

Chapter 96

GRADING, DRAINAGE AND EROSION CONTROL

[HISTORY: Adopted by the Mayor and Council of the Town (now City) of Seat Pleasant 12-11-1972 as Ord. No. 72-05. Amendments noted where applicable.]

GENERAL REFERENCES

Brush, grass and weeds — See Ch. 59.
Building construction — See Ch. 63.
Stormwater management — See Ch. 133.

§ 96-1. Applicability.

The provisions of this chapter shall apply to any construction activity, public or private, excepting any work performed by the State of Maryland, including work performed by the City of Seat Pleasant, which involves the clearing, grading or movement of earth within any dedicated public street right-of-way in the City of Seat Pleasant. The provisions of this chapter shall not apply to normal street repairs or small construction projects in which the amount of disturbed area lying within a public street right-of-way is less than 5,000 square feet and/or 100 cubic yards. Anyone who violates the provisions of this section shall be charged with a misdemeanor and, upon conviction, shall be fined not less than \$500 nor more than \$1,000 and up to six months imprisonment, or both.

§ 96-2. County soil conservation standards.

For the purpose of this chapter, the soil conservation standards currently in effect in Prince George's County, regulating similar clearing, grading and construction operations within the county generally, are hereby made effective within the City of Seat Pleasant to regulate construction within any public street right-of-way.

§ 96-3. Erosion and sediment control plans.

Any person, partnership, firm or corporation to whom or which a city permit may be issued for construction within a public street right-of-way shall submit as a part of the permit application two copies of an erosion and sediment control plan which has been approved by the Prince George's Soil Conservation District. The permit issued for said construction shall specify that the work must conform in all respects to said approved erosion and sediment control plan. In the case of construction projects undertaken by the city, no work shall commence until an erosion and sediment control plan has been approved by the Prince George's Soil Conservation District, and the work shall conform to that plan.

§ 96-4. Inspections.

All construction projects for which an erosion and sediment control plan is required shall be inspected periodically by the City Engineer to determine compliance with the plan. The City Engineer shall immediately notify the permittee, in writing, of any exceptions to

the approved plan noted in his inspection and shall specify a reasonable number of days in which the work must be corrected to conform to the plan. A final inspection shall be made and a report of the same referred to the Prince George's Soil Conservation District. In addition to any other permit fees and charges, the city may charge an additional fee in the amount sufficient to cover the cost of said inspections by the City Engineer.

§ 96-5. Violations and penalties.

- A. Upon failure to take the directed corrective action within the time specified by the City Engineer, the permittee shall be deemed to be in violation of this chapter. Each day that a violation continues uncorrected shall be deemed a separate offense.
- B. Any person, partnership, firm or corporation violating the provisions of this chapter, upon conviction of such violation, shall be fined in an amount of not less than \$500 nor more than \$1,000, and each day's failure to comply with any such provision shall constitute a separate violation. In default of payment of such fine, the person shall be imprisoned for not less than 10 days nor more than six months.