

United City of Yorkville

Ordinance No. 2003-19

SOIL EROSION AND SEDIMENT CONTROL ORDINANCE FOR UNITED
CITY OF YORKVILLE, ILLINOIS

ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
UNITED CITY OF YORKVILLE

THIS 11th DAY OF MARCH, 2003

PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY OF THE MAYOR
AND CITY COUNCIL OF THE UNITED CIY OF YORKVILLE,
KENDALL COUNTY, ILLINOIS

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UNITED CITY OF YORKVILLE, ILLINOIS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE
KENDALL COUNTY, ILLINOIS AS FOLLOWS:

TABLE OF CONTENTS

	<u>Page</u>
100.0 Findings and Purpose	2
101.0 Findings	2
102.0 Purpose	2
200.0 Definitions	2
300.0 General Principles	5
400.0 Site Development Permit	6
401.0 Permit Required	6
402.0 Exceptions	6
403.0 Application for Permit	7
404.0 Submissions	7
405.0 Bonds	8
406.0 Review and Approval	8
407.0 Expiration of Permit	9
408.0 Appeals	9
409.0 Retention of Plans	10
500.0 Design and Operation Standards and Requirements	10
501.0 Applicability	10
502.0 Responsibility	10
503.0 Site Design Requirements	10
504.0 Handbooks Adopted by Reference	12
505.0 Maintenance of Control Measures	12
506.0 Inspection	12
507.0 Special Precautions	13
508.0 Amendment of Plans	13
600.0 Enforcement	13
601.0 Appeals	13
602.0 Conferences	14
603.0 Fees	14
604.0 Violations and Penalties	14
605.0 Separability	14
700.0 Effective Date	14

100.0 Findings and Purpose

101.0 Findings:

The City Council of the City hereby finds that:

- 101.1 Excessive quantities of soil may erode from areas undergoing development for certain non-agricultural uses including but not limited to the construction of dwelling units, commercial buildings and industrial plants, the building of roads and highways, the modification of stream channels and drainage ways, and the creation of recreational facilities.
- 101.2 The washing, blowing, and falling of eroded soil across and upon roadways endangers the health and safety of users thereof, by decreasing vision and reducing traction of road vehicles;
- 101.3 Soil erosion necessitates the costly repairing of gulleys, washed-out fills, and embankments;
- 101.4 Sediment from soil erosion tends to clog sewers and ditches and to pollute and silt rivers, streams, lakes, wetlands, and reservoirs;
- 101.5 Sediment limits the use of water and waterways for most beneficial purposes, promotes the growth of undesirable aquatic weeds, destroys fish and other desirable aquatic life, and is costly and difficult to remove; and
- 101.6 Sediment reduces the channel capacity of waterways and the storage capacity of floodplains and natural depressions, resulting in increased chances of flooding at risk to public health and safety.

102.0 Purpose:

The City Council therefore declares that the purpose of this ordinance is to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating and controlling the design, construction, use and maintenance of any development or other activity that disturbs or breaks the topsoil or otherwise results in the movement of earth on land situated in the City. It is the intention of this ordinance that the delivery of sediment from sites affected by land disturbing activities be limited, as closely as practicable, to that which would have occurred if the land had been left in its natural undisturbed state.

200.0 Definitions

For the purpose of this Ordinance certain terms used herein are defined as set forth below:

200.1 BUILDING PERMIT:

A permit issued by the City for the construction, erection or alteration of a structure or building.

200.2 CERTIFY OR CERTIFICATION:

Formally attesting that the specific inspections and tests where required have been performed, and that such tests comply with the applicable requirements of this Ordinance.

200.3 CLEARING:

Any activity that removes vegetative ground cover.

200.4 CUBIC YARDS:

The amount of material in excavation and/or fill measured by the method of "average end areas."

200.5 EXCAVATION:

Any act by which organic matter, earth, sand, gravel, rock or any other similar, material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

200.6 EXISTING GRADE:

The vertical location of the existing ground surface prior to excavation or filling.

200.7 FILL:

Any act by which, earth, sand, gravel, rock or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported or moved by man to a new location and shall include the conditions resulting therefrom.

200.8 FINAL GRADE:

The vertical location of the ground or pavement surface after the grading work is completed in accordance with the site development plan.

200.9 GRADING:

Excavation or fill or any combination thereof and shall include the conditions resulting from excavation or fill.

200.10 NATURAL DRAINAGE:

Channels formed in the existing surface topography of the earth prior to changes made by unnatural causes.

200.11 PARCEL:

All contiguous land in one ownership.

200.12 PERMITTEE:

Any person to whom a site development permit is issued. This person may also be referred to as the applicant.

200.13 PERSON:

Any individual, firm or corporation, public or private, the State of Illinois and its agencies or political subdivisions, and the United States of America, its agencies and instrumentalities, and any agent, servant, officer or employee of any of the foregoing.

200.14 REMOVAL:

Cutting vegetation to the ground or stumps, complete extraction, or killing by spraying.

200.15 SITE:

A lot or parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.

200.16 SITE DEVELOPMENT:

Altering terrain and/or vegetation and constructing improvements.

200.17 SITE DEVELOPMENT PERMIT:

A permit issued by the City for the construction or alteration of ground improvements and structures for the control of erosion, runoff and grading.

