

## **Appendix A: Stormwater Facility Inspection & Maintenance Agreement**

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This AGREEMENT, made and entered into this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_, his/her successors and assigns, including but not limited to any homeowners association, commercial developer, holder of any portion of the below described property, and/or similar (hereinafter called the "Landowner"), and the City of Savannah, Georgia; hereinafter called the "City", as required by state and local regulation and ordinances.

WITNESSETH, that WHEREAS, the Landowner is the owner of certain real property described as \_\_\_\_\_ and recorded by deed in the land records of Chatham County, Georgia, Deed Book \_\_\_Page \_\_\_, hereinafter called the "Property".

WHEREAS, the Landowner is proceeding to develop the property and/or build upon the property; and

WHEREAS, the Stormwater Management and Operations and Maintenance (O&M) Plan; hereinafter called "the Plan", which is expressly made a part hereof, as approved or to be approved by the City, provides for management of stormwater runoff for the property; and

WHEREAS, the Landowner, its successors and assigns, agree that the health, safety, and welfare of the residents of Savannah, Georgia, require that stormwater management facilities be constructed and maintained on the Property and in accordance with the Plan; and

WHEREAS, the City requires that stormwater management facilities as shown within the Plan be constructed and adequately maintained by the Landowner, its successors and assigns.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The stormwater management facilities shall be constructed and/or upgraded as well as maintained by the Landowner, its successors and assigns, in accordance with the specifications identified in the Plan.
2. The Landowner, its successors and assigns, shall adequately maintain the stormwater management facilities and perform the work necessary to keep those facilities in good working order at all times, as described in the Plan. This includes all pipes, channels or other conveyances built to convey stormwater to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater runoff. Adequate maintenance is herein defined as good working condition so that these facilities are performing their approved design functions.

3. The Landowner, its successors and assigns, shall inspect the stormwater management facility annually and maintain an inspection report on site that will be available for review by the City. The purpose of the inspection is to ensure safe and proper functioning of the stipulated facilities. The inspection shall cover all applicable stormwater management facilities, including but not limited to, conveyance measures, berms, outlet structures, pond areas, etc. Deficiencies shall be noted in the inspection report along with a schedule for repair. The inspection procedures, frequency and report shall follow the procedures established and approved in the Plan.
4. The Landowner, its successors and assigns, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property and to inspect the stormwater management facilities whenever the City deems necessary and with reasonable notice having been given to the Landowner. The City shall provide the Landowner, its successors and assigns, copies of the inspection findings and a directive to commence with the repairs if necessary.
5. In the event the Landowner, its successors and assigns, fails to maintain the stormwater management facilities in good working condition acceptable to the City, the City may issue citations to the Landowner for resulting, continuing ordinance violations (as set forth in the Savannah City Code of Ordinances), until such time as the issues are satisfactorily resolved. Additionally, the City may enter upon the Property and implement the necessary measures to correct deficiencies identified in the inspection report and to recover the costs of such repairs from the Landowner, its successors and assigns through the appropriate means. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Landowner outside of the easement for the stormwater management facilities. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said facilities, and in no event shall this AGREEMENT be construed to impose any such obligation on the City.
6. Landowner, its successors and assigns, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the stormwater management facilities (including sediment removal) is outlined on the approved plan, the schedule will be followed.
7. In the event the City, pursuant to this AGREEMENT, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner, its successors and assigns, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City hereunder. Work will not commence without written notice from the City to the owner.
8. This Agreement imposes no liability of any kind whatsoever on the City and the Landowner agrees to hold the City harmless from any liability in the event the stormwater management facilities fail to operate properly.

9. This AGREEMENT shall constitute a covenant running with the land, and shall be binding on the Landowner, its administrators, executors, assigns, heirs and any other successors in interests, including any homeowners association.

**CERTIFICATION**

**OWNER:**

WITNESS the following signatures and seals:

\_\_\_\_\_  
Company/Corporation/Partnership Name (Seal)

By: \_\_\_\_\_

\_\_\_\_\_  
(Type Name and Title)

The foregoing AGREEMENT was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by

\_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

**Appendix B      Applicant completion certification**

I, \_\_\_\_\_(print name here)

am the Owner, Applicant, or \_\_\_\_\_(circle appropriate title or print in blank)

of the site development known as \_\_\_\_\_(fill name of development)

located at \_\_\_\_\_(fill in street address) \_\_\_\_\_Savannah  
(fill in post office city or circle Savannah)

Georgia, zip code \_\_\_\_\_(fill in the blank)

Under the laws of the state of Georgia pursuant to water quality, flood management, stormwater management, erosion, sediment and pollution control, and City ordinances that may apply to this development, the construction of this development has progressed to the point of completion as measured by accomplishing completion of all of the required components of the approved site development plans. Further, the site will be operated and maintained throughout its life according to the Stormwater Maintenance and Operations Plan as approved for the facility and required by the executed Stormwater Inspection and Maintenance Agreement on file for the facility. I understand that failure to follow, undertake and complete tasks stipulated by the Inspection and Maintenance Agreement on file for the facility may cause others to be assigned to complete the required tasks at my cost, as per the terms detailed in the City's Stormwater Management Ordinance and the approved Stormwater Inspection and Maintenance Agreement for the facility.

