

**City Ordinance
Section 55.003
Regulations**

(a) It is a violation for any owner to improperly construct or operate or fail to maintain the proper function of privately owned structural BMPs.

**City Ordinance
Section 55.005
Right of Entry**

The facilities, equipment, practices, or operations of privately owned BMPs are subject to inspection by the city.



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The City of Sioux Falls

**Frequently Asked
Questions to
Privately Owned
Stormwater
Best Management
Practices
(BMPs)**



**Prepared by
City of Sioux Falls
Public Works
Engineering Division**

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Privately Owned BMPs FAQs

What is a BMP?

A Best Management Practice (BMP) is an engineered stormwater system that treats stormwater prior to draining off the site.

BMPs often look like a small pond and are generally located on an outer edge of the site.

Am I required to maintain the private BMP on my property?

Yes. Maintenance is necessary for a BMP to operate as designed.

An improperly maintained BMP could result in poor water quality discharging to public streams, violating the Federal Clean Water Act.

An improperly maintained BMP could also result in flood damage to your property, your neighbor's property, or public infrastructure.

Privately owned BMPs are required to be maintained by the property owner as cited in City Ordinance Chapter 55.

The City will be inspecting private BMPs. City Ordinance 55 provides right of entry for inspection.



What maintenance needs to be performed?

Required maintenance varies depending on the type of BMP. Most require similar maintenance, such as:

- Mowing, spraying weeds, and picking up debris. Excessive vegetation can cause damage to embankments, promote growth of noxious weeds, provide habitat for burrowing animals, conceal other needed maintenance, and hinder flow resulting in ponding attracting mosquitos and rodents.
- Repairing embankments due to sloughing, burrows, large roots, etc. to prevent seepage. Revegetating and reseeding bare spots to prevent erosion.
- Removing excess sediment periodically.
- Periodic inspection should be conducted by the responsible party. For example check that pipes are not clogged or damaged.

Am I required to attend the inspection?

You do **not** have to be present during the inspection. However, attending is encouraged to communicate what is expected of proper BMP maintenance.

If you would like to be present during the inspection, please inform the City using the contact information provided in your notification.

Will I receive documentation of the inspection?

An inspection report will be sent to you detailing what was inspected, the condition found, any violations, and any corrective action required.

What if I do not address the required correction(s) noted in the inspection report?

If the required correction(s) is not addressed in a reasonable time, a Notice of Violation may be issued and enforcement would then commence if corrections are not completed in a timely manner.