200.18 STREAM:

Any river, creek, brook, branch, flowage, ravine, or natural or man-made drainage way which has a definite bed and banks or shoreline, in or into which surface or groundwater flows, either perennially or intermittently.

200.19 STRIPPING:

Any activity that removes the vegetative surface cover including tree removal, clearing, and storage or removal of topsoil.

200.20 VACANT LAND:

Land on which there are no structures or only structures that are secondary to the use or maintenance of the land itself.

200.21 CITY:

The United City of Yorkville, Kendall County, Illinois.

200.22 WETLANDS:

Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

300.0 General Principles

It is the objective of this ordinance to control soil erosion and sedimentation caused by development activities, including clearing, grading, stripping, excavating, and filling of land, in the City. Measures taken to control soil erosion and offsite sediment runoff should be adequate to assure that sediment is not transported from the site by a storm event of ten-year frequency or less. The following principles shall apply to **all** development activities within the City and to the preparation of the submissions required under Section 400.0 of this ordinance:

- 300.1 Development should be related to the topography and soils of the site so as to create the least potential for erosion. Areas of steep slopes where high cuts and fills may be required should be avoided wherever possible, and natural contours should be followed as closely as possible.
- 300.2 Natural vegetation should be retained and protected wherever possible. Areas immediately adjacent to natural watercourses, lakes, ponds, and wetlands should be left undisturbed wherever possible. Temporary crossings of watercourses, when permitted, must include appropriate stabilization measures.
- 300.3 Special precautions should be taken to prevent damages resultant from any necessary development activity within or adjacent to any stream, lake, pond, or wetland. Preventative measures should reflect the sensitivity of these areas to erosion and sedimentation.
- 300.4 The smallest practical area of land should be exposed for the shortest practical time during development.
- 300.5 Sediment basins or traps, filter barriers, diversions, and any other appropriate sediment or runoff control measures should be installed prior to site clearing and grading and maintained to remove sediment from run-off waters from land undergoing development.
- 300.6 The selection of erosion and sedimentation control measures should be based on assessment of the probable frequency of climatic and other events likely to contribute to erosion, and on evaluation of the risks, costs, and benefits involved.
- 300.7 In the design of erosion control facilities and practices, aesthetics and the requirements of continuing maintenance should be considered.
- 300.8 Provision should be made to accommodate the increased run-off caused by changed soil and surface conditions during and after development. Drainage ways should be designed so that their final gradients and the resultant velocities and rates of discharge will not create additional erosion onsite or downstream.
- 300.9 Permanent vegetation and structures should be installed and functional as soon as practical during development.
- 300.10 Those areas being converted from agricultural purposes to other land uses should be vegetated with an appropriate protective cover prior to development.
- 300.11 All waste generated as a result of site development activity should be properly disposed of and prevented from being carried off the site by either wind or water.
- 300.12 All construction sites should provide measures to prevent sediment from being tracked onto public or private roadways.

400.0 Site Development Permit

401.0 Permit Required:

Except as otherwise provided in this ordinance, no person shall commence or perform any clearing, grading, stripping, excavating, or filling of land that meets the following provisions without having first obtained a site development permit from the City:

401.1 Any land disturbing activity (i.e., clearing, grading, stripping, excavation, fill, or any combination thereof) that will affect an area in excess of 10,000 square feet;

401.2 Any land disturbing activity that will affect an area in excess of 500 square feet if the activity is within 25 feet of a lake, pond, stream, or wetland; or

401.3 Excavation, fill, or any combination thereof that will exceed 100 cubic yards.

402.0 Exceptions:

A permit shall not be required for any of the following provided that the person responsible for any such development shall implement necessary soil erosion and sediment control measures to satisfy the principles set forth in Section 300.0 of this Ordinance:

402.1 Appurtenant structures on a site in excess of two acres for which a building permit has been issued or excavation below final grade for the basement and footings of a single-family residence;

402.2 Agricultural use of land, including the implementation of conservation measures included in a farm conservation plan approved by the Soil and Water Conservation District, and including the construction of agricultural structures; or

402.3 Installation, renovation, or replacement of a septic system to serve an existing dwelling or structure.

403.0 Application for Permit:

Application for a site development permit shall be made by the owner of the property or his authorized agent to the (permitting authority) on a form furnished for that purpose. Each application shall bear the name(s) and address(es) of the owner or developer of the site and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm, and shall be accompanied by an application fee of \$100.00. Each application shall include certification that any land clearing, construction, or development involving the movement of earth shall be in accordance with the plans approved upon issuance of the permit.

403.1 Submissions:

Each application for a site development permit shall be accompanied by the following information:

404.1 A vicinity map in sufficient detail to enable easy location in the field of the site for which the permit is sought, and including the boundary line and approximate acreage of the site, existing zoning, and a legend and scale.

404.2 A development plan of the site showing:

- a. Existing topography of the site and adjacent land within approximately 100 feet of the boundaries, drawn at no greater than one-foot contour intervals and clearly portraying the conformation and drainage pattern of the area;
- b. The location of existing buildings, structures, utilities, streams, lakes, floodplains, wetlands and depressions, drainage facilities, vegetative cover, paved areas, and other significant natural or man-made features on the site and adjacent land within 100 feet of the boundary;
- c. A general description of the predominant soil types on the site, their location, and their limitations for the proposed use; and
- d. Proposed use of the site, including present development and planned utilization; areas of clearing, stripping, grading, excavation, and filling; proposed contours, finished grades, and street profiles; provisions for storm drainage, including storm sewers, swales, detention basins and any other measures to control the rate of runoff, with a drainage area map, indications of flow directions, and computations; kinds and locations of utilities; and areas and acreages proposed to be paved, covered, sodded, seeded, vegetatively stabilized, or left undisturbed.

