

moment at Chapter 42 before proceeding to Chapter 82, we will find as mentioned earlier some differences in specific verbiage with the Ordinances listed in Attachments G and M of the Stormwater Permit and Management Program. The verbiage is strikingly similar almost verbatim. However, we are now introduced to the City Engineer as an enforcement authority, while before it was the Director of Utilities or at least it was under Land Development Regulations concerning Stormwater Management.

An additional element found under Chapter 42 is that the City Engineer is to provide guidance under the Georgia Stormwater Management Manual (GSWMM) for stormwater site management plans. The Georgia Stormwater Management Manual (GSWMM) also known as the “Blue Book” is established under Article VII Stormwater Management Section 42-401 as the guiding standard for Valdosta Stormwater Management on all accounts.

When dealing with legal terms, it is important to clarify how a document defines a specific term as words do have meaning. For example, the City Code of Ordinance on **owner** is defined as *“the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.”* Another key term to define at this moment is **person**: *“except to the extent exempted from this article, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the state, any interstate body or any other legal entity.”*

Litter Control Responsibilities

Now we can return to Valdosta Ordinances, Chapter 82, Solid Waste, and explore some litter control responsibilities. If you recall we have established that the City of Valdosta’s definition of litter echoes the Federal definition of Solid Waste. While we do acknowledge and establish here that the individual citizen is first and foremost responsible for their conscious decision to litter, it must be stated that business and private property owners also share a significant responsibility and contribute to the litter and associated stormwater runoff accumulation in our local waterways. We can find a multitude of listed responsibilities that hold them accountable. Not limited to; *“The owner, occupant, and lessee of all property, including, but not limited to, parking lots, not otherwise described herein, jointly, and severally are required to remove all litter from any source, from their property and to place same in appropriate containers. Vacant lots, borders, embankments, fences, walls, driveways, and sidewalks shall be kept free of litter.”* It further holds *“Every owner, manager, occupant, tenant or lessee using or occupying any commercial, institutional or individual building or property shall be obligated jointly or severally to provide an appropriate number of litter receptacles maintained in good, clean condition. The size, type and number shall be as specified by the director of public works to be reasonably required to hold litter generated by operation of the business between periods in which they are emptied into a bulk container for regular city refuse collection. Such containers shall be weighted or attached to the ground as necessary to prevent spillage. Commercial sites where there are a large number of individual*

