisdiction to compel compliance with or restrain any violation of this ordinance.
2. The Department can:
  - a. Administer, coordinate and oversee acquisition, design, and construction of municipal/county storm water facilities;
  - b. Establish or oversee establishment of development standards and guidelines for controlling storm water runoff;
  - c. Determine the manner in which storm water facilities should be operated;
  - d. Inspect private storm water management facilities;
  - e. Advise the Board of Commissioners of Chatham County, other Chatham County Departments and other local governments on issues related to storm water;
  - f. Protect facilities and properties controlled by the Department and prescribe how they are used by others;
  - g. Require new, increased, or modified storm water

contributions to comply with the terms of this ordinance;

- h. Develop programs and procedures to control the discharge of pollutants into the MS4; and,
- i. Adopt and implement the storm water management program for Chatham County.

**§24-707     Storm Water Management Plans (SWMP).**

- 1. All development activity that is required to have a permit for land disturbing under the provisions of the Land Disturbing Activities Ordinance, Flood Damage Prevention Ordinance, or Soil Erosion and Sedimentation Control Ordinance shall have an approved Storm water Management Plan (SWMP). A SWMP shall be valid for one year from date of acceptance. The minimum design requirements for the SWMP shall include the following:
  - a. Use of Better Site Design Practices for Storm Water Management. Site designs should preserve the natural drainage and treatment systems and reduce the generation of additional storm water runoff and pollutants. All site designs shall implement a combination of approaches collectively known as storm water better site design practices, as described in Volume 2 of the Manual, to the fullest practical extent. Such practices include conservation of natural features, use of lower impact site design techniques, reduction of impervious cover, utilization of natural features for storm water management.
  - b. Storm Water Runoff Quality. All storm water runoff generated from a site shall be adequately treated before discharge. Storm water management systems (which can include both structural storm water controls and better site design practices) must be designed to remove 80% of the calculated average annual post-development total suspended solids (TSS) load and be able to meet any other additional watershed- or site-specific water quality requirements. A storm water management system complies with this performance standard if:
    - i. It is sized to capture and treat the prescribed water quality treatment volume, which is defined as the storm water runoff volume resulting from the first 1.2 inches of rainfall from a site;
    - ii. Appropriate structural storm water controls are selected, designed, constructed, and maintained according to the specified criteria in the Manual; and



- iii. Runoff from hotspot land uses and activities is adequately treated and addressed through the use of appropriate structural storm water controls and pollution prevention practices.
- c. Stream Channel Protection.
  - i. Stream channel protection shall be provided to both downstream and on-site channels by using all of the following three approaches:
    - (1) 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event;
    - (2) erosion prevention measures such as energy dissipation and velocity control; and
    - (3) preservation of the applicable stream buffer.
  - ii. This requirement may be waived by the Director for sites that discharge directly into piped storm water drainage systems, larger streams, rivers, wetlands, or tidal waters where the reduction in flows will not have an impact on channel integrity
- d. Overbank Flood Protection.
  - i. Downstream overbank flood protection shall be provided by controlling the post-development peak discharge rate to the pre-development rate for the 2-year through the 50-year, 24-hour return frequency storm event.
  - ii. This requirement does not apply provided the following:
    - (1) The development directly discharges into open tidal waters, or;
    - (2) Provisions are made to provide a conveyance system with adequate capacity to carry storm water flows to open tidal waters.
- e. Extreme Flood Protection. Extreme flood protection shall be provided by controlling and/or safely conveying the 100-year, 24-hour return frequency storm event such that there is no increase in flood elevations, either upstream or downstream.
- f. Hydrologic Analysis. A hydrologic analysis, both upstream and downstream, shall be performed to determine the following:
  - i. Adequate capacity of the receiving system; and

