

**ARTICLE 8.0 MONITORING OF DISCHARGES/ACCESS AND INSPECTING
PROPERTIES AND FACILITIES**

A. Applicability

This section applies to all properties that create stormwater discharges associated with the use of the property.

1. Access to Properties and Facilities

- a. A Lamar County designated official shall be permitted to enter and inspect properties and facilities subject to regulation under this ordinance at reasonable times and as often as may be necessary to determine compliance with this ordinance. If a discharger has security measures in force, which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.
 - b. Property owners and facility operators shall allow Lamar County or its agents access to all parts of the premises for the purposes of inspection, sampling, photographing, videotaping, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.
 - c. Lamar County or its agents shall have the right to set up on any permitted property such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's stormwater discharge.
 - d. Lamar County or its agents have the right to require a discharger to install monitoring equipment as necessary, and perform monitoring and make the monitoring data available to Lamar County. The sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
 - e. Any temporary or permanent obstruction that does not allow safe and easy access to the property to be inspected and/or sampled shall be promptly removed by the owner at the written or oral request of the LCBOS or authorized enforcement agency and shall not be replaced. The costs of clearing such access shall be borne by the owner.
 - f. Unreasonable delays in allowing the authorized enforcement agency access to a permitted property is a violation of a stormwater discharge permit and of this ordinance. A person who is the owner of property with a NPDES permit to discharge stormwater associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted property for the purpose of conducting any activity authorized or required by this ordinance.
- 2. If Lamar County, its agents, or authorized enforcement agency has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or**

that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, environment, and welfare of the community, then the authorized enforcement agency may seek issuance of a search warrant from any court of competent jurisdiction.