404.3 An erosion and sediment control plan showing all measures necessary to meet the objectives of this ordinance throughout all phases of construction and permanently after completion of development of the site, including:

- a. Location and description, including standard details, of all sediment control measures and design specifics of sediment basins and traps, including outlet details;
- b. Location and description of all soil stabilization and erosion control measures, including seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, kind and quantity of mulching for both temporary and permanent vegetative control measures, and types of non-vegetative stabilization measures;
- c. Location and description of all runoff control measures, including diversions, waterways, and outlets;
- d. Location and description of methods to prevent tracking of sediment offsite, including construction entrance details, as appropriate;
- e. Description of dust and traffic control measures;
- f. Locations of stockpiles and description of stabilization methods;
- g. Description of off-site fill or borrow volumes, locations, and methods of stabilization;
- h. Provisions for maintenance of control measures, including type and frequency of maintenance, easements, and estimates of the cost of maintenance; and
- i. Identification (name, address, and telephone) of the person(s) or entity which will have legal responsibility for maintenance of erosion control structures and measures during development and after development is completed.

404.4 The erosion and sediment control plan shall also show proposed phasing of development of the site, including stripping and clearing, rough grading, construction, final grading, and landscaping. Phasing should identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, and the sequence of installation of temporary sediment control measures (including perimeter controls), clearing and grading, installation of temporary soil stabilization measures, installation of storm drainage, paving of streets and parking areas, final grading and the establishment of permanent vegetative cover, and the removal of temporary measures. It shall be the responsibility of the applicant to notify the City Engineer of any significant changes that may occur in the site development schedule after the initial erosion and sediment control plan has been approved.

These submissions shall be prepared in accordance with the requirements of this ordinance and the standards and requirements contained in "Standards and Specifications for Soil Erosion and Sediment Control" (the Yellow Book) published by the Illinois Environmental Protection Agency and the "Illinois Procedures and Standards for Urban Soil Erosion and Sediment Control" (the Green Book) prepared by the Northeastern Illinois Soil Erosion and Sedimentation Control Steering Committee and adopted by the Kendall County Soil and Water Conservation District, which standards and requirements are hereby incorporated into this ordinance by reference.

The City Engineer may waive specific requirements for the content of submissions upon finding that the information submitted is sufficient to show that the work will comply with the objectives and principles of this ordinance.

405.0 Bonds:

The applicant is required to file with the City a faithful performance bond or bonds, letter of credit, or other improvement security satisfactory to the City Attorney in an amount deemed sufficient by the City Engineer to cover all costs of improvements, landscaping, maintenance of improvements and landscaping, and soil erosion and sediment control measures for such period as specified by the City, and engineering and inspection costs to cover the cost of failure or repair of improvements installed on the site.

406.0 Review and Approval:

Each application for a site development permit shall be reviewed and acted upon according to the following procedures.

406.1 The City Engineer will review each application for a site development permit to determine its conformance with the provisions of this ordinance. The City Engineer may also refer any application to the Kendall County Soil and Water Conservation District and/or any other local government or public agency within whose jurisdiction the site is located for review and comment. Within thirty (30) days after receiving an application, the City Engineer shall in writing:

- a. Approve the permit application if it is found to be in conformance with the provisions of this ordinance, and issue the permit;
- b. Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this ordinance, and issue the permit subject to these conditions; or
- c. Disapprove the permit application, indicating the deficiencies and the procedure for submitting a revised application and/or submission.

406.2 No site development permit shall be issued for an intended development site unless:

- a. The development, including but not limited to, subdivisions and planned unit development, has been approved by the City where applicable.
- b. Such permit is accompanied by or combined with a valid building permit issued by the City if required or applicable;
- c. The proposed earth moving is coordinated with any overall development program previously approved by the City for the area in which the site is situated; and
- d. All relevant federal and state permits (i.e., for floodplains and wetlands) have been received for the portion of the site subject to soil disturbance.

406.3 Failure of the City Engineer to act on an original or revised application within thirty (30) days of receipt shall authorize the applicant to proceed in accordance with the plans as filed unless such time is extended by agreement between the (permitting authority) and the applicant. Pending preparation and approval of a revised plan, development activities shall be allowed to proceed in accordance with conditions established by the City Engineer.

407.0 Expiration of Permit:

Every site development permit shall expire and become null and void if the work authorized by such permit has not been commenced within one hundred and eighty (180) days, or is not completed by a date which shall be specified in the permit; except that the City Engineer may, if the permittee presents satisfactory evidence that unusual difficulties have prevented work being commenced or completed within the specified time limits, grant a reasonable extension of time if written application is made before the expiration date of the permit. The City Engineer may require modification of the erosion control plan to prevent any increase in erosion or offsite sediment runoff resulting from any extension.

408.0 Appeals:

Any applicant may appeal any decision of the City Engineer to the City Council, provided that no such appeal shall be considered until and unless the applicant has requested a conference with the City Engineer (not a subordinate of the City Engineer) and either the conference has been held or the City Engineer has not scheduled a conference.

