

ARTICLE V. - CONTROL OF EROSION SILTATION

Sec. 8-153. - Owner responsibility.

It is the responsibility of each property owner within the municipal limits of the city to take appropriate measures to control the erosion and siltation of soil materials from the owner's property. The owner shall not allow water runoff to transport silt, earth, topsoil, etc., from the owner's property to other's properties or on to city streets, drainage easements, drainage facilities or storm drains. The property owner shall be responsible for damages to others created by the action of builders, contractors, developers and others performing construction or other activities on the owner's property which create conditions that cause or aggravate erosion.

(Code 1971, § 4-81; Ord. No. 20-O-14, § 1, 7-11-2000)

Sec. 8-154. - Contractor responsibility.

Plans and specifications prepared for construction of improvements shall address suggested erosion/siltation control measures and techniques to assist the contractor in implementing a suitable program to control erosion. The city shall not be required to approve and may, in the city's discretion, deny approval of plans and specifications based upon the city's opinion as to the suitability of erosion measures submitted. The contractor shall take whatever measures are necessary to control and limit the transport of silt, earth, topsoil, etc., from the site of construction, including, but not limited to, the erosion/siltation control measures and techniques provided on the plans and specifications. The contractor shall, upon completion of his work, leave the owner's property in a condition that minimizes the transportation of the owner's silt, earth, topsoil, etc.

(Code 1971, § 4-82; Ord. No. 20-O-14, § 2, 7-11-2000)

Sec. 8-155. - City approval.

The city, through its building officials, city engineers and inspectors, may refuse to issue approvals or permits, including plats, drainage studies, interim inspections, acceptance of maintenance of completed construction of public streets or storm drainage facilities or certificates of occupancy if, at the time the approval or permit is sought, the owner, developer and/or contractor does not have in place adequate erosion/siltation control measures.

(Code 1971, § 4-83; Ord. No. 20-O-14, § 3, 7-11-2000)

Sec. 8-156. - Penalty.

Any person, firm, company, partnership, corporation or association violating any provision of this article shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished according to the general penalties described in section 1-8.

(Code 1971, § 4-84; Ord. No. 20-O-14, § 4, 7-11-2000)