

**CITY OF SAVAGE
EROSION CONTROL POLICY
DECEMBER 2002**

The purpose of this policy is to protect the environment, private property, and control land disturbances from erosion and sedimentation resulting from construction activities and to establish procedures for administration and enforcement of this policy.

I. EROSION AND SEDIMENTATION CONTROL

All construction projects permitted by the City of Savage, which result in the temporary disturbance of vegetative or nonvegetative surfaces protecting soils from erosion, require the use of this Policy. Permits and activities affected by this Policy include all grading/development permits, minor fill/excavation permits, building permits and installation of utilities.

The City Engineer and/or Building Official may impose special conditions to permits, which stipulate alternative erosion control procedures at the construction site. Public and private streets are to be cleaned daily.

II. COMMERCIAL, INDUSTRIAL, MULTI-FAMILY BUILDING PERMITS AND RESIDENTIAL SUBDIVISIONS

Grading, land development, utilities installation, and commercial construction shall be subject to the following conditions:

A. Site Plan and Grading Plan

The site plan and grading plan shall contain all of the information set forth below. Specifications shall contain information covering construction and material requirements.

1. Existing and proposed topography of the site taken at 2-foot intervals to define the topography over the entire site.
2. Contour lines that extend a minimum of one hundred (100) feet off site, or sufficient to show on and off-site drainage.
3. Site's property lines shown in true location with respect to the plan's topographic information.
4. Location and graphic representation of all existing and proposed natural and man made drainage facilities.
5. Detailed plans of all surface and subsurface drainage devices to be constructed with or as a part of the proposed work, together with a map showing the drainage area and the estimated runoff of the area being drained.
6. Name(s), address(es), and telephone number(s) of the person(s) responsible for the preparation of the site plan and grading plan.
7. Location and graphic representation of proposed excavations and fills, on-site storage of soil and other earth material and on-site disposal.

8. Location of final surface run-off, erosion and sediment control measures.
9. Area of land disturbance in acres.
10. Quantity of soils or earth material in cubic yards to be excavated, filled, stored or otherwise utilized on-site.
11. Quantity of soils to be removed from site in cubic yards by type; outline of haul routes to be used; schedule of haul routes; number and frequency of trips on proposed haul routes.
12. Outline of the methods to be used in clearing vegetation and in storing and disposing of the cleared vegetative matter.
13. Proposed sequence of excavation, filling, other land disturbing and filling activities, and soil or earth material storage and disposal.
14. Location of any building or structures on the property where the work is to be performed and the location of any building or structure on land of adjacent owners that is within fifty (50) feet of the property or that may be affected by the proposed grading operations.

B. Erosion and Sediment Control Plan

The following information shall be provided with respect to conditions existing on the site during construction and after final structures and improvements have been completed.

1. A description of /and specifications for sediment retention and settling devices (ie. ponds).
2. A description of, specifications, and detail plates for surface runoff and erosion control devices.
3. A description of vegetative measures. A detailed timetable for restoring all disturbed areas.
4. A graphic representation of the location of all specified erosion and sediment control devices.
5. An implementation schedule for installing and subsequently removing devices described above.
6. A maintenance schedule for all sediment and erosion control devices specified.
7. An estimate of the costs of implementing all final and temporary erosion and sediment control measures, submitted in a form acceptable to the City of Savage.
8. Outline showing the parties responsible for constructing and maintaining the erosion control measures as shown on the plan. The outline should have the phone numbers and addresses of at least two persons and indicate how they can be contacted at all times

(days, nights, weekends, etc.) regarding repairing and maintaining the erosion control measures.

9. The erosion control plan must contain details to specify which erosion and sediment control facilities are permanent and which are temporary.

C. Implementation of Erosion Control Plan

Prior to the start of earthwork activities, the permittee must have in place and functional, the erosion controls as outlined on the approved erosion control plan. Additional erosion controls may be required as directed by the City of Savage.

No earthmoving activities shall commence until the erosion controls have been field inspected and approved by the City of Savage.

