



## Notice of Violation

July 26, 2017

Iron City, LLC  
Charlene Noble  
119 Park Place, #106  
Birmingham, AL 35233

RE: Iron City Park  
1600 32<sup>nd</sup> Street North  
Birmingham, AL 35203

This Notice of Violation is a result of a Warning Letter issued at the above-referenced facility on July 26, 2017. During the inspection the following violations were noted:

1. Water runoff from property into the City's Municipal Separate Storm Sewer System (MS4) otherwise known as the curb and gutter system (See attached photos)
2. Best Management Practices (BMPs) were not being utilized to the maximum extent practicable (MEP) to prevent pollutant discharges from this site as required by state and federal stormwater regulations and City Ordinance.

These deficiencies constitute a violation of the City of Birmingham's Stormwater Protection Ordinance. Ordinance No. 14-198: Chapter 3, §300 "prohibits the discharge of pollutant or waters containing any pollutants other than stormwater unless authorized by Alabama Department of Environmental Management (ADEM) or otherwise in compliance with the City's Stormwater Protection Ordinance". The ordinance also requires that BMPs be used to reduce pollutant discharges to the MEP (Chapter 7, §700(c)).

The City of Birmingham has not yet received an adequate response/documentation addressing stormwater non-compliance and intended actions since August 11, 2016. In order for your property to be in compliance, the following must be met within thirty (30) business days of your receipt of this letter:

- Provide detailed site plans (4 copies) of how the dechlorinator device is attached (drawings and documentation addressing flow rate, friction loss, back flow preventer and a test connector for testing discharge) for approval
- Must obtain all necessary permits

Failure to provide this timely response will constitute a violation of City ordinance and will so be noticed.

Our primary focus is your compliance with the City of Birmingham Stormwater Protection Ordinance. Please understand that continued noncompliance is a violation of City Ordinance and may result in **"a penalty of not greater than five hundred dollars (\$500.00) and/or imprisonment for a period of time**



**not to exceed six (6) months for each violation. Each act of violation and/or each day upon which any violation shall occur or continue to occur shall constitute a separate offense”.**

Should you have any questions, please feel free to contact me at (205) 297-8300.

Sincerely yours,

Angela D. Moss, Water Pollution Control Technician  
City of Birmingham  
Department of Planning, Engineering, and Permits

Enclosure: (2)

Cc: Julie Barnard, Assistant City Attorney

SAMPLE