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All detention or retention facilities within the Clear Lake City Water Authority (the “Authority”) are subject to annual inspections. Proper operation and maintenance of such facilities are the sole responsibility of the property site owner/operator and are a vital part of ensuring the effectiveness of the detention or retention pond.

#### *INSPECTIONS*

An annual inspection shall consist of certifying (1) the detention or retention pond is free and clear of any silt buildup and any other material that could reduce storage capacity provided for flood protection; and (2) the outlet/restrictor is free and clear of all debris, organic growth, and any other obstructions that could reduce outflow capacity.

Inspections must be performed and certified in odd numbered years by the site owner/operator.

Inspections must be performed and certified in even numbered years by a Texas professional engineer. The engineer must also certify that the detention or retention pond and its outlet are operating as designed and as approved by the appropriate government agencies.

All site owners/operators will be responsible for ensuring annual inspection forms are submitted to the Authority on the approved inspection form. The completed inspection form will be due no later than ninety days after issuance.

#### *ENFORCEMENT*

The Authority, or legal counsel representing the Authority, is hereby authorized to file action in court of competent jurisdiction to:

- (1) Order to cease from violating or threatening to violate the terms, conditions and restrictions of this policy;
- (2) Recover damages from the site owner/operator in an amount adequate for the Authority to take other action necessary to ensure compliance with this policy;

#### *PENALTY*

Any person who violates any provision of this policy shall be guilty of an offense, punishable by a fine of not less than \$200 per day, per violation. Prosecution or conviction under this section shall not preclude any civil remedy or relief for a violation of this policy.