409.0 Retention of Plans:

Plans, specifications, and reports for all site developments shall be retained in original form or on microfilm by the City.

500.0 Design and Operation Standards and Requirements

501.0 Applicability:

All clearing, grading, stripping, excavating, and filling which is subject to the permit requirements of this ordinance shall be subject to the applicable standards and requirements set forth in this Section 500.0.

502.0 Responsibility:

The permittee shall not be relieved of responsibility for damage to persons or property otherwise imposed by law, and the City or its officers or agents will not be made liable for such damage, by (1) the issuance of a permit under this ordinance, (2) compliance with the provisions of that permit or with conditions attached to it by the City Engineer, (3) failure of City officials to observe or recognize hazardous or unsightly conditions, (4) failure of City officials to recommend denial of or to deny a permit, or (5) exemptions from the permit requirements of this ordinance.

503.0 Site Design Requirements

503.1 On-site sediment control measures, as specified by the following criteria, shall be constructed and functional prior to initiating clearing, grading, stripping, excavating or fill activities on the site:

- a. For disturbed areas draining less than 1 acre, filter barriers (including filter fences, straw bales, or equivalent control measures) shall be constructed to control all offsite runoff as specified in referenced handbooks. Vegetated filter strips, with a minimum width of 25 feet, may be used as an alternative only where runoff in sheet flow is expected;
- b. For disturbed areas draining more than 1 but less than 5 acres, a sediment trap or equivalent control measure shall be constructed at the downslope point of the disturbed area;
- c. For disturbed areas draining more than 5 acres, a sediment basing or equivalent control measures shall be constructed at the downslope point of the disturbed area;
- d. Sediment basins and sediment traps designs shall provide for both detention storage and sediment storage. The detention storage shall be composed of equal volumes of "wet" detention storage and "dry" detention storage and each shall be sized for the 2-year, 24-hour runoff from the site under maximum runoff conditions during construction. The release rate of the basin shall be that rate required to achieve minimum detention times of at least 10 hours. The elevation of the outlet structure shall be placed such that it only drains the dry detention storage; and
- e. The sediment storage shall be sized to store the estimated sediment load generated from the site over the duration of the construction period with a minimum storage equivalent to the volume of sediment generated in one year. For construction periods exceeding 1 year, the 1-year sediment load and a sediment removal schedule may be substituted.

503.2 Stormwater conveyance channels, including ditches, swales, and diversions, and the outlets of all channels and pipes shall be designed and constructed to withstand the expected flow velocity from the 10-year frequency storm without erosion. All constructed or modified channels shall be stabilized within 48 hours, consistent with the following standards:

- a. For grades up to 4 percent, seeding in combination with mulch, erosion blanket, or an equivalent control measure shall be applied. Sod or erosion blanket or mat shall be applied to the bottom of the channel.
- b. For grades of 4 to 8 percent, sod or an equivalent control measure shall be applied in the channel.
- c. For grades greater than 8 percent, rock, riprap, or an equivalent control measure shall be applied, or the grade shall be effectively reduced using drop structures.

- 503.3 Disturbed areas shall be stabilized with temporary or permanent measures within 7 calendar days following the end of active disturbance, or redisturbance, consistent with the following criteria:
- a. Appropriate temporary or permanent stabilization measures shall include seeding, mulching, sodding, and/or non-vegetative measures, and
 - b. Areas having slopes greater than 12 percent shall be stabilized with sod, mat or blanket in combination with seeding, or equivalent.
- 503.4 Land disturbance activities in stream channels shall be avoided, where possible. If disturbance activities are unavoidable, the following requirements shall be met:
- a. Construction vehicles shall be kept out of the stream channel to the maximum extent practicable. Where construction crossings are necessary, temporary crossings shall be constructed of non-erosive material, such as riprap or gravel;
 - b. The time and area of disturbance of stream channels shall be kept to a minimum. The stream channel, including bed and banks, shall be restabilized within 48 hours after channel disturbance is completed, interrupted, or stopped; and
 - c. Whenever channel relocation is necessary, the new channel shall be constructed in the dry and fully stabilized before flow is diverted.
- 503.5 Storm sewer inlets and culverts shall be protected by sediment traps or filter barriers meeting accepted design standards and specifications.
- 503.6 Soil storage piles containing more than 10 cubic yards of material shall not be located with a downslope drainage length of less than 25 feet to a roadway or drainage channel. Filter barriers, including straw bales, filter fence, or equivalent, shall be installed immediately on the downslope side of the piles.
- 503.7 If de-watering devices are used, discharge locations shall be protected from erosion. All pumped discharges shall be routed through appropriately designed sediment traps, basins, or equivalent.
- 503.8 Each site shall have graveled (or equivalent) entrance roads, access drives, and parking areas of sufficient length and width to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road shall be removed by shoveling or street cleaning (not flushing) before the end of each workday and transported to a controlled sediment disposal area.
- 503.9 All temporary and permanent erosion and sediment control practices must be maintained and repaired as needed to assure effective performance of their intended function.
- 503.10 All temporary erosion and sediment control measures shall be disposed of within 30 days after final site stabilization is achieved with permanent soil stabilization measures. Trapped sediment and other disturbed soils resulting from the disposition of temporary measures should be permanently stabilized to prevent further erosion and sedimentation.
- 504.0 Handbooks Adopted by Reference:

The standards and specifications contained in "Standards and Specifications for Soil Erosion and Sediment Control" (the Yellow Book) and the "Illinois Procedures and Standards for Urban Soil Erosion and Sedimentation Control" (the Green Book) cited in Section 400.0, are hereby incorporated into this Section 500.0 and made a part hereof by reference for the purpose of delineating procedures and methods of operation under site development and erosion and sedimentation control plans approved

under Section 400.0. In the event of conflict between provisions of said manuals and of this ordinance, the ordinance shall govern.