1. The permittee must maintain the erosion control to the satisfaction of the City Engineer throughout the entire building process. If the erosion control is not being maintained to the City's satisfaction, the City will follow established procedures on notification or doing remedial work as deemed appropriate by the City.
2. All erosion control systems must be maintained by the permittee in an acceptable condition until turf is established and/or structural surfaces are constructed to protect the soil from erosion.

D. Financial Securities

1. The Applicant shall provide security for the performance of the work described and detailed on the approved grading plan and erosion control plan in an amount of \$1,000 per gross acre. The form of the securities shall be one or a combination of the following to be determined by the City of Savage:
 - a. The first \$5,000 of the financial security for erosion control shall be by cash deposit to the City of Savage. If at anytime during the course of the work this amount falls below the original amount of the deposit, the developer shall make another deposit in the amount necessary to restore the cash deposit to the original amount. The City may draw on the Developer's Letter of Credit to restore the original amount of the deposit. The City will wait five (5) working days after notifying the developer before drawing on the Developer's Letter of Credit.
 - b. Deposit, either with the City, a responsible escrow agent, or trust company, at the option of the City, money, negotiable bonds of the kind approved for securing deposits of public monies or other instruments of credit from one or more financial institutions, subject to regulation by the State and Federal Government wherein said financial institution pledges funds are on deposit and guaranteed for payment;
or
 - c. Cash in U.S. currency.
2. The City of Savage may act against the appropriate security if any of the conditions listed below (a-d) exist. The City of Savage shall use funds from the appropriate security to

finance remedial work undertaken by the City or a private contractor, under contract to the City, and to reimburse the City for all direct cost incurred in the process of remedial work including, but not limited to, staff time and attorney's fees.

- a. The permittee ceases land-disturbing activities and/or filling and abandons the work site prior to completion of the grading plan.
 - b. The permittee fails to conform to the grading plan and/or erosion control plan as approved by the City of Savage.
 - c. The techniques utilized under the erosion control plan fail within one year of installation.
 - d. The City of Savage has determined that additional action is necessary to prevent excessive erosion from occurring on the site.
3. The security deposited with the City for faithful performance of the grading and erosion control work shall be released after ground cover has been successfully established and the potential for erosion from the site has been eliminated. In addition, all temporary erosion control measures such as silt fence and hay bales must be removed from the site prior to release of the security deposit or as directed by the City of Savage.

III. RESIDENTIAL BUILDING PERMITS

Construction of a residential home shall be subject to the following conditions.

A. Erosion Control Plan

The permittee must submit a site survey that shows all approved methods of erosion control measures to be installed in conjunction with this construction activity. Approved methods of erosion control include silt fences, hay bales, fiber blanket and temporary seeding, depending on the site characteristics and the season.

The City of Savage will review the site plan to ensure that adequate erosion control measures are proposed. Any modifications by the City of Savage must be included in the approved Erosion Control Plan for the construction site.

B. Implementation of Erosion Control Plan

Prior to the start of any excavation for the construction or remodeling of a residential home, the builder constructing or remodeling the home must have in place and functional, an approved method of erosion control. Additional erosion control may be required as directed by the City of Savage.

1. The builder constructing or remodeling residential home must maintain the erosion control to the satisfaction of the City throughout the entire building process. If the erosion control is not being maintained to the City's satisfaction, the City will withhold additional inspections and/or the Certificate of Occupancy. (Failure to install and maintain the erosion control shall be a violation of City Policy and, in addition to withholding inspections or the Certificate of Occupancy, the City may also follow established procedures on notification or doing remedial work as deemed appropriate by the City).

2. All erosion control systems must be maintained by the permittee in an acceptable condition until turf is established and/or structural surfaces are constructed to protect the soil from erosion.

C. Financial Security

Each single-family home permittee will be required to post a \$2,100 deposit at the time of receiving the building permit. Each multi-family (3 or more units) home permittee will be required to post a \$350 deposit for each unit at the time of receiving the building permit. This deposit will be held by the City to ensure that the permittee follows all provisions of the City's Erosion Control, Final Grading, and Tree Preservation Policies.