- ii. Whether there are any additional impacts in terms of peak flow increase or water elevations while meeting Minimum Standards (a) through (e), above
  - iii. This analysis shall be performed at the outlet(s) of the site, and downstream at each tributary junction to the point(s) in the conveyance system where the area of the portion of the site draining into the system is less than or equal to 10% of the total drainage area above that point or to a point identified by the Director.
- g. Groundwater Recharge. Annual groundwater recharge rates shall be maintained to the fullest practical extent through the use of nonstructural methods as described in Volume 2, Section 1.4 of the Manual.
  - i. The annual recharge from the post-development site shall approximate the annual recharge from the pre-development, based on soil types.
  - ii. Storm water runoff from a hotspot site or land use shall not be infiltrated without effective pretreatment.
- h. Storm Water Management System Operation and Maintenance. The storm water management system, including all structural storm water controls and conveyances, shall have an operation and maintenance plan to ensure that it continues to function as designed. The operation and maintenance plan must provide:
  - i. A clear assignment of storm water system inspection, maintenance, and financial responsibilities;
  - ii. The routine and non-routine maintenance tasks to be undertaken;
  - iii. A schedule for inspection and maintenance. All records of inspection and maintenance must be maintained for each control for a period of three (3) years. These records must be available for review by the Department at all times. Failure to maintain the records will be a violation of this Ordinance; and
  - iv. Any necessary legally binding maintenance agreements. If the development or redevelopment includes a subdivision, there must be clear and concise note(s) referring to the operation and maintenance plan on the plat. All agreements and

plats must clearly specify that all property owners within the subdivision are responsible.

- v. Estimated annual inspection, maintenance, and operating costs.
  - vi. If at any time the Director determines that the plan is not effective, then the Director may require changes as necessary to guarantee adequate operation of the storm water management system.
- 2. Drainage structures internal to the proposed land development activity will be designed for no less than the 10 year, 24 hour storm event.
  - 3. The SWMP shall include a Hydrologic/Hydraulic Report prepared and certified by a Registered Professional Engineer licensed to practice Engineering in the State of Georgia. The report shall be prepared in accordance with the minimum standards of the Chatham County Engineering Policy using methodology provided in the Manual.
  - 4. A Land Disturbing Activities Grading or Development Permit cannot be issued until the provisions of this ordinance have been met.
  - 5. Record Drawings of the Storm Water Management Facilities by a registered professional engineer are required prior to issuance of a certificate for occupancy from the County. Record Drawings shall be prepared in accordance with Chatham County's Engineering Policy.
  - 6. For development of a project in phases, a storm water master plan is required to indicate how the requirements of this ordinance will be met. This does not preclude the requirement of a SWMP for each phase as it is being developed. The master plan of multi-phased developments shall consolidate storm water management facilities to as much as practical.

**§24-708    Prohibition.**

- 1. It shall be unlawful to dump, deposit, or otherwise cause any trash, landscape debris, or other material to be placed in any stream, channel, ditch, or any portion of the storm water management facilities.
- 2. The Director may exempt the following from the prohibition provision above.
  - a. Water line flushing performed by a government agency, diverted stream flows, rising ground waters, and

unpolluted ground water infiltration.

- b. Unpolluted pumped ground water.
  - c. Discharge from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, flows from riparian habitats and wetlands, and street wash water.
  - d. Discharge or flows for firefighting.
  - e. Other unpolluted water.
3. In the event of an accidental discharge or an unavoidable loss to the MS4 of any material or substance other than storm water runoff, the person concerned shall inform the Department and all other impacted entities immediately but no longer than two (2) hours of the nature, quantity and time of occurrence of the discharge. The person concerned shall take immediate steps to contain, treat, or take other actions to minimize effects of the discharge on the MS4 and receiving streams. The person shall also take immediate steps to ensure no recurrence of the discharge.
  4. It shall be unlawful for any person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface, modify, or tamper with any storm water structure, appurtenance, or equipment.
  5. It shall be unlawful, without prior written authorization of the Director, to alter in any way any part of the storm water system including, but not limited to, rerouting, removing, deepening, widening, enlarging, filling or obstructing any part of the storm water system including fencing over or across lands encumbered by drainage easements and rights-of-way which render the system inaccessible to equipment necessary to perform maintenance and repairs.
  6. It shall be unlawful to enter Chatham County drainage rights-of-way without first obtaining approval from the Director of Public Works and Park Services in accordance with Chatham County's Right-of-Way Encroachment Ordinance.