505.0 Maintenance of Control Measures:

All soil erosion and sediment control measures necessary to meet the requirements of this ordinance shall be maintained periodically by the applicant or subsequent landowner during the period of land disturbance and development of the site in a satisfactory manner to ensure adequate performance.

506.0 Inspection:

The (permitting authority) shall make inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the site development or erosion and sedimentation control plan as approved. Plans for grading, stripping, excavating, and filling work bearing the stamp of approval of the (permitting authority) shall be maintained at the site during progress of the work. In order to obtain inspections and to ensure compliance with the approved erosion and sediment control plan, the grading or building permit, and this Ordinance, the permittee shall notify the (permitting authority) within two (2) working days of the completion of the construction stages specified below:

1. Upon completion of installation of sediment and runoff control measures (including perimeter controls and diversions), prior to proceeding with any other earth disturbance or grading,
2. After stripping and clearing,
3. After rough grading,
4. After final grading,
5. After seeding and landscaping deadlines, and
6. After final stabilization and landscaping, prior to removal of sediment controls.

If stripping, clearing, grading and/or landscaping are to be done in phases or areas, the permittee shall give notice and request inspection at the completion of each of the above work stages in each phase or area. If an inspection is not made and notification of the results given within five working days after notice is received by the City from the permittee, the permittee may continue work at his/her own risk, without presuming acceptance by the (village). Notification of the results of the inspection shall be given in writing at the site.

507.0 Special Precautions:

- 507.1 If at any stage of the grading of any development site the (permitting authority) determines by inspection that the nature of the site is such that further work authorized by an existing permit is likely to imperil any property, public way, stream, lake, wetland, or drainage structure, the (permitting authority) may require, as a condition of allowing the work to be done, that such reasonable special precautions to be taken as is considered advisable to avoid the likelihood of such peril. "Special precautions" may include, but shall not be limited to, a more level exposed slope, construction of additional drainage facilities, berms, terracing, compaction, or cribbing, installation of plant materials for erosion control, and recommendations of a registered soils engineer and/or engineering geologist which may be made requirements for further work.

507.2 Where it appears that storm damage may result because the grading on any development site is not complete, work may be stopped and the permittee required to install temporary structures or take such other measures as may be required to protect adjoining property or the public safety. On large developments or where unusual site conditions prevail, the (permitting authority) may specify the time of starting grading and time of completion or may require that the operations be conducted in specific stages so as to insure completion of protective measures or devices prior to the advent of seasonal rains.

508.0 Amendment of Plans:

Major amendments of the site development or erosion and sedimentation control plans shall be submitted to the City Engineer and shall be processed and approved or disapproved in the same manner as the original plans. Field modifications of a minor nature may be authorized by the City Engineer by written authorization to the permittee.

600.0 Enforcement

The administration and enforcement of this ordinance shall be the responsibility of the United City of Yorkville or their authorized representative.

601.0 Appeals:

Any applicant may appeal any decision of the City Engineer to the City Council, provided that no such appeal shall be considered until and unless the applicant has requested a conference with the City Engineer (not a subordinate of the City Engineer) and either the conference has been held or the City Engineer has not scheduled a conference.

602.0 Conferences:

At any time an applicant may ask for a conference with the City Engineer concerning any application under this ordinance, and the City Engineer will meet with the applicant to discuss the matter. If an applicant has been dealing with any person working under the supervision of the City Engineer, at the applicant's request the City Engineer (and not a subordinate) will hold a conference with the applicant.

603.0 Fees:

Engineering review, legal, and construction observation fees are the responsibility of the applicant. An Application fee of \$100.00 is required, as is a cash deposit in the amount of \$1000.00 prior to the initiation of review, and will be subject to adjustment after the initial review based upon actual consultant and staff review costs incurred by the City.

604.0 Violations and Penalties:

No person shall construct, enlarge, alter, repair, or maintain any grading, excavation or fill, or cause the same to be done, contrary to or in violation of any terms of this ordinance. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and each day during which any violation of any of the provisions of this ordinance is committed, continued, or permitted shall constitute a separate offense. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine of not more than (\$500) for each offense. In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions of this ordinance shall be required to restore the site to the condition existing prior to commission of the violation, or to bear the expense of such restoration.

605.0 Separability:

The provisions and sections of this ordinance shall be deemed to be separable, and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

700.0 Effective Date

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

MIKE ANDERSON	<u>absent</u>	JOSEPH BESCO	<u>yes</u>
VALERIE BURD	<u>yes</u>	PAUL JAMES	<u>yes</u>
LARRY KOT	<u>yes</u>	MARTY MUNNS	<u>yes</u>
ROSE SPEARS	<u>yes</u>	RICHARD STICKA	<u>yes</u>

Passed by the City Council of the United City of Yorkville, Illinois this 11th day of March, 2003.