The City of Savage will combine this builders deposit with any other deposits (i.e. tree, driveway, retaining wall) that may be required of the permittee for the type of construction taking place on the site.

The builders deposit will be released once all requirements of the activities (i.e. turf installation, tree installation, driveway completion, etc.) that required an escrow are met. No partial releases of the deposit will be given by the City.

The City of Savage may act against the deposit(s) if remedial work is required by the City or its contractor to correct deficiencies in the permittee's erosion control measures. The City of Savage may act against the deposit(s) if all areas of the site that were disturbed by construction activities are not restored within one year from the date that an occupancy permit was issued. The permittee will forfeit all financial deposits being held by the City for two (2) years after an occupancy permit is issued for the structure. The City of Savage reserves the right to complete the work in accordance with Section IV of this policy.

IV. INSPECTION OF EROSION CONTROL PLAN

The City of Savage will make periodic inspections of the site to ensure compliance with the Erosion Control Policy. There will be no additional charges for these inspections.

Inspection Fee

The City of Savage will charge a fee of \$40 for administration of the Survey, and Final Grading Policies. As part of this fee, the City will review the permit application to ensure that it conforms to the overall erosion control plan.

The City will review the permittee's as-built survey submitted after the completion of grading activities to ensure that it conforms to the overall grading plan for the area.

A \$45 inspection fee will be charged for any additional inspections of the site for review of corrective erosion control work required by the City or to follow up previously incomplete work by the permittee. This reinspection fee will be deducted from the Builder's Deposit.

V. NOTIFICATION OF FAILURE OF EROSION CONTROL PLAN

The City of Savage shall notify the permit holder of the failure of the erosion control measures that have been constructed.

A. Notification by the City

The initial contact will be by phone or fax to the parties listed on the application and/or erosion control plan. Forty-eight hours after notification by the City or seventy-two hours after the failure of erosion control measures, the City, at its discretion, may begin remedial work of the erosion.

B. Erosion Off-Site

If erosion breaches the perimeter of the site, the permittee shall immediately develop a cleanup and restoration plan, obtain the right-of-entry from the adjoining property owner, and implement the cleanup and restoration plan within forty-eight hours of obtaining the adjoining property owner's permission. In no case, unless written approval is received from the City of Savage, may more than seven calendar days go by without corrective action being taken. If at the discretion of the City of Savage, the permit holder does not repair the damage caused by the erosion, the City may do the remedial work required.

C. Erosion into Streets, Wetlands or Water bodies

If eroded soils enter, or entrance appears eminent into streets, wetlands, or other water bodies, cleanup and repair shall be immediate. Permittee shall provide all traffic control and flagging required to protect the traveling public during the cleanup operations.

D. Failure to do Corrective Work

When a permittee fails to conform to any provision of this policy within the time stipulated, the City of Savage may take the following actions:

1. Withhold the scheduling of inspections and/or the issuance of a Certificate of Occupancy or issue a Stop Work Order.
2. Direct the correction of the deficiency by City forces or separate contract. The issuance of a permit constitutes a right-of-entry for the City or its contractor to enter upon the construction site for the purpose of correcting deficiencies in erosion control.
3. All costs incurred by the City in correcting erosion control deficiencies (including a 10% handling fee) shall be reimbursed by the permittee. If payment is not made within thirty (30) days after costs are incurred by the City, payment will be made from the permittee's Builder's Deposit.
4. If there is an insufficient amount of Builder's Deposit to cover the costs incurred by the City, the City may assess the remaining amount against the property. As a condition of the permit, the owner shall waive notice of any assessment hearing to be conducted by the City, concur that the benefit to the property exceeds the amount of the proposed assessment, and waive all rights by virtue of Minnesota Statue 429.081 to challenge the amount or validity of assessment.

Adopted by the City Council of Savage on December 2, 2002.