

Sec 1100.08 Grading Permit

(a) *Grading permit required.*

(1) *Applicability.* Grading permits shall be required for grading, filling, excavation or land alteration of any kind on any site 0.25 acre or more in size during the entire construction process, where such activity is not part of an approved preliminary plat, large-scale development, building permit, or demolition permit.

(2) *Exemptions.* Grading permits shall not be required for the following:

a. *Excavation below finish grade.* Excavations below finish grade for basements, footings, swimming pools, hot tubs, septic systems, and like structures authorized by a valid building permit or retaining walls with an approved retaining wall permit.

b. *Cemetery graves.* Cemetery graves.

c. *Refuse disposal.* Refuse disposal sites controlled by other regulations.

(3) *Application requirements.* A separate permit shall be required for each site; it may cover both excavations and fills. Grading permits may be issued jointly for parcels of land that are contiguous, so long as erosion control measures are in place until project completion.

a. *Application form.* Completed and signed application form.

b. *Fee.* Payment of fee as indicated on the application.

c. *Grading plan.* A grading plan in accordance with the specifications identified in the application and in conformance with all applicable regulations, including but not limited to, the currently adopted stormwater regulations as established by United State Environmental Protection Agency, Region VI published in the Federal Register; the city's currently adopted Stormwater Management Ordinance.

d. *Warranty deed.* A copy of the warranty deed showing ownership of property.

e. *Recorded plat.* A copy of the recorded plat of the property, if applicable.

(4) *Review and approval.*

a. *Evaluation.* Grading plans shall be evaluated by the City Engineer for conformance with the requirements of all applicable regulations, including, but not limited to, the currently adopted stormwater regulations as established by United State Environmental Protection Agency, Region VI published in the Federal Register; the city's currently adopted Stormwater Management Ordinance.

b. *Variations in requirements.* Requirements may be varied by the City Engineer with the approval of the planning commission. The extent to which variations may be made will depend on the soil types encountered, planned slopes, planned vegetation, and investigative engineering reports. In no case shall the City Engineer waive or modify any of the minimum erosion control requirements.

c. *Approval.* No grading permit shall be issued until the grading plan, endorsed by a registered architect, landscape architect, engineer, or similar design professional, is approved in writing by the City Engineer.

d. *One-time approvals.*

1. *Utilities.* Public and private utility organizations may obtain a one-time approval from the City Engineer for all routine

underground electric, water, sewer, natural gas, telephone, or cable facilities. The approval will include a utility organization and its contractors, agents, or assigns and will be permanent in nature as long as the original approved procedures are followed.

2. *Stockpiling materials.* One-time approval may be obtained by public or private entities for the stockpiling of fill material, rock, sand, gravel, aggregate, or clay at particular locations, subject to the Zoning Code.
- (5) *Permit posted.* A copy of the grading permit cover page shall be posted at or near the street right-of-way line and shall be clearly visible from the street.

(Ord. No. 2003-100, § 1, 6-10-2003; Ord. No. 2007-85, § 1, 7-24-2007; Ord. No. 2019-57, § 6, 4-9-2019)

HISTORY