Attest: Jacquelyn Milschewski
City Clerk

APPROVED by me this 11th day of March, 2003.

Arthur Prochaska Jr.
Mayor

ATTESTED and FILED in my office this 11th day of March, 2003.

Jacquelyn Milschewski
City Clerk

ORDINANCE _____
SOIL EROSION & SEDIMENTATION CONTROL ORDINANCE

UNITED CITY OF YORKVILLE
SITE DEVELOPMENT PERMIT APPLICATION

United City of Yorkville
800 Game Farm Road
Yorkville, Illinois 60560

OFFICE USE ONLY

Date Received: _____
ENG Concurrence: _____
Approved By: _____
Date Approved: _____
Permit Number: _____

INDICATE TYPE OF SITE IMPROVEMENT:

_____ Subdivision _____ Fill & Grading
_____ Pond _____ Dredging
_____ Other: _____

_____, Being duly sworn upon his oath, in application for a Permit from The United
(applicant)

City of Yorkville, Deposits and Says:

OWNER'S NAME: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____

APPLICANT'S NAME: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____

ENGINEER'S NAME: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____

CONTRACTOR'S NAME: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____

MAINTENANCE PERSON'S NAME: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____

SITE DEVELOPMENT PLAN:

1. Prepare a site development plan in accordance with Section 404.0 (Submissions) and Section 500.0 (Design and Operation Standards and Requirements) of the Soil Erosion and Sediment Control Ordinance.

2. Attach the legal description of the proposed site on a separate page.

3. COMPLETE THE FOLLOWING INFORMATION:

- A. Starting date: _____ Anticipated completion date: _____
- B. Acreage of site: _____ Acreage of project: _____
- C. Date of seeding: _____
- D. Total area filled or excavated: _____ Cubic yards of fill: _____
- E. Max. depth of fill or excavation: _____ Type of fill: _____
- F. Presence of: Wetlands _____ Floodplains _____ Woodlands _____
- G. Water supply for pond: Surface runoff _____ Groundwater _____
- H. Additional Information: _____

Signature of Owner/Date: _____



United City of Yorkville Memorandum
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575

CONTRACTOR CERTIFICATION STATEMENT

This certification is a part of the Storm Water Pollution Prevention Plan for the project described below, in accordance with NPDES Permit No. ILR10, issued by the Illinois Environmental Protection Agency on May 14, 1998.

Project Information:

Route _____ Marked _____

Section _____ Project No. _____

County _____

I certify under penalty of law that I understand the terms of the general National Pollutant Discharge Elimination System (NPDES) permit (ILR 10) that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification.

Signature Date

Title

Name of Firm

Street Address

City, State, Zip

Telephone Number



United City of Yorkville Memorandum
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575

NPDES / EROSION CONTROL INSPECTION REPORT

Date of Inspection: _____ Project: _____
Name of Inspector: _____
Type of Inspection: Weekly _____ > 0.5" Precip. _____
Contractor: _____
Subs: _____

Are all of the temporary and permanent controls contained in the pollution prevention (erosion control) plan or as directed by the engineer in place? YES NO
If no, why not? _____

Are the temporary and permanent erosion and sediment controls that have been installed operating correctly? YES NO
If no, what additional controls or adjustments is the contractor hereby directed to install or perform?

Are the erosion and sediment controls being properly maintained? YES NO
If no, what maintenance is the contractor hereby directed to perform? _____

Is there tracking of sediment from locations where vehicles enter and leave the project?
 YES NO If yes, describe the location(s) and the actions the contractor is hereby direct to perform. _____

Have the additional controls, adjustments or maintenance directed as a result of the last inspection been implemented within seven calendar days? YES NO If no, the contractor is hereby notified that no further work activity will be permitted to take place until the needed corrective measures have been taken.

Other comments: _____

Inspector Signature _____

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
NOTICE OF INTENT (NOI)
 GENERAL PERMIT TO DISCHARGE STORM WATER
 CONSTRUCTION SITE ACTIVITIES

OWNER INFORMATION

NAME:	LAST	FIRST	MI	(SEE INSTRUCTIONS)	OWNER TYPE: (SELECT ONE AND TYPE "X") <input type="checkbox"/> PRIVATE <input type="checkbox"/> COUNTY <input type="checkbox"/> STATE <input type="checkbox"/> CITY <input type="checkbox"/> SPECIAL DISTRICT <input type="checkbox"/> FEDERAL				
MAILING ADDRESS:									
CITY:		ST:		ZIP:					
CONTACT PERSON:					TELEPHONE NUMBER:	AREA CODE	NUMBER		

CONTRACTOR INFORMATION

NAME	LAST	FIRST	MI	(SEE INSTRUCTIONS)	TELEPHONE NUMBER:	AREA CODE	NUMBER			
MAILING ADDRESS:					CITY:		ST:		ZIP:	

CONSTRUCTION SITE INFORMATION

SELECT ONE:	<input type="checkbox"/> EXISTING SITE <input type="checkbox"/> NEW SITE <input type="checkbox"/> CHANGE OF INFORMATION			GENERAL NPDES PERMIT NO.	I L R 1 0					
FACILITY NAME:					OTHER NPDES PERMIT NUMBERS:					
FACILITY ADDRESS:					TELEPHONE NUMBER:	AREA CODE	NUMBER			
CITY:		ST:	IL	ZIP:		LATITUDE:	DEG. MIN. SEC.	LONGITUDE:	DEG. MIN. SEC.	
COUNTY:	SECTION:			TOWNSHIP:		RANGE:				
START OF CONSTRUCTION DATE:	MM/DD/YY		END OF CONSTRUCTION DATE:	MM/DD/YY		TOTAL SIZE OF CONSTRUCTION SITE IN ACRES:				

