

ORDINANCE NO. 441

TITLE:VILLAGE OF SOUTH PEKIN EROSION,
SEDIMENT AND STORM WATER CONTROL ORDINANCE

Adopted by the Village of South Pekin at its regular meeting on
June 12, 2006.

Published in pamphlet form by the Village of South Pekin on
June 12, 2006.

The undersigned, as Village Clerk of the Village of South Pekin,
certifies that the ordinance attached hereto was duly adopted on the date
described above by the record vote indicated and duly published in pamphlet
form on the date described above.


VILLAGE CLERK

(SEAL)



ORDINANCE NO. 441

VILLAGE OF SOUTH PEKIN

EROSION, SEDIMENT AND STORM WATER CONTROL ORDINANCE

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE

VILLAGE OF SOUTH PEKIN, ILLINOIS, AS FOLLOWS:

Section 1. DEFINITIONS

For the purposes of this article, the following words, terms and phrases shall have the meanings respectively ascribed to them in this section, unless the context clearly indicates otherwise:

Control Measure: Any temporary or permanent measure to control erosion, sediment and storm water run-off.

Village: *VILLAGE OF SOUTH PEKIN*

Disturbed Area: Any area of land on which the ground surface will be affected or altered by any Land Disturbing Activity.

Erosion Control Administrator: The person appointed by the Village to administer this ordinance.

Five-year Frequency Storm Event: The storm event rainfall depth during a 24-hour period which is exceeded, on the average, once every five (5) years.

Land Disturbing Activity: Any change in land, which may result in soil erosion from water or wind and the movement of sediments into state or county waters or onto lands in the county, or a change in the amount and/or intensity of storm water run-off, including but not limited to, the covering with an impervious surface, stockpiling, clearing, grading, excavating, rehabilitating, transporting, depositing or filling of land.

Perimeter Control: Any Control Measure installed between the down slope side of the Disturbed Area and the property line and/or between the down slope side of the Disturbed Area and any area of concentrated flow.

Permit Site: The lot or parcel for which an erosion and sediment control permit is issued.

Standards: The Illinois Environmental Protection Agency's Illinois Urban Manual, A Technical Manual Designed for Urban Ecosystem Protection and Enhancement published in 1995 and Illinois Procedures and Standards for Urban Soil Erosion and Sedimentation Control published in 1988 by the Urban Committee of the Association of Illinois Soil and Water Conservation

Districts now in effect, or as hereafter amended, which is incorporated by reference herein as "Standards."

Section II. PROHIBITION

No person shall engage in any Land Disturbing Activity on property within the Village unless an erosion and sediment control permit has been issued for such Land Disturbing Activity, except as follows:

- (a) Land Disturbing Activities (other than the construction of new single or two-family dwellings) for which the Disturbed Area is less than 5,000 square feet;
- (b) Activities associated with the preparation and tilling of land for the purposes of growing crops, or raising livestock, which may include but are not limited to the construction of conservation measures, plowing, disking and cultivating; or
- (c) Routine maintenance of roads, access ways and utility lines.

Section III. STANDARDS FOR DESIGN AND MAINTENANCE OF CONTROL MEASURES FOR SOIL EROSION, SEDIMENT AND STORM WATER

- (a) EROSION AND SEDIMENT CONTROL MEASURES. All Control Measures required under this ordinance shall conform to the Standards now in effect or as hereafter amended. All Control Measures installed shall be sufficient to prevent sediment from leaving the Permit Site during a Five-year Frequency Storm Event. When sediment does leave the Permit Site, the owner, developer or contractor shall remove the sediment by the end of the workday. For example, installing a rock construction drive or cleaning tires could be used to minimize tracking of sediment onto public roads.

Section IV. MAINTENANCE OF CONTROL MEASURES

EROSION, SEDIMENT, AND TEMPORARY STORM WATER CONTROL MEASURES. Control Measures shall be constructed and functional prior to initiating any Land Disturbing Activity. Control Measures are to be maintained so they are operating effectively until permanent ground surface protection is established in a manner specified in the applicable permit issued pursuant to this ordinance.

Control Measures (including, but not limited to Perimeter Controls) shall remain in place until the ground is stabilized with permanent ground cover. The intent of the ordinance is to keep the sites protected at all times until the ground is permanently stabilized. When temporary Control Measures need to be removed in order to establish permanent ground cover, the temporary Control Measures may be removed if one of the conditions listed below will be met. In no way does adhering to one of the conditions below relieve the

owner of responsibility to clean up or repair any damages caused from sediment or storm water run-off leaving the Permit Site.