**§24-709    Illicit Connections.**

1. It is unlawful for any person, company, corporation, etc., to connect any pipe, open channel, or any other conveyance system that discharges anything except storm water or unpolluted water which is approved by the Director, based on the exemptions listed in §24-708.2 above, to the MS4.

2. Improper connections in violation of this code must be disconnected and redirected, if necessary, to the nearest sanitary sewer system upon approval by the Director.

**§24-710**     Maintenance and Inspection.

1. Any storm water management facility or BMP which services a single residential lot, commercial development, or industrial development shall be privately owned and maintained by the property owner. In no case can alterations be made to the storm water management facilities that may impact perpetual access for maintenance.
2. The Director may require dedication of privately owned storm water facilities which discharge to the MS4.
3. The Director shall determine inspection schedules necessary to enforce the provisions of this ordinance.
4. The Director or his/her designee, bearing proper credentials and identification, shall be permitted to enter, in accordance with state and federal law, all properties for regular inspections, periodic investigations, observation, measurement, enforcement, sampling and testing, in accordance with provisions of this ordinance. The Director or his/her designee shall duly notify the owner of said property or the representative on site, except in the case of an emergency.
5. The Director or his/her designee, bearing proper credentials and identification, shall be permitted to enter, in accordance with state and federal law, all properties for which the Chatham County holds a negotiated easement for inspection, repairs, maintenance and other purposes related to any portion of the storm water management facilities lying within said easement.
6. Measurements, tests and analyses performed by the Department or required of any discharger to the MS4 shall be in accordance with 40 CFR Part 136, unless another method is approved by the Director.
7. after inspection, the condition of a private storm water management facility presents an immediate danger to the public health or because of unsafe conditions or improper maintenance, the Director shall have the right to take action as may be necessary to protect the public and make the storm water management facility safe at the expense of the owner of the storm water management facility.
8. If, after inspection, the condition of the private storm water management facility results in a violation of this ordinance,

the owner and of the storm water management facility will be notified of the violation.

**§24-711     Administrative Enforcement; Remediation Plan.**

1. Whenever the Director finds that any person has violated or is violating this ordinance, the Director shall serve upon such person a written notice stating the nature of the violation, notice to cease all activities in violation of this ordinance, and the potential penalty involved.
2. Upon receipt of Notice of Violation, the person shall submit a remediation plan and a remediation schedule to the Director within five (5) business days. The remediation plan shall include immediate correction where requested, otherwise, all corrective and preventive measures shall be completed within thirty (30) days of the initial notice of violation.

**§24-712     Appeals.**

1. Any person aggrieved by a decision of the Director (including any decision with reference to the granting or denial of a variance from the terms of this ordinance) may appeal same by filing a written notice of appeal with the Director within five (5) days of the issuance of said decision by the Director. A notice of appeal shall state specific reasons.
2. The Director shall prepare and send to the Chatham County Board of Commissioners and appellant a written response to said notice of appeal within ten (10) days of the receipt of the notice of appeal.
3. All appeals shall be heard by the Chatham County Board of Commissioners in accord with its bylaws. The hearing shall be held within thirty (30) days after the receipt of notice of appeal or a date mutually agreed upon in writing by the appellant and the chairperson of the Chatham County Board of Commissioners. The Chatham County Board of Commissioners shall then make its findings within ten (10) days of the appeal hearing.
4. If the appellant is dissatisfied with the Chatham County Board of Commissioners decision, he or she can appeal said decision to the Superior Court.

**§24-713     Penalties.**

1. Any person who is found by the Director to have willingly and negligently failed to comply with any provision of this ordinance, and the orders, rules, and regulations, issued hereunder, shall be subject to a financial penalty or

imprisonment or both. Each day in which a violation occurs shall be deemed a separate and distinct offense. Financial penalty shall be five hundred (\$500) dollars per day.