TYPE OF CONSTRUCTION (TYPE "X" FOR ALL THAT APPLY)

RESIDENTIAL
 COMMERCIAL
 INDUSTRIAL
 RECONSTRUCTION
 TRANSPORTATION
 OTHER

HISTORIC PRESERVATION AND ENDANGERED SPECIES COMPLIANCE (OPTIONAL)

HAS THIS PROJECT SATISFIED APPLICABLE REQUIREMENTS FOR COMPLIANCE WITH ILLINOIS LAW ON:	
HISTORIC PRESERVATION	<input type="checkbox"/> YES <input type="checkbox"/> NO, AND
ENDANGERED SPECIES	<input type="checkbox"/> YES <input type="checkbox"/> NO?

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage this system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. In addition, I certify that the provisions of this permit, including the development and implementation of a storm water pollution prevention plan and a monitoring program plan, will be complied with.

OWNER SIGNATURE: _____

DATE: _____

MAIL COMPLETED FORM TO:
 (DO NOT SUBMIT ADDITIONAL DOCUMENTATION UNLESS REQUESTED)

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 DIVISION OF WATER POLLUTION CONTROL
 ATTN: PERMIT SECTION
 POST OFFICE BOX 19276
 SPRINGFIELD, Illinois 62794-9276

FOR OFFICE USE ONLY

LOG:
PERMIT: ILR00
DATE:

GUIDELINES FOR COMPLETION OF NOTICE OF INTENT (NOI) FORM

Please adhere to the following guidelines to allow automated forms processing using Optical Character Recognition (OCR) technology.

- Submit original forms. Do not submit photocopies. Original forms can be obtained from:
Illinois Environmental Protection Agency
Division of Water Pollution Control
Permits Section
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276
Or call (217)782-0610
- Reports must be typed and signed. Do not staple.
- Center your information by typing within the allocated areas avoiding all lines which border the area.
- Provide only one line of type per allocated area.
- Replace typewriter ribbons and clean as necessary to avoid smeared, faint or illegible characters.
- Use the formats given in the following examples for correct form completion.

	EXAMPLE	FORMAT
NAME:	Smith John C Taylor T J Mfg Co LJ Trucking Co	Last First Middle Initial Surname First (or Initials) and remainder Initials and remainder
DATE:	06/30/92	Month/day/year
SECTION:	12	1 or 2 numerical digits
TOWNSHIP:	12N	1 or 2 numerical digits Followed by "N" or "S"
RANGE:	12W	1 or 2 numerical digits followed by "E" or "W"
AREA CODE:	217	3 numerical digits
TELEPHONE NUMBER:	782-0610	3 numerical digits followed by a hyphen and 4 more numerical digits
ZIP CODE:	62546	5 numerical digits only



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 CONSTRUCTION SITE STORM WATER DISCHARGE
 INCIDENCE OF NON-COMPLIANCE (ION)

IMPORTANT: FORM MUST BE TYPED TO ENABLE AUTOMATED OPTICAL PROCESSING.
 SUBMIT ORIGINAL FORM - DO NOT SUBMIT PHOTOCOPY

PERMITTEE NAME:	LAST			FIRST			MI.			(SEE INSTRUCTIONS)											
STREET:							CITY:			ST:	ZIP:										
CONSTRUCTION SITE NAME:																					
COUNTY:				SECTION:				TOWNSHIP:				RANGE:									
NPDES PERMIT NUMBER:	IL	LR	10				TELEPHONE NUMBER:		AREA CODE:		NUMBER:		LATITUDE: NEAREST 15 SECONDS:	DEG.	MIN.	SEC.	LONGITUDE: NEAREST 15 SECONDS:	DEG.	MIN.	SEC.	
DATE(S) OF NON-COMPLIANCE:	Springfield, IL 62794-6276																				

CAUSE OF NON-COMPLIANCE

Report must be typed and signed by a responsible person. Center your information by typing within the slanted areas and lines which border the area. Use only one line of type per slanted area unless you

ACTIONS TAKEN TO PREVENT ANY FURTHER NON-COMPLIANCE

Use a typewriter ribbon and clean as necessary to avoid ink flow or illegible characters. Use the format shown in the following examples for entries.

ENVIRONMENTAL IMPACT RESULTING FROM THE NON-COMPLIANCE

NAME: Smith John C. LAST FIRST MI. Initial
 TAYLOR P. & MFG CO. Springfield First (no initial remainder)

ACTIONS TAKEN TO REDUCE THE ENVIRONMENTAL IMPACT RESULTING FROM THE NON-COMPLIANCE

DATE: 06/30/92. Month/day/year
 SECTION: 17 1 of 2 numerical digits
 TOWNSHIP: 130 1 of 3 numerical digits

Signature: _____ Title: _____ Date: _____

Return completed form to:

Illinois Environmental Protection Agency
 Division of Water Pollution Control
 Compliance Assurance Section #19
 2200 Churchill Road
 P.O. Box 19276
 Springfield, IL 62794-6276

FOR OFFICE USE ONLY

LOG	
PERMIT	ILR10
DATE	



This Agency is authorized to require this information under Illinois Revised Statutes, 1991, Chapter 111 1/2, Section 1039. Disclosure of this information is required. Failure to do so may result in a civil penalty up to \$10,000.00 per day of violation or a fine up to \$25,000.00 per day of violation and imprisonment up to three years. This form has been approved by the Forms Management Center.