1. Permanent ground cover shall be established with pavement, aggregate or sod within three days of the removal of sediment barriers.
 2. Permanent vegetation shall be established by seeding with anchored mulch within three days of removal of sediment barriers during the spring or fall seeding periods. However, on project areas with slopes not exceeding five percent (5%), permanent vegetation shall be established by seeding within three days of the removal of sediment barriers during the spring or fall seeding periods. Summer seeding is acceptable on project areas which shall be watered. This does not apply to concentrated flow areas.
- (b) **ADDITIONAL CONTROL MEASURES.** The Erosion Control Administrator may require additional Control Measures pursuant to the Standards at any time if determined as such after any site inspection.

Section V. EROSION AND SEDIMENT CONTROL PERMITS

Before commencing Land Disturbing Activity not exempted under Section II of this Ordinance, the owner of the land, or his representative, shall be required to file an application for an erosion and sediment control permit.

- (1) **APPLICATION.** The applicant shall file the application with the Village on forms provided by the Village. The fee for an application shall be \$125.00 for each permit. However, no fee shall be required for any project which is agricultural, or initiated by a local unit of government. There shall be no refund of any fees paid and no application shall be accepted for filing unless the fee has been paid in full.
- (2) **APPLICATION REVIEW.** Review of an erosion and sediment control permit application shall be limited to verifying that the required information and permit fee have been provided and that it meets the Standards. The Erosion Control Administrator shall approve or deny the application within five (5) working days of the filing of a completed application. If the permit is denied, it shall be returned to the applicant with a written explanation of its denial. The application shall be deemed approved if no response is made within the time frames provided above.
- (3) **DURATION.** The erosion and sediment control permit shall be issued for a period not exceeding two (2) years.
- (4) **CONTENT OF EROSION AND SEDIMENT CONTROL PERMIT.** The erosion and sediment control permit shall, by this reference, contain the following general conditions (whether or not these conditions are stated in the permit itself):

- (a) That written approval be obtained from the Erosion Control Administrator prior to making any modification to the erosion and sediment control plan set forth in the application; and
- (b) That all Control Measures identified in the application shall be installed; and
- (c) That all Control Measures shall be maintained during the construction; and
- (d) Such other conditions as the Erosion Control Administrator deems appropriate to ensure compliance with the specific requirements and intent of this ordinance.

Section VI. ENFORCEMENT AND STOP WORK ORDER FEE

This ordinance shall be administered and enforced by the Erosion Control Administrator, who shall make or cause to be made, periodic inspections of all work authorized by permits issued in accordance with this ordinance to ensure that said construction is in compliance with the provisions of the same; he shall make or cause to be made, investigations of violations of this ordinance and shall cause any violations to be corrected.

Any permit issued pursuant to this ordinance shall be revoked by the Erosion Control Administrator when he finds from personal inspection or from competent evidence that the rules, regulations or standards under which said permit was issued are being violated. To defray costs of administering stop work orders posted by the Erosion Control Administrator as a result of a violation of any of the terms of the ordinance, a fee of One Hundred Fifty Dollars (\$150.00) plus Ten Dollars (\$10.00) per day that violation exists per stop work order will be charged.

Section VII. PENALTY

The violation of any of the terms of the ordinance shall constitute an offense punishable by a fine not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), with each day the violation remains uncorrected constituting a separate offense. Such fine is in addition to any other remedy provided by law.

Section VIII. APPEALS TO VILLAGE BOARD

Any person directly aggrieved by any decision, order, requirement or determination of the Erosion Control Administrator made pursuant to this ordinance shall have the right to appeal such action to the Village Board. Such appeal shall be made within thirty-five (35) days from the date of the action appealed from, shall be filed in writing, and shall include a short, concise statement of why the action is being appealed. The fee for such an appeal shall be Forty-five Dollars (\$45.00) payable to the Village and is due with the appeal. In addition, the person filing the appeal shall pay all required publication costs associated with the appeal.

Upon receipt of a notice of appeal the Village shall put the appeal on the agenda for the next Village Board meeting. The Village Board may affirm, modify or reverse any appealed action.

Section IX. EFFECTIVE DATE.

