



SACHSE EROSION CONTROL GUIDELINES

Section I. Definitions

The following words, terms, and phrases, when used in this guideline, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Below ground installations means activity that causes excess sediment laden water, concrete sawing wash water, wash water or drilling mud pumped from an excavation or structure and shall be treated as sediment laden runoff for erosion control purposes.

Building Official means the Building Official for the City of Sachse or his designee.

BMP's Erosion control measure means a site with necessary details, showing the property where land disturbing activity will take place and showing the locations and types of devices, procedures and practices to be used to control erosion and sedimentation.

Construction Activities means construction activities that require a permit.

Final approval means completion of a project, site or building in accordance with City of Sachse requirements and ordinances. In the case of a building, a Certificate of Occupancy is issued.

Land disturbing activity means any activity, including but not limited to excavation, planting, tilling, and grading, which disturbs 5,000 or more square feet of the natural or improved vegetative ground cover so as to expose soil to the erosive forces of rain, storm water runoff or wind. All installations and maintenance of franchise utilities such as telephone, gas, electric, etc., shall be considered land disturbing activities.

Manual means the City of Sachse BMP Erosion and Sediment Control Manual, as amended from time to time. A current copy of the Manual shall be kept on file in the Office of Community Development Department.

Off-site borrow area means a source of earth fill material used in the construction of embankments or other earth fill structures, that is located on another parcel of property other than where the principal construction is occurring.

Off-site sedimentation means deposit of soil material beyond the limits of the property undergoing land disturbing activity or in City streets, alleys or drainage facilities in an amount sufficient to constitute a threat to public safety and comfort.

Off-site spoil area means an area on another parcel of property, other than where the principal construction is occurring, where excess earth, rock or construction material is disposed of.

Construction activities operator means the owners or persons who associated with a construction project that meet either of the following two criteria: (1) the party has operational control over construction plans and specifications (including the ability to make modifications in specifications); and (2) the party has day-to-day operational control of those activities at a project

which are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions.

Permanent erosion control devices means devices or practices installed prior to final approval and maintained after final approval to prevent or minimize the erosion and deposit of soil materials. Such devices may include, but shall not be limited to, permanent seeding, sod, storm drain channels, channel linings, storm drain pipes, outlet velocity control structures and storm water detention structures.

Permanent ground cover means permanent vegetative cover on all bare soil areas of a property not covered by a permanent structure or landscaping improvements, including but not limited to, live sod, perennial grasses or other materials which lessen runoff and soil erosion on the property.

Phased occupancy means use or inhabitation of a single structure or other portion of a project as such structure or portion thereof is completed, but before the project as a whole is fully completed and finally approved by City.

Related land area includes the property where the principal land disturbing activity is taking place, all adjacent property, off-site borrow areas, off-site spoil areas, off-site properties necessary for required utility extensions, and off-site areas for required street improvements.

Responsible party means a business entity, franchised utility company, developer, property owner, contractor or holder of a building permit who is required to comply with the terms of this Guideline.

Staging area means an on-site or off-site location used by a Contractor to store materials for a project, to assemble portions of equipment or structures, to store equipment or machinery, to park vehicles, or for other construction related uses.

Stop work order means the suspension of all City permits with no approvals or inspections of work for the site or property located in a development area.

Temporary erosion control devices means devices installed or practices implemented and maintained during land disturbing activities to prevent, minimize or control the erosion and deposit of soil materials.

Section II. Construction BMPs Development

- (a) Erosion Control Measures Implementation and Compliance. Each Responsible Party shall implement and maintain the erosion control measures in order to minimize the erosion and the transport of silt, earth, topsoil, solid wastes, etc., by water runoff or construction activities, beyond the limits of the Responsible Party's site onto City streets, drainage easements, drainage facilities, storm drains or other City property prior to beginning any land disturbing activity. Natural vegetation should be retained wherever possible. Erosion control elements should be implemented as soon as practical in the development process.
- (b) Stockpiled materials. Erosion control devices shall be placed to trap any losses from stockpiled materials such as topsoil, dirt, sand, gravel, etc. within 20' from streets. Exposed soils should be stabilized by application of effective BMPs that protect the soil from the erosive forces of raindrops, flowing water, and wind.

- (c) Linear constructions. Linear construction activities such as right of way and easement clearing, roadway development, pipelines, and trenching for utilities, should be conducted to meet the soil stabilization requirement. Contractors should install bedding materials, roadbeds, structures, pipelines, or utilities and re-stabilize the disturbed soils to limit disturbed soil.
- (d) Control channels/outfalls. Properties and waterways downstream from development sites should be protected from erosion resulting from increase in the volume, velocity, and peak flow rate of storm water runoff from the project site.
- (e) Establish construction access. Construction vehicle access and exit should be limited to one route, if possible, or two for linear projects. Access points should be stabilized with crushed rock or cur-lex (home builders only) to minimize the tracking of sediment onto public roads. Roads should be cleaned thoroughly at the end of each day.
- (f) Protect drain inlets: Storm drain inlets operable during construction (both existing and new) should be protected so that storm water runoff does not enter the conveyance system without first being filtered or treated to remove sediment.

Off-Site Borrow, Spoil and Staging Areas. Where applicable, off-site borrow areas, spoil areas and construction staging areas shall be considered as part of the project site and shall be governed by this Guideline.

