

15.04.150 – Appendix Chapter J Amended-Excavation and Grading.

Appendix Chapter J—Excavation and Grading, shall be amended as follows:

A. Section J103.2 further amend by adding a new paragraph 8 as follows:

"8. Grading of streets in subdivisions for which improvement plans have been approved by the City Engineer when such grading is being inspected by the City Engineering Department.

B. Section J102-Amend by adding the following definition in proper sequence:

"Building Official. For the purpose of this chapter this title shall be the Community Development Director or his or her designee.

C. Section J104.2—Amend by deleting entire section and substituting the following in place thereof:

"Each application for a grading permit shall be accompanied by four sets of plans 24 inches X 36 inches in size prepared at a scale of 1 in.=40 feet or greater. The plans shall be accompanied by specifications and supporting data consisting of a soils report and engineering geology report. The plans and specifications shall be prepared and signed by a civil engineer when required by the Building Official. Upon approval, three sets of the approved corrected plans shall be submitted to the City for use during the course of the work.

"At the completion of work and prior to release of the permit by the City, one reproducible set and one set of prints shall be submitted to the Building Official. The plans shall be designated 'As Built' and shall include any changes from the approved plan made during the course of work. The 'As Built' plans shall be signed and dated by the Civil Engineer and Soils Engineer.

D. Section J102.1—Amend by deleting the entire section and substitute the following in place thereof:

"a) Plan review and permit fees for work regulated by this chapter shall be as adopted from time to time by resolution of the City Council of the City of Martinez.

"b) Separate plan review and permit fees shall apply to retaining walls or major drainage structures as required elsewhere in this code.

E. Section J105.2.1—Amend by adding a new Subsection J105.2.1 to the end of the section as follows:

Pad Certification.

"Prior to the issuance of a building permit, as specified in this code, the Civil Engineer shall certify, in writing, that pad elevations are in conformance with the approved grading plans and the rough lot will drain according to drainage patterns specified on the plan.

"The area of the pad within the foundation of the proposed structure shall be certified by the Civil Engineer to be within 0.1 feet (\pm) of the pad elevation specified on the approved grading plan.

"The engineer's certification shall state that in his opinion finish lot grading may be done to provide positive drainage away from the foundation and to approved drainage facilities (curb underdrains, lined ditches, etc.) as specified on the approved grading plan."

(Ord. No. 1358 C.S., § 1, 12-15-2010.)

15.04.155 - Site Development Permit.

A site development permit shall be required for each single parcel residential and non-residential development for the plan checking and inspection of all non-building site improvements including grading, drainage, streets, driveways, parking lots, walkways, and other related improvements. The site development permit shall serve as a grading permit and permit for all other non-building on-site improvements. An encroachment permit for improvements within the public rights-of-way is still required.

(Ord. No. 1358 C.S., § 1, 12-15-2010.)

15.04.165 - Section J110 Amended—Erosion Control.

Amend section J110 of the International Building Code by deleting the entire section and substituting the following in place thereof:

A. Title and Purpose. This ordinance shall be known as the "Erosion Control Ordinance." The purpose of this chapter is to provide minimum standards and procedures to protect the public interest by managing construction practice of land excavation, fill, storage and grading.

B. Erosion Control Measures—Required. Erosion control measures are required prior to commencing work under any of the following conditions:

1. The area of land disturbed exceeds one-half acre;
2. Natural and finished slopes exceed 10% and area of land disturbed exceeds 3,000 square feet.
3. Volume of soil stored exceeds 200 cubic yards.

C. Work Not Requiring Erosion Control Measures. Erosion control measures will not be required for:

1. Routine maintenance work;
2. Work specifically determined by the City Engineer which meets the intent of this erosion control ordinance.

D. Permit—Application. Erosion mitigation measures shall be a requirement of the grading permit. The plans submitted with the application for a grading permit shall include erosion mitigation measures and may include or be accompanied by all or part of the following items as required by the City Engineer:

1. Site plan;
2. Grading plan;
3. Erosion control plan;
4. Soil engineer's report on erosion potential due to wind or water runoff and mitigation measures;
5. Contractor's name and emergency phone number;
6. Checking and inspection fees;
7. Security bonds or deposits;
8. Work schedule.

If Erosion Control Plans prepared by a Registered Civil Engineer have not been submitted to the City for review by September 1, the City may have plans prepared and the cost shall be deducted from the deposit. The deposit, or any unexpended portions, shall remain with the City until release of the bond for the Grading Permit or acceptance of the improvements by the City, whichever occurs later.

E. Security for Erosion Control Measures.

At the time of issuance of an Encroachment Permit, Grading Permit, Site Development Permit, or other approval to commence work by the City, an additional cash deposit shall also be required to guarantee installation of erosion control measures, cleanup of siltation, dust, and debris from the project site onto public and private property, repair of public improvements damaged by activity, installation of emergency measures to protect public health and safety, and continuing maintenance of erosion control facilities during the period from October 15 through April 15. The required deposit may be used at the discretion of the City. The required amount of the deposit shall be set forth in the development agreement or permit. The applicant shall maintain the deposit at the required amount at all times as specified in the Agreement or Permit. At acceptance of improvements or final approval of the work covered by the permit, whichever comes later, all unexpended funds of the applicant's cleanup deposit shall be refunded. In the event it is necessary for the City to use any portion of the cleanup deposit, the applicant will be billed by the City for the costs of the required corrective work and administrative costs incurred for City staff time. The applicant shall deposit the required amount to bring the deposit to its specified level within ten days of notification by the City. Failure to comply with these provisions shall be cause for issuance of a Stop Work Order on the project or not granting final approvals and additional permits.

This deposit shall be required for all grading permits, site development permits, subdivision improvement agreements or for other work as required by the City.

F. Standards.

The minimum Erosion Control Standards shall be as approved by the City Engineer and shall include the following:

1. Wind Related Erosion.

- a. Temporary erosion control measures shall be part of the grading plan.
- b. Temporary erosion control measures shall be maintained pending the installation of permanent erosion control.
- c. Planting for permanent erosion control shall be established by October 1, or mitigation for water related erosion implemented as specified below.

2. Water Related Erosion.

- a. Period when erosion control measure is in effect is October 15 to April 15;
- b. Erosion control design shall be prepared by a registered civil engineer and shall meet the approval of the City Engineer;
- c. Erosion control standard plans and design criteria on file with the City Engineer are to be used as guidelines by the Engineer;
- d. Two sets of erosion control plans shall be submitted by September 1 for review by the City Engineer.

G. Violation.

It shall be a violation of this ordinance for any person to:

1. Perform work without a permit;
2. Perform work without an approved plan;
3. Continue to work in violation of a stop work order.

H. Enforcement.

Any violation of this ordinance shall be a public nuisance and a misdemeanor which may be punishable by imposing a fine of \$500.00 and/or a jail term of thirty (30) days up to six (6) months for each such violation.

I. Permit—Inspection.

City Engineer is authorized to inspect and initiate enforcement procedures as necessary.

(Ord. No. 1358 C.S., § 1, 12-15-2010.)