



**§ 39-6. Standards for issuance of permit.**

A. Notwithstanding any provision of this ordinance or any condition of the permit, the permittee is responsible for the prevention of damage to other property, or personal injury, which may be affected by the activity requiring a permit and shall hold harmless the township.

B. No person, firm or corporation shall modify, fill, excavate or regrade land in any manner so close to a property line as to endanger or damage any adjoining public street, sidewalk, alley or any other public or private property without supporting and protecting such property from settling, cracking, erosion, sediment or other physical damage or personal injury which might result.

C. No person, firm or corporation shall deposit or place any debris or any other material whatsoever or cause such to be thrown or placed in any drainage ditch or drainage structure in such a manner as to obstruct free flow.

D. No person, firm or corporation shall fail to adequately maintain in good operating order any drainage facility on his premises. All drainage ditches, culverts, drain pipes and drainage structures shall be kept open and free flowing at all times.

E. The owner of any property on which any work has been made pursuant to a permit granted under the provisions of this ordinance shall continuously maintain and repair all graded surfaces and anti-erosion devices, retaining walls, drainage structures or means and other protective devices, plantings and ground cover installed or completed.

F. All plans and specifications accompanying applications for permits shall include provisions for both interim (temporary) and ultimate (permanent) erosion and sediment control.

(1) The design, installation and maintenance of erosion and sediment control measures shall be accomplished in accordance with guidelines as may be established, from time to time, by the United States Department of Agriculture, Soil Conservation Service.

(2) All graded surfaces, shall be seeded, sodded and/or planted or otherwise protected from erosion as soon as practicable and shall be watered, tended and maintained until growth is well established at the time of completion and final inspection.

G. Natural and/or existing slopes exceeding five horizontal to one vertical shall be benched or continuously stepped into competent materials prior to placing all classes of fill.

H. Fills toeing out on natural slopes steeper than four horizontal to one vertical shall not be made unless approved by the township after receipt of a report, deemed acceptable by the Township Engineer, by a soil engineer certifying that he has investigated the property, made soil tests and that in his opinion such steeper slopes will safely support the proposed fill.

I. All trees in areas of grade change shall be removed unless protected with suitable tree wells.

J. The following provisions apply to the carrying and disposal of stormwater runoff:

(1) All drainage facilities shall be designed, in the most practicable fashion, to carry surface water in such a manner as to prevent erosion, overflow or ponding.

(2) The ponding of water shall not be permitted above cut or fill slopes or on drainage terraces, nor shall water be impounded on adjacent property. Adequate drainage facilities shall be provided to prevent such ponding.

(3) The applicant shall make adequate provisions to prevent any surface waters from damaging the face of any excavation or fill. All slopes shall be temporarily and permanently protected from surface water runoff from above by interceptor and diversion berms, swales, brow or berm ditches and shall be sodded, seeded and planted, unless the township determines such treatment is unnecessary and specifically waives this requirement.

(4) All drainage terraces, interceptor and diversion berms, swales and brow or berm ditches shall be designed and constructed and, when required by the Township Engineer, shall be piped or paved or otherwise improved to the satisfaction of the township.

K. When required, adequate provisions shall be made for dust control measures as are deemed acceptable by the township.

L. When required, the applicant shall agree to the granting and recording of easements for drainage facilities including acceptance of the discharge of water on the property of others, provisions for maintenance of slopes and swales and access for the maintenance of anti-erosion facilities.

**§ 39-7. Procedure.**

A. The applicant, in any activity requiring a permit, shall request inspection by the Township Engineer:

(1) Upon completion of stripping, the stockpiling of topsoil and disposal of all unsuitable material, but prior to beginning any other preparation of the ground.

(2) Upon completion of preparation of ground to receive fill, but prior to beginning any placement.

(3) Upon completion of rough grading, but prior to placing topsoil, permanent drainage or other site development improvements and ground covers.

(4) Upon completion of final grading, permanent drainage and erosion control facilities (including established ground covers and planting) and all other work of the permit.

B. The applicant, in all cases other than that referred to in Subsection A, after commencing initial operations, shall request inspections by the Township Engineer at the following stages in the development of the site or of each subdivision thereof:

(1) Prior to commencement of grading operations to determine suitability of all proposed fill materials.

(2) Upon completion of stripping, the stockpiling of topsoil and disposal of all unsuitable material, but prior to beginning or any other preparation of the ground.

(3) Upon completion of preparation of the ground to receive fill but prior to beginning or placement, an inspection of proof rolling.

(4) Upon installation of structural fill, the following earthfill procedures are required.

(a) Prior to placing fill in any area, provision should be made to intercept or divert all surface water. Within the area on which fill is to be placed, the ground should be graded so as to provide for unobstructed drainage from every point to some disposal point.

(b) The area should be closely examined to determine whether excessive wetness, springs or other seepage of water can be observed. If such conditions exist, drainage must be provided before placement of fill is undertaken.

(c) When the fill area has been prepared as specified, the existing ground surface should be compacted by the specified method for compacting fill.

(d) Fill should begin at the lowest section of the area. Fill should be spread in six-inch layers prior to compaction. Each layer should be approximately horizontal, but small slopes can be permitted in order to provide for surface water runoff.

(e) Each layer of fill should be inspected prior to compaction. All roots, vegetation or debris should be removed. Stones larger than six inches in diameter should be removed or broken. The moisture content of each layer should be determined to be suitable for compaction.

(f) The compaction of the fill should be done with a sheepsfoot roller, rubber-tired roller or a vibratory roller. Other compaction equipment should be used only after it has demonstrated that satisfactory results can be obtained with it.

(g) Each layer of compacted fill should be tested to determine its dry density as per ASTM D 1556. The density of each layer should be not less than 95% of maximum dry density as determined by ASTM D 1557. The moisture content of the compacted layer should be not more than 4% less or 2% greater than the optimum moisture as determined by ASTM D 1557.

(h) Only when the compacted layer has been shown to be as specified should other layers of fill be placed above it.

(i) Visual inspection of borrow materials should be made periodically to assure that no variation in the fill material has occurred.

(5) Upon completion of rough grading, but prior to placing topsoil, permanent drainage or other site development improvements and ground covers.

(6) Upon completion of trench backfilling operations so that testing can be performed as specified.

(7) Upon completion of final grading, permanent drainage and erosion control facilities, including established ground covers and planting and all other work of the permit.

**§ 39-8. Inspection costs.** All applicants shall bear all costs of inspections required hereunder and, if deemed necessary by the Township Building Inspector, shall deposit with the Township Treasurer such sum as the Township Commissioners shall determine to guarantee payment of the cost of such inspections. The costs of inspections shall be at the rate charged to the township by the Township Engineer.