

ORDINANCE NO. 60

AN ORDINANCE RELATING TO THE REGULATION OF EROSION AND SEDIMENT CONTROL

The City Council of the City of Osakis, does ordain:

SECTION I:

Osakis City Code, is hereby amended and shall read as follows:

A property owner or contractor who removes substantial vegetative growth, excavates for a building foundation, or adds soil backfill on property within the City shall take the necessary precautions, outlined below, to prevent soil erosion, damage to adjacent property and control of surface water runoff. The City may impose additional erosion control requirements if, in the opinion of a city official, said measures are necessary to protect adjacent properties and control surface water runoff and erosion. In addition to this Ordinance, property owners and contractors shall remain subject to applicable state and federal regulations, including those regulations relating to NPDES permitting requirements and sensitive natural areas.

- 1) For new construction, appropriate erosion control measures shall be taken throughout the construction process. They include but are not necessarily limited to the use of erosion control fences, staked hay bales, wood fiber blankets, seeding and/or mulch. Other techniques or combinations of the above may be used. The erosion control measures shall be maintained throughout construction and until such time as the property has been either sodded or a seeded vegetative cover has taken hold.
- 2) No soil surface or spoil banks shall remain exposed without a protective cover to prevent erosion for a period longer than 30 days. All spoil banks from excavation or fill placed on a lot shall be graded within 30 days of excavation or placement. The owner or contractor is urged to grade the lot as soon as possible and to employ the necessary erosion control practices.
- 3) All areas disturbed by excavation and backfilling operations which expose soil shall be compacted, sodded or re-seeded immediately after the lot is graded. Seed shall be a blend of rye grass or other fast germinating seed in addition to perennial grasses suitable for the soil and the exposure of the area to sunlight. All seeded areas shall be mulched and disc anchored as necessary for erosion protection and seed retention. The Contractor should recognize that time is of the essence in controlling erosion.
- 4) Appropriate steps must be taken to minimize the amount of mud and sediment leaving a building site. Therefore, a pad and/or drive way area consisting of granular material such as trap rock, or class five gravel shall be placed over the entire length and width of the proposed driveway location immediately after the basement and/or footing excavation is completed and prior to work beginning on the foundation. If said pad/drive way is not in place, a stop work order shall be issued for the project until said pad is in place. The granular material placed shall be of sufficient quantity, width and dept to prevent the underlying soil from being tracked from the site. Thence forward, access to the lot will be limited to this single access point.

- 5) Mud and. or sediment carried onto city streets from the building site prior to the close of each work day shall be removed.
- 6) Temporary erosion and sediment controls shall not be removed until the City has determined that the construction site has been permanently stabilized.
- 7) Failure to comply with the any of the above requirements will result in the issuance of a notice halting construction until the project area is brought into compliance. Failure to remedy the situation within a reasonable time determined by the city will result in the issuance of a citation for violation of this subdivision. Failure to have erosion control measures in place may also result in denial of a certificate of occupancy for the structure under construction.
- 8) Prior to commencing construction within the City, the property owner or contractor shall sign and submit to the City an Erosion Control Agreement and site plan for the proposed area of construction. The Site Plan shall identify: (1) all natural and artificial features within **12** mile of the project; (2) existing and proposed grades; (3) the area of proposed construction and other land-disturbing activity and those areas that will not be disturbed during construction; and (4) locations of proposed runoff control, erosion prevention, sediment control and temporary and permanent soil stabilization measures.

Any person and/or contractor who violates any provision of this Ordinance shall, upon conviction, be guilty of a misdemeanor.

SECTION II:

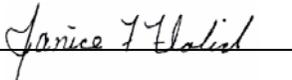
This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed by City Council of the City of Osakis, Minnesota, this 3rd day of October, 2005.

CITY OF OSAKIS

By: 

Gary L. Astleford, Its Mayor

Attests: 

Janice F. Flolid, Its City Clerk