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

PASSED AND APPROVED THIS 12 DAY OF June, 2006

By: Richard Huse
President Richard Huse

Attest: Shonda Larkin
Village Clerk

Ayes: 5
Nays: _____
Present: _____

EROSION AND SEDIMENT CONTROL PERMIT

Staff Use Only		Anticipated Start Date:
Permit No.:	Approved on:	
Information	Applicant	Owner
Name (company or other)		
2nd Name (individual)		
Address/Box		
City		
State/Zip		
Telephone		
Other telephone		

Location Information	Property ID #

Applicability

NOTE: No stockpiles shall be placed within 25' of the property line or within 25' of the curb unless one of the perimeter controls listed below is employed.

- 0% to 2% slope or sandy soil:
 - a. No perimeter controls required, unless butting up to an area of concentrated flow, then one of the perimeter controls listed below must be employed.
- >2% to 5% slope:
 - a. Vegetative filter strip: grass of 10 feet in width on a slope of less than 5%
 - must be staked at 25 foot intervals to clearly delineate boundary;
 - b. Silt fence;
 - c. Straw bales;
 - d. Buffer strip: any vegetation, e.g., cropland/woods/etc. of 50 feet in width on a slope of less than 10%
 - must be staked at 25 foot intervals to clearly delineate boundary;
- >5% to 10% slope:
 - a. Vegetative filter strip: grass of 20 feet in width on a slope of less than 10%
 - must be staked at 25 foot intervals to clearly delineate boundary;
 - b. Silt fence;
 - c. Straw bales;
 - d. Buffer strip: any vegetation, e.g., cropland/woods/etc. of 100 feet in width on a slope of less than 10%
 - must be staked at 25 foot intervals to clearly delineate boundary;

EROSION AND SEDIMENT CONTROL PERMIT

Management Strategies

Permanent ground cover will be established within six months of project completion, or within six months of occupancy, whichever ever occurs first [Sec. 7.5-65(5)]. Indicate planned permanent ground cover:

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> seed | <input type="checkbox"/> aggregate |
| <input type="checkbox"/> seed with anchored mulch | <input type="checkbox"/> pavement |
| <input type="checkbox"/> sod | <input type="checkbox"/> other _____ |

Permanent ground cover is the responsibility of:

- Builder Owner Buyer Other _____

Signature accepting responsibility: _____

Date: _____

Required Maintenance Practices

- Sediment must be removed from behind sediment fences and barriers before it reaches a depth that is equal to half the barrier's height;
- Breaks and gaps in sediment fences and barriers shall be repaired immediately;
- Decomposing barrier elements, e.g., straw bales, fabric fence, shall be replaced;
- All sediment that moves off the construction site onto adjoining property or public right-of-ways shall be cleaned up within four hours or before the end of each work day;
- All debris deposited on public roads shall be removed as soon as practical and not later than 4 hours after such debris is deposited, or at the end of each work day, whichever occurs first;
- All installed erosion control practices must be maintained until the disturbed areas they protect are stabilized.
- This permit shall be valid for a period not to exceed two (2) years [Sec 7.5-65.(3)].
- The application fee for a standard erosion control permit is \$150 [Sec 7.5-65.(1)].

I, _____, do hereby certify that the above stated information is true and correct; that I have carefully read the above application; and in consideration of the issuance of an erosion control permit I agree that all requirements stated above will be met.