I understand my responsibilities and faithfully agree to carry out the responsibilities as required.

Signature\_\_\_\_\_

Name\_\_\_\_\_

Address\_\_\_\_\_

City, State, Zip\_\_\_\_\_

Provide mailing address to which you wish permanent legal correspondence to be addressed

Daytime Telephone Number\_\_\_\_\_

Email Address\_\_\_\_\_

Cell Phone Number \_\_\_\_\_

**Appendix C      Engineer's project completion certification**

I, \_\_\_\_\_(print name here)

am a professional engineer registered in the State of Georgia, and am familiar with the requirements of the City of Savannah Stormwater Management Ordinance, the City of Savannah Local Design Manual, hydraulic engineering principles, and the approved design plans for the site development known as \_\_\_\_\_(fill name of development) located at \_\_\_\_\_(fill in street address) \_\_\_\_\_Savannah (fill in post office city or circle Savannah)

Georgia, zip code \_\_\_\_\_(fill in the blank)

I have personally compared the approved design plans entitled:\_\_\_\_\_

\_\_\_\_\_dated: \_\_\_\_\_

for which a pre construction meeting / plan approval issuance date was \_\_\_\_\_

to the conditions of the completed site and make the following certification:

Based upon my personal inspection of the condition of the constructed site in comparison to the approved plans, I find that the site is constructed in substantial compliance with the approved plans.

Name\_\_\_\_\_

Address\_\_\_\_\_

City, State, Zip\_\_\_\_\_

Daytime Telephone Number\_\_\_\_\_

Email Address\_\_\_\_\_

Cell Phone Number \_\_\_\_\_

\_\_\_\_\_(signature)

Date\_\_\_\_\_

Seal

**Appendix D      Engineer's as built certification**

I, \_\_\_\_\_(print name here)

am a professional engineer registered in the State of Georgia, and am familiar with the requirements of the City of Savannah Stormwater Management Ordinance, the City of Savannah Local Design Manual, hydraulic engineering principles, the approved Operations Maintenance Plan, and the approved design plans for the site development known as \_\_\_\_\_(fill name of development) located at \_\_\_\_\_(fill in street address) \_\_\_\_\_Savannah (fill in post office city or circle Savannah)

Georgia, zip code \_\_\_\_\_(fill in the blank)

I have personally compared the approved design plans entitled: \_\_\_\_\_

\_\_\_\_\_dated: \_\_\_\_\_

for which a pre-construction meeting / plan approval issuance date was \_\_\_\_\_

to the as built survey undertaken on \_\_\_\_\_(fill in date) and make the following certification:

Based upon my personal inspection of the condition of the constructed site and the surveyed results of construction materials, locations, elevations, and capacities of the constructed site in comparison to the approved plans, I find that the site is constructed in compliance with the approved plans, and will function in compliance with the City's Stormwater Management Ordinance, provided requirements of the Stormwater Operations and Maintenance Plan are implemented.

Name\_\_\_\_\_

Address\_\_\_\_\_

City, State, Zip\_\_\_\_\_

Daytime Telephone Number\_\_\_\_\_

Email Address\_\_\_\_\_

Cell Phone Number \_\_\_\_\_

\_\_\_\_\_(signature)

Date \_\_\_\_\_

Seal

**Appendix E      Designer’s certification statement**

I, \_\_\_\_\_(print name here)

am a professional engineer registered in the State of Georgia, and am familiar with the requirements of the City of Savannah Stormwater Management Ordinance, the City of Savannah Local Design Manual, the City Flood Protection Ordinance, the City Subdivision Ordinance, the City Erosion and Sediment Control Ordinance, hydraulic engineering principles, and low impact design/green infrastructure design practices.

The attached design plans, Stormwater Management Report, and Stormwater Management Operations and Maintenance Plan for the site development known as \_\_\_\_\_(fill name of development) located at \_\_\_\_\_(fill in street address) \_\_\_\_\_Savannah (fill in post office city or circle Savannah)

Georgia, zip code \_\_\_\_\_(fill in the blank) are designed in compliance with the Local Design Manual of the City of Savannah, the City of Savannah Stormwater Management Ordinance, the City of Savannah Local Design Manual, the City Flood Protection Ordinance, the City Subdivision Ordinance, and the City Erosion and Sediment Control Ordinance. Further, when constructed according to the design plans, and operated according to the facility Stormwater Operations and Maintenance Plan, the facility will function in compliance with the Local Design Manual of the City of Savannah, the City of Savannah Stormwater Management Ordinance, the City of Savannah Local Design Manual, the City Flood Protection Ordinance, the City Subdivision Ordinance, and the City Erosion and Sediment Control Ordinance.

Name\_\_\_\_\_

Address\_\_\_\_\_

City, State, Zip\_\_\_\_\_

Daytime Telephone Number\_\_\_\_\_

Email Address\_\_\_\_\_

Cell Phone Number \_\_\_\_\_

\_\_\_\_\_(signature)

Date\_\_\_\_\_

Seal