



4.7 Bonds

Knox County requires that a performance bond be provided for land disturbing activities, and/or the construction of new developments and redevelopments when:

- 1) there is a potential for runoff to adversely impact Knox County rights-of-way, other property, and/or streams, wetlands, ponds or lakes that are located in Knox County; or,
- 2) an erosion prevention and sediment control plan is required; or,
- 3) a stormwater management plan is required; or,
- 4) there is construction of a joint permanent easement or public road; or
- 5) the area of grading or development drains to one or more sinkholes; or,
- 6) the site is used for a borrow pit.

The purpose of the performance bond is to ensure that the person(s) responsible for completing the land disturbing activities and/or construction work that has the potential to impact the public interest if performed improperly is completed in an appropriate manner. The performance bond provides assurance to Knox County that the County will be reimbursed when it must assume the costs of corrective measures and/or work not completed by the responsible person(s) according to the required specifications and approved plans. A performance bond can be used to cover the County's costs for the remediation or demolition of roadways, stormwater management facilities and related appurtenances, the installation and maintenance of EPSC measures and EPSC corrective actions, final soil stabilization of a site, and the establishment, protection, and maintenance of water quality buffers.

Performance bonds are authorized in Section 4.4 of the Knox County Stormwater Management Ordinance and are administered by Knox County Engineering. The dollar amount of the performance bond will be determined by Knox County Engineering, based on the information presented in the approved EPSC and/or stormwater management plan.

General policies regarding release of a performance bond are as follows.

- 7) An accurate as-built certification must be completed for the property, in accordance with the Knox County Stormwater Management Ordinance and this manual.
- 8) Portions of the property that will be used for the stormwater management system must be recorded as a permanent drainage, water quality, preservation, and/or access easement, as appropriate for each system component.
- 9) If found within the boundaries of the development, any one of the following items could keep areas or activities from being released from the performance bond:
 - areas of erosion or unstabilized areas;
 - potential for discharges of sediment, or construction-related and other wastes;
 - engineering or structural deficiencies or maintenance issues associated with constructed roadways, the stormwater system, or stormwater management best management practices;
 - unsafe conditions;
 - unhealthy, damaged or poorly growing vegetation in a water quality buffer that has been impacted by construction or for which a buffer enhancement plan has been approved.