

**STORMWATER OPERATION AND MAINTENANCE
AGREEMENT**

Project Name: _____

Town Project Number: _____

PIN Number: _____

Mail after recording to: Town of Mooresville
Engineering Department
Stormwater Program Specialist
2523 Charlotte Highway
Mooresville, NC 28117

NORTH CAROLINA

IREDELL COUNTY

This STORMWATER OPERATION AND MAINTENANCE AGREEMENT,

made this day _____ of _____, 20_____

by _____

whose principal address is _____

with, to, and for the benefit of the Town of Mooresville, a municipal corporation
of the State of North Carolina, whose address is 413 North Main Street,
Mooresville, North Carolina 28115.

Rainwater Harvesting System Operation and Maintenance Agreement

I will keep a maintenance record on this BMP. This maintenance record will be kept in a log in a known set location. Any deficient BMP elements noted in the inspection will be corrected, repaired or replaced immediately. These deficiencies can affect the integrity of structures, safety of the public, and the removal efficiency of the BMP.

Important maintenance procedures:

- The roof area will be maintained to reduce the debris and sediment load to the system. Excess debris can clog the system and lead to bypass of the design storm, and reduced reuse volume.
- To ensure proper operation as designed, a licensed Professional Engineer, Landscape Architect, or other qualified professional will inspect the system annually.
- The system components will be repaired or replaced whenever they fail to function properly.
- If the outlet is metered, use must be recorded at a minimum of monthly. These records shall be kept on site for inspection by DWQ.

The system will be inspected by the owner/operator at least **monthly and within 24 hours after each rain event**. Records of operation and maintenance will be kept in a known set location and will be available upon request.

Inspection activities shall be performed as follows. Any problems that are found shall be repaired immediately.

BMP element:	Potential problems:	How to remediate the problem:
The entire system	A component of the system is damaged or leaking.	Make any necessary repairs or replace if damage is too large for repair.
	Water is flowing out of the overflow pipe during a design rainfall or smaller event when there has not been another rainfall event during the past five days.	Check system for clogging and damage. Repair as needed so the design volume is stored properly without discharging during a design storm. Check that the pump is operating properly and that the water is actually being used at the volume designed. If it is still not operating properly, then consult an expert.
The captured roof area	Excess debris or sediment is present on the rooftop.	Remove the debris or sediment as soon as possible.
The gutter system	Gutters are clogged, or water is backing up out of the gutter system.	Unclog and remove debris. May need to install gutter screens to prevent future clogging.
	Rooftop runoff not making it into gutter system.	Correct the positioning or installation of gutters. Replace if necessary to capture the roof runoff.

BMP element:	Potential problems:	How to remediate the problem:
The pump	Pump is not operating properly.	Check to see if the system is clogged and flush if necessary. If it is still not operating, then consult an expert.
The overflow pipe	Erosion is evident at the overflow discharge point.	Stabilize immediately.
	The overflow pipe is clogged.	Unclog or replace if it cannot be unclogged.
	The outflow pipe is damaged.	Repair or replace the pipe.
The secondary water supply	Not operating properly.	Consult an expert.
The cistern	Sediment accumulation of 5% or more of the design volume.	Remove sediment.
	Algae growth is present inside the cistern.	Do not allow sunlight to penetrate the cistern. Treat the water to remove/prevent algae.
	Mosquitoes in the cistern.	Check screens for damage and repair/replace. Treat with 'mosquito dunks' if necessary.
The screens and filters	Debris and/or sediment has accumulated. Screens and filters are clogged.	Search for the source of the debris/sediment and remedy the problem if possible. Clean/clear debris/sediment from screen or filter. Replace if it cannot be cleaned.

**Operation and Maintenance Agreement Additional Requirements as set forth by the Town of Mooresville Phase II Post Construction and Illicit Discharge & Connection Ordinance
Section 25-20:**

1. The owner or owners shall continuously operate and maintain the stormwater control and management facilities.

2. The Town of Mooresville is granted a right of entry to inspect, monitor, maintain, repair, and reconstruct structural BMPs.

3. The Town of Mooresville will recover from the owner or owners any and all costs the Town of Mooresville expends to maintain or repair the structural BMPs, pursuant to Article 6, Enforcement and Violations, as set forth in the Town of Mooresville Phase II Post Construction and Illicit Discharge & Connection Ordinance.

4. This Operation and Maintenance Agreement shall not obligate the Town of Mooresville to maintain or repair any structural BMPs, and the Town of Mooresville shall not be liable to any person for the condition or operation of structural BMPs.

5. This Operation and Maintenance Agreement shall not in any way diminish, limit, or restrict the right of the Town of Mooresville to enforce any of its ordinances as authorized by law.

6. The Town of Mooresville is indemnified and held harmless for any costs and injuries arising from or related to the structural BMP, unless the Town of Mooresville has agreed in writing to assume the maintenance responsibility for the BMP and has accepted dedication of any and all rights necessary to carry out that maintenance.

I acknowledge and agree by my signature below that I am responsible for the performance of the maintenance procedures listed above. I agree to notify the Town of Mooresville of any problems with the system or prior to any changes to the system or responsible party. I agree to notify the Town of Mooresville of any subsequent conveyance of the property to a new owner, and agree to provide updated contact information for any subsequent owner.

This maintenance agreement runs with the land, and is binding upon any and all subsequent owners of the hereinabove described property.

Project name: _____

BMP drainage area number: _____

Print name: _____

Title: _____

Address: _____

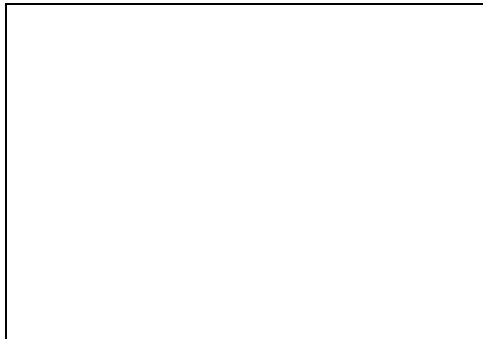
Phone: _____

Signature: _____

Date: _____

Note: The legally responsible party should not be a homeowners association unless more than 50% of the lots have been sold and a resident of the subdivision has been named the president.

I, _____, a Notary Public for the State of _____, County of _____, do hereby certify that _____ personally appeared before me this ____ day of _____, _____, and acknowledge the due execution of the forgoing rooftop management maintenance requirements. Witness my hand and official seal,



SEAL

My commission expires _____ Notary Signature _____