Related Land Areas. The erosion control requirements of this guideline shall apply to all related land areas. Additionally, when land disturbing activity occurs on a project, all disturbed land areas related to the project shall have permanent erosion control established before final occupancy of structures located thereon or near and under same ownership or final acceptance of the subdivision may be obtained. This section applies whether or not a building permit is required.

Section III. Residential Subdivisions-Compliance

(a) Final Acceptance. Permanent erosion control devices and when applicable, temporary erosion control devices, as specified in the approved Erosion Control Plan shall be installed and maintained prior to final acceptance of a subdivision. The Developer for such subdivision shall continue to maintain all temporary erosion control devices until permanent erosion control has been established on all those lots within the subdivision for which a building permit has not been issued.

(b) Transfer of Property by Developer. If the Developer sells the lot/lots in a subdivision to purchasers, that purchasers become the Responsible Party for the lot/lots.

(c) Stop Work Orders/Red Tag. City shall inspect the erosion control devices located at a site for compliance with the approved Erosion Control Plan submitted by a Developer. If a Developer fails to implement or maintain erosion control devices as specified in his approved

Erosion Control Plan, City shall provide such party with written notice of noncompliance identifying the nature of the noncompliance. The Developer shall have twenty-four (24) hours to bring his erosion control devices into compliance with the approved Erosion Control Plan for the site to which notice of noncompliance was issued. Correction shall include sediment clean-up, erosion control device repair, erosion control device maintenance and/or installation of additional erosion control devices to prevent re-occurrence of the violation. The 24-hour cure period may be extended for inclement weather or other factors at the discretion of the Erosion Control Inspector/Chief Building Inspector.

At the end of the twenty-four (24) hour cure period, City shall re-inspect the site. If at the time of such re-inspection, the erosion control devices at the site have not been brought into compliance with the approved Erosion Control Plan, City may issue a stop work order and issue a red tag for each violation, and re-inspection fee shall be assessed.

Section IV. Residential Lots with/without a Building Permit

(a) Erosion Control Measure. No building inspection may be performed on a project until a City approved **First BMP Erosion Control Measure Inspection** is implemented.

(b) Stop Work Order/Red Tag. City shall inspect the erosion control devices located at a site for compliance with the approved Erosion Control Measures. If a Responsible Party fails to implement or maintain erosion control devices as specified in his approved Erosion Control Measures, City shall provide such party with written notice of noncompliance identifying the nature of such noncompliance (**First Red Tag**). The Responsible Party shall have twenty-four (24) hours to bring his erosion control devices into compliance with the approved Erosion Control Measures for the site where the violation occurred. Correction shall include sediment clean-up, erosion control device repair, erosion control device maintenance, and/or installation of additional erosion control devices to prevent re-occurrence of the violation. The 24-hour cure period may be extended for inclement weather or other factors at the discretion of the Erosion Control Inspector/Chief Building Inspector.

At the end of the 24-hour cure period, City shall re-inspect the site. If at the time of such re-inspection, the erosion control devices at the site have not been brought into compliance with the approved Erosion Control Measures, City may issue a second notice of noncompliance with a re-inspection fee of \$50.00 (**Second Red Tag**). If at the time of such second re-inspection at the end of the next 24 hours, the erosion control devices at the site still have not been brought into compliance with the approved Erosion Control Measure, the City may issue a **stop work order** and issue a citation for each violation of the City's erosion control requirements. When a stop work order has been issued, a re-inspection fee shall be assessed. To obtain a re-inspection for removal of the stop work order, a request must be submitted therefor and a re-inspection fee, as set by the Building Inspection Department of the City of Sachse, shall be paid.

(c) Removal of Erosion Control Devices. Upon final occupancy or upon establishing permanent ground cover on a lot, all temporary erosion control devices shall be removed.

Section V. Enforcement

1. Violations. It shall be an offense for a Responsible Party or a third party performing work on a project to violate any of the requirements of this Article, including, but not limited to, the following:

- (a) Conducting any land disturbing or construction activity without an approved Erosion Control Measure for the location where the violation occurred.
 - (b) Failing to install erosion control devices or to maintain erosion control devices throughout the duration of land disturbing activities, in compliance with the approved Erosion Control Measure for the location where the violation occurred.
 - (c) Failing to remove off-site sedimentation that is a direct result of land disturbing activities where such off-site sedimentation results from the failure to implement or maintain erosion control devices as specified in an approved Erosion Control Measure for the location where the violation occurred.
 - (d) Allowing sediment laden water resulting from below ground installations to flow from a site without being treated through an erosion control device.
 - (e) Failing to repair damage to existing erosion control devices, including replacement of existing grass or sod.
2. Notice of Violation. Written notice of violation shall be given to the Responsible Party or his job site representative as identified in the Erosion Control Measure for a site. Such notice shall identify the nature of the alleged violation and the action required to obtain compliance with the approved Erosion Control Measure.
3. Class C Misdemeanor. Any person, firm, or corporation violating any of the provisions or terms of this guideline regulation shall be deemed guilty of a Class C misdemeanor (Chapter 1, Sec. 1-7) and, upon conviction thereof, be subject to a fine not exceeding \$500 for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.