March 5, 2003

GUIDELINES FOR COMPLETION OF INCIDENCE OF NON-COMPLIANCE (ION) FORM

Complete and submit this form for any violation of the Storm Water Pollution Prevention Plan observed during any inspection conducted including those not required by the Plan. Please adhere to the following guidelines to allow automated forms processing using Optical Character Recognition (OCR) technology.

- Submit original forms. Do not submit photocopies. Original forms can be obtained from:
Illinois Environmental Protection Agency
Division of Water Pollution Control
Permits Section
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276
Or call (217)782-0610
- Reports must be typed and signed. Do not staple.
- Center your information by typing within the allocated areas avoiding all lines which border the areas.
- Provide only one line of type per allocated area unless you are describing the cause of non-compliance, environmental impact, or actions taken.
- Replace typewriter ribbons and clean as necessary to avoid smeared, faint or illegible characters.
- Use the formats given in the following examples for correct form completion.

	EXAMPLE	FORMAT
NAME:	Smith John C Taylor T J Mfg Co LJ Trucking Co	Last First Middle Initial Surname First (or Initials) and remainder Initials and remainder
DATE:	06/30/92	Month/day/year
SECTION:	12	1 or 2 numerical digits
TOWNSHIP:	12N	1 or 2 numerical digits Followed by "N" or "S"
RANGE:	12W	1 or 2 numerical digits followed by "E" or "W"
AREA CODE:	217	3 numerical digits
TELEPHONE NUMBER:	782-0610	3 numerical digits followed by a hyphen and 4 more numerical digits
ZIP CODE:	62546	5 numerical digits only



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF TERMINATION (NOT OF COVERAGE UNDER THE NPDES GENERAL PERMIT FOR STORM WATER DISCHARGES

OWNER INFORMATION

Form with fields for NAME (LAST, FIRST, MI.), MAILING ADDRESS, CITY, ST, ZIP, CONTACT PERSON, TELEPHONE NUMBER, AREA CODE, NUMBER, and OWNER TYPE (PRIVATE, COUNTY, STATE, CITY, SPECIAL DISTRICT, FEDERAL).

CONTRACTOR INFORMATION

Form with fields for NAME (LAST, FIRST, MI.), MAILING ADDRESS, CITY, ST, ZIP, TELEPHONE NUMBER, AREA CODE, NUMBER.

CONSTRUCTION SITE INFORMATION

Form with fields for FACILITY NAME, MAILING ADDRESS, CITY, ST, ZIP, COUNTY, SECTION, TOWNSHIP, RANGE, NPDES STORM WATER GENERAL PERMIT NUMBER (ILR10), and LATITUDE/LONGITUDE coordinates.

I certify under penalty of law that disturbed soils at the identified facility have been finally stabilized or that all storm water discharges associated with industrial activity from the identified facility that are authorized by an NPDES general permit have otherwise been eliminated. I understand that by submitting this notice of termination, that I am no longer authorized to discharge storm water associated with industrial activity by the general permit, and that discharging pollutants in storm water associated with industrial activity to Waters of the State is unlawful under the Environmental Protection Act and the Clean Water Act where the discharge is not authorized by an NPDES permit.

OWNER SIGNATURE: _____ DATE: _____

MAIL COMPLETED FORM TO:

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY DIVISION OF WATER POLLUTION CONTROL ATTN: PERMIT SECTION 2200 CHURCHILL ROAD POST OFFICE BOX 19278 SPRINGFIELD, IL 62794-9278

(DO NOT SUBMIT ADDITIONAL DOCUMENTATION UNLESS REQUESTED)

FOR OFFICE USE ONLY

Table with columns LOG, PERMIT (ILR10), and DATE.

This Agency is authorized to require this information under Illinois Revised Statutes, 1991, Chapter 111 1/2, Section 1009. Disclosure of this information is required under that Section. Failure to do so may prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

GUIDELINES FOR COMPLETION OF NOTICE OF TERMINATION (NOT) FORM

Please adhere to the following guidelines to allow automated forms processing using Optical Character Recognition (OCR) technology.

- Submit original forms. Do not submit photocopies. Original forms can be obtained from:
Illinois Environmental Protection Agency
Division of Water Pollution Control
Permits Section
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276
Or call (217)782-0610
- Reports must be typed and signed. Do not staple.
- Center your information by typing within the allocated areas avoiding all lines which border the areas.
- Provide only one line of type per allocated area.
- Replace typewriter ribbons and clean as necessary to avoid smeared, faint or illegible characters.
- Use the formats given in the following examples for correct form completion.

	EXAMPLE	FORMAT
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TOWNSHIP:	12N	1 or 2 numerical digits Followed by "N" or "S"
RANGE:	12W	1 or 2 numerical digits followed by "E" or "W"
AREA CODE:	217	3 numerical digits
TELEPHONE NUMBER:	782-0610	3 numerical digits followed by a hyphen and 4 more numerical digits
ZIP CODE:	62546	5 numerical digits only