

**Table D: Enforcement Response Plan Summary**  
**Violations of the Storm Water Management Ordinance associated with Post Construction Best Management Practices**

Level	Enforcement Options	Description/Examples	Fee	Time to Respond	Cumulative Time
0	Verbal Warning, Phone Call, Site Visit from Inspector	Violations of the "City of Dayton Construction and Material Specifications" or Ohio EPA's NPDES Permit Construction Program. Failure to possess a SWP3 for areas one acre or more. Conducting activity that is inconsistent with the approved SWP3 plan. See provisions of SWM Ordinance Sections 54.05 and 54.06.	N/A	1 Working Day	3 Working Day
1	Written Warning Letter or Email from Engineer	Failure to meet the deadline of Verbal Warning	N/A	3 Working Days	6 Working Days
2	DEM site visit. DEM sends Notice of Violation (NOV) with deadline, copies Ohio EPA	Failure to meet the deadline of Written Warning	N/A	10 Working Days	16 Working Days
3	DEM sends second NOV, copies OEPA. DEM contacts OEPA with enforcement schedule action.	Failure to meet deadline of first NOV or comply with directions from OEPA	Up to \$1,000 per violation. Each day the violation occurs shall be considered a separate violation.	30 Working Days	46 Working Days
4	Stop Work Order	If earth-disturbing activity which requires plan approvals is in violation of RCGO Sections 54.05 and 54.06		Any time	
5	Civil or Criminal Action	Continuing failure to comply, even without water and/or with work stopped	Fines and imprisonment, as provided by law		