

ILLICIT DISCHARGE
NOTICE OF VIOLATION & HEARING

You are hereby notified that you are in violation of the City of Clearwater code due to an illicit discharge into the City's Stormwater System occurring on June 12, 2025 at the Property located at 839 Bay Esplanade, Clearwater.

City witnessed and has collected photographs and video of a contractor/subcontractor, J. S Perry & Co., of 1055 Charles St., Clearwater, FL 33755 illegally discharging concrete onto the ground and allowing it to flow into a nearby inlet. The work was related to home improvements for Julie Bills, 2301 Alligator Creek Rd, Clearwater, FL 33765.

City Code **Sec. 32.394.** - Illicit discharges, states:

- (1) General prohibitions. Except as provided in subsection (3) or as may be in accordance with a valid NPDES permit, *any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.*

The City of Clearwater considers an illicit discharge to be an irreparable or irreversible violation because it is impossible to completely remediate the negative impacts of an illicit discharge after it has occurred.

The City may elect to mitigate the damages of this violation by taking action to prevent and/or remove discharged material from the stormwater system. You will be invoiced for all costs associated with the City's clean up and/or mitigation of illicit discharges.

Pursuant to City Code, Section 7-103., an irreparable violation of City Code is subject to a penalty of up to \$15,000.00 per violation, after determination by the City's Code Enforcement Board or Special Magistrate. In addition to the fines imposed, the Board or Magistrate's Order may include charges for all reasonable costs of repairs. These fines and costs may be recorded to constitute a lien against all real or personal property owned by the violator.

Since this violation is considered irreparable, this Matter will be scheduled for hearing in front of the Code Enforcement Board or Special Magistrate:

Hearing Date: August 27, 2025

Time: 1:30 PM

Location: City Council Chambers, Main Library, 100 N. Osceola Ave., Clearwater, 33756

You are also hereby notified that, if you are a licensed contractor, the City may elect to file a complaint against your license with the Pinellas County Construction Licensing Board and/or the Florida Department of Business and Professional Regulation. These entities may order disciplinary action that could include additional fines and/or suspension or revocation of your certificate or registration.

If you have any questions regarding this Notice, please contact me at (727) 562 – 4750, or jeremy.brown@myclearwater.com.

Jeremy J. Brown, PE
Deputy City Engineer

Sec. 32.394. Illicit discharges.

- (1) *General prohibitions.* Except as provided in subsection (3) or as may be in accordance with a valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.
- (2) *Specific prohibitions.* Any discharge to the stormwater system containing any pollutants, sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal, or other laws, rules, regulations, orders or permits, is prohibited.
- (3) *Authorized exceptions.* The following discharges are exempt from the general prohibition set forth in subsection (1) of this section: Flows from fire fighting, water line flushing and other contributions from potable water sources, landscape irrigation and lawn watering, irrigation water, diverted stream flows, rising groundwaters, direct infiltration to the stormwater system, uncontaminated pumped groundwater, foundation and footing drains, water from crawl space pumps, air conditioning condensation, springs, individual residential car washings, and flows from riparian habitats and wetlands.
- (4) *Illicit connections.* No person may maintain, use or establish any direct or indirect connection to the stormwater system that results in any discharge in violation of this section. This prohibition applies to connections made prior to the effective date of this article, regardless of whether made under a permit, or other authorization, or whether permissible under laws or practices applicable or prevailing at the time the connection was made.

(Ord. No. 5588-94, § 1, 5-5-94; Ord. No. 8931-16, § 3, 9-1-16)



Parcel Summary (as of 05-Aug-2025)

Parcel Number

05-29-15-54666-039-0050

Owner Name

BILLS, JULIE A

Property Use

0110 Single Family Home

Site Address

839 BAY ESPLANADE
CLEARWATER, FL 33767

Mailing Address

2301 ALLIGATOR CREEK RD
CLEARWATER, FL 33765-2206

Legal Description

MANDALAY SUB BLK 39, LOT 5

Current Tax District

CLEARWATER (CW)

Year Built

1951

Parcel Map



Living SF	Gross SF	Living Units	Buildings
2,112	2,532	1	1

Exemptions