2. In addition, any person who does willingly and negligently fail to comply with any provisions of this ordinance shall be subject to a civil penalty initiated by the Chairman of the Chatham County Board of Commissioners seeking monetary penalties for damages caused to publicly owned storm water facilities.
3. The civil penalty shall be assessed in the following manner:
  - a. the Director may issue an assessment against any person or permittee responsible for the violation;
  - b. any person against whom an assessment has been issued may secure a review of such assessment by filing with the Director written petition setting forth the grounds and reasons for his objections and asking for a hearing in the matter involved;
  - c. Whenever any assessment has become final because of a person's failure to appeal the Director's assessment, the Chairman of the Commissioners may apply to the appropriate court for a judgement and seek execution of such judgement and the court, in such proceedings, shall treat a failure to appeal such assessment as a confession of judgement in the amount of the assessment;
  - d. In assessing the civil penalty the Director may consider the following factor:
    - i. damages to the County, including compensation for the damage or destruction to the MS4, and also including any penalties, costs, and attorney fees incurred by the County as the result of the illegal activity, as well as the cause of the discharge or violation;
    - ii. the severity of the discharge and its effects upon the MS4 and upon the quality and quantity of the receiving waters;
    - iii. effectiveness of action taken by the violator to cease the violation;
    - iv. the technical and economic reasonableness of reducing or eliminating the discharge; and
    - v. the economic benefit gained by the violator.

**§24-714**    Variances from Requirements.

1. The Director may grant a variance from requirements of this

ordinance if exceptional circumstances applicable to a site exist such that strict adherence to the provisions of the ordinance will result in unnecessary hardship and will not fulfill the intent of the ordinance.

2. The Director may grant a variance from requirements of this ordinance if the proposed development activity:
  - a. will not increase the rate, volume, or concentration of runoff to the existing downstream storm sewer system;
  - b. will not impact base flood elevation upstream and/or downstream;
  - c. will not have a negative impact on any wetland, watercourse, or water body; and
  - d. will not contribute to degradation of water quality.
3. A written request for a variance shall be required and shall state the specific variance sought and the reasons, with supporting data, a variance should be granted. The request shall include all information necessary to evaluate the proposed variance.
4. The Director will conduct a review of the request for a variance within ten (10) working days of receiving the request.

**§24-715** Cooperation with Other Governments. Chatham County may enter into agreements with other local governments to carry out the purpose of this ordinance. These agreements may include, but are not limited to, cooperative monitoring of water quality and cooperative management and inspection of storm water system and management programs.

**§24-716** Effective Date.

1. The ordinance shall take effect after adoption by the Board of Commissioners of Chatham County and be in force on July 20, 2007.
2. All future phases of development that have had a Master Plan approved by both the Director and the Savannah/Chatham County Metropolitan Planning Commission prior to the adoption date shall be exempt from the provisions of this revised ordinance, unless the Director determines that the result of the exemption will adversely affect public safety and welfare.
3. Furthermore, those developments that submit complete Land Disturbing Activities Ordinance grading and/or development



permit application to the Director by July 27, 2007, shall be exempt from the provisions of this revised ordinance, unless the Director determines that the result of the exemption will adversely affect public safety and welfare. Incomplete applications shall mean those that do not include all the required fees and information required by the Land Disturbing Activities Ordinance and Engineering Policy for that type permit. In the event that the permittee has not begun the permitted work within twelve months, the permit shall lapse and a new permit must be obtained before work can begin. Once work is begun under a valid permit, the permittee may continue the permitted work until the work is completed. Any permit will automatically lapse after twelve months of inactivity, unless the developer obtained an extension from the Director. Lapsed permits shall no longer be exempt from the provisions of this ordinance.

**§24-717** Severability. If any term, requirement or provision of this ordinance or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this ordinance or the application of such terms, requirements and provisions to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby and each term, requirement or provision of this ordinance shall be valid and be enforced to the fullest extent permitted by law. (Amended July 20, 2007.)