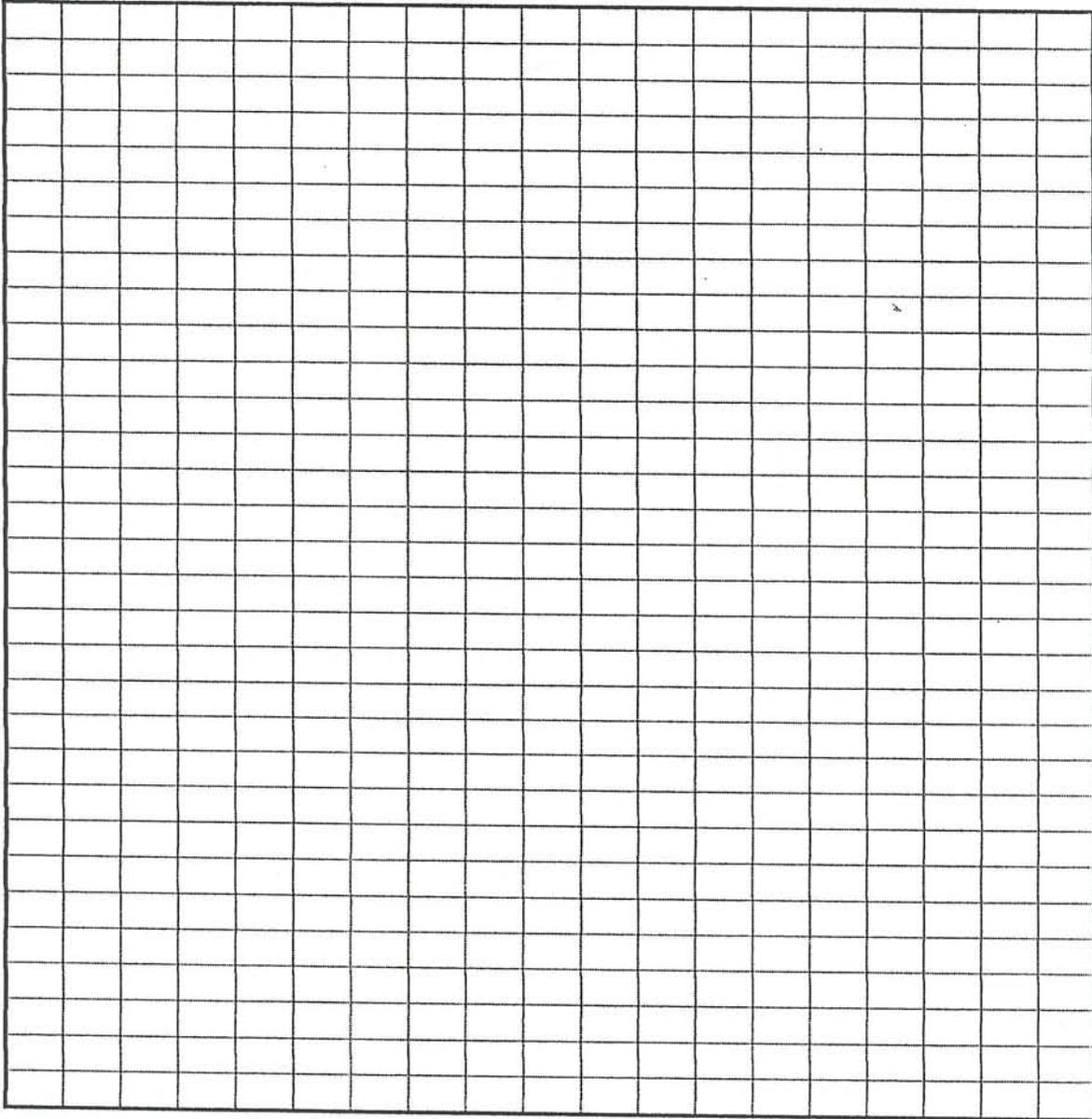
Signed: _____ Date: _____

For Staff Use Only			
Date Submitted:		Approval:	
Fee Paid:		Denial:	
Receipt Number:		Notification:	

Site Diagram showing proposed conditions

site size: _____ acres or dimensions: _____ x _____ or scale: 1 inch= _____ feet

Erosion and Sediment Control Permit



Attention: be sure to check with JULIE 48 hours before you dig 1-800-892-0123.

For Office use:

Date Plan Submitted: _____

Fee paid: _____

Date plan reviewed: _____

Reviewer's signature: _____

Date plan accepted: _____

Soil Survey Page No.: _____

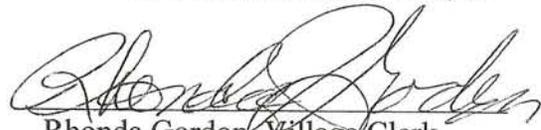
CERTIFICATION OF ORDINANCE

I, Rhonda Gordon, certify that I am the Village Clerk of the Village of South Pekin, Il., and that the attached copy of Ordinance No. 441 is a full, true and correct copy of the Ordinance duly passed and adopted by the Board of Trustees of the Village of South Pekin at a meeting of the Board held at the South Pekin Village Hall at South Pekin, Il. on June 12, 2006, at which meeting a quorum of the Trustees was present and that the members of the full Board voted in favor of such ordinance as follows:

<u>Trustee</u>	<u>Vote</u>
Dohn Winters	Yea
Andrea Cantrall	Yea
William Trumpy	Yea
Jack Lutz	Yea
Debra Hoehn	Yea

The undersigned further certifies that such ordinance has not since been amended, altered, Revoked, or replaced and is in full force and effect.

IN WITNESS WHEREOF, I have signed this certification at South Pekin, Il.
On this 12th day of June 2006.


Rhonda Gordon, Village Clerk
South Pekin, IL 61564