

CODE OF ORDINANCES
Chapter 8 - BUILDINGS AND BUILDING REGULATIONS
ARTICLE XIII. - GRADING AND DRAINAGE ^[25]

⁽²⁵⁾ **Editor's note** — Ord. No. C-435-B, §§ 1, 2, adopted Mar. 3, 2008, amended article XIII in its entirety to read as herein set out. Former article XIII, §§ 8-305—8-325, pertained to grading and soil erosion and sedimentation control and derived from Ord. No. C-435, § 1, adopted Aug. 15, 1994; and Ord. No. C-435-A, § 1, adopted Dec. 12, 1994.

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Sec. 8-302. Statement of purpose.

The purpose of this article is to ensure that modifications of grades do not result in adverse impact upon properties in and around the township, including, without limitation; drainage problems, building elevation disparities and adverse impacts upon natural resources.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-303. Definitions.

Authorized public agency (APA) means a state, local, or county agency designated pursuant to section 11 of Act 347 of 1972, MCL 282.111, to enforce soil erosion and sedimentation control requirements with regard to land uses undertaken by it, which shall include the development services department.

Berm means any earthen structure which is created for the purpose of diverting overland water flow or runoff, is a component of a landscaping plan, or provides privacy by screening, or a combination of the above.

Building contractor means the person holding the general contract for the construction of a building or structure. In the event no such person is employed by an owner, then in such cases the owner of the property affected shall be the building contractor.

Building department means the building department of the Charter Township of West Bloomfield.

Development services department means the development services department of the Charter Township of West Bloomfield which shall include the engineering and environmental department of the Charter Township of West Bloomfield.

Development services director means the director of the development services department.

Earth change means a man-made change in the natural cover or topography of the land, including the movement or placement of soil from excavation, construction or land balancing, and cut and fill activities, which may result in or contribute to soil erosion or sedimentation of the waters of the state.

Erosion means the process by which the ground surface, or soil moved or placed on the ground surface, is worn by action of wind, water, gravity or a combination thereof.

Excavation means any act by which soil or rock is cut into, dug, quarried, uncovered, removed, displaced, or relocated, and also included shall be the conditions resulting therefrom.

Floodplain means the relatively flat area or lowlands adjoining the channel of a watercourse or a body of standing water which has been or may be covered by a 100-year floodwater.

Grading means any stripping, excavating, filling or stockpiling of soils or rock or any combination thereof.

Grading permit means a permit issued by the development services department to alter the topography of a lot or parcel of property.

Grubbing means to disturb the soil by removing the vegetative cover.

Highly erodible soils means those soils which are particularly susceptible to displacement by water or wind, due to either composition, disturbance, or slope.

Landscape contractor means a person, whether licensed or not, who performs any soil movement or placement, excavation, earth removal, planting, or landscape construction or maintenance work for hire.

Major development means any use or development of a parcel requiring a site plan, any land proposed for platting, and any development projects of federal, state, and/or local agencies.

Minor development means the development of a single-family residential lot or development on any parcel not subject to site plan approval under provisions of the township zoning ordinance.

Movement or placement means the depositing of any material, particularly soil, which is transported onto a parcel or relocated on a parcel.

Mulching means the application of plant or other suitable material to surface of the soil to conserve moisture, reduce soil runoff and erosion, and aid in establishing vegetation cover.

Natural ground surface means the existing surface contours and its vegetative cover or that established in previous uses.

Nonerosive velocity means the rate of flow of stormwater runoff which does not erode soils, measured in feet per second.

Owner means the fee title holder, land contract vendee, leasee, tenant of the property and the persons, individually and collectively, entitled to possession of a particular parcel.

Parcel means a tract, lot or plot of land, either platted or unplatted.

Permanent soil erosion control measures means those control measures which are installed or constructed to control soil erosion and which are maintained after completion of the project, including diversion berms or ditches, grasses waterways, or swales, vegetative cover, check dams, retaining walls, etc.

Permit means a permit issued to authorize work to be performed under the provisions of this article.

Person means any natural persons, firm, corporation, partnership, or association.

Runoff means that part of the precipitation which does not percolate into the ground or is not absorbed by vegetation and flows off the land including runoff from snow or ice melt.

Sediment means solid particulate matter, mineral, or organic, that has been deposited in or by water, is in suspension in water is being transported or has been removed from its parcel of origin by the process of soil erosion.

Sedimentation means the deposition of soil.

Service lines mean lines running from distribution or transmission lines or mains for the purpose of directly or indirectly servicing a single or multiple residences or a commercial or industrial building or plant.

Soil means topsoil, subsoil, gravel, rock, stone, earth, or any other mineral of a like nature.

Soil erosion control measures means a structure, facility, barrier, berm, vegetative cover, basin, or other installation designed to control accelerated soil erosion.

Soil erosion control plan means a map and written information for a development or earth change which describes the way in which stormwater runoff and soil erosion will be controlled.

Stabilization means the proper placement, grading, and covering of soil or rock to ensure the resistance to erosion, sliding, or other earth movement.

Staging means dividing a construction site on a parcel into sub-areas, in each which sub-area grading and stabilization are completed before proceeding to the next sub-area.

Stockpiling means the temporary storage of materials, particularly soils, on a parcel.

Stripping means any activity which removes or significantly disturbs the vegetative surface cover including clearing and grubbing operations.

Structure means anything constructed or erected, the use of which required location on the ground or attachment to something having location on the ground.

Swale means a low-lying area with gradual slopes which transports stormwater, either on-site or off-site.

Temporary soil erosion control measures means the interim control measures which are installed or constructed for the control of soil erosion and/or sedimentation until permanent soil erosion control is affected and shall include mulching, silt fencing, straw bales, filter berms, sediment basins or traps, etc.

Township means the Charter Township of West Bloomfield.

Vegetative cover means grasses, shrubs, trees, and other vegetation which hold and stabilize soil.

Watercourse means any natural or man-made waterway or other body of water having well defined banks, a bed, and evidence of the continued occurrence of water. Watercourses include ditches, storm drains, rivers, creeks, streams, lakes, and ponds.

Wetlands means land characterized by the presence of water at a frequency and duration sufficient to support and that under normal circumstances does support wetland vegetation or aquatic life and is commonly referred to as a bog, swamp or marsh.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-304. General provisions.

It shall be unlawful for any person, owner, or occupant to engage in any earth change activity unless and until the owner of the parcel has applied for and received a grading and drainage permit, where applicable.

- (1) Approval shall be obtained through an application process for permits required by this article.
- (2) Applications for permits required by this article shall be submitted to the development services department on application forms available from the township at no charge.
- (3) This article shall apply and be in force with regard to all parcels, including public and private lands, within the township.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-305. Exceptions; acts not requiring prior approval.

- (a) No permit shall be required for the following activities:
 - (1) Plowing and tilling of land in an agricultural land use.
 - (2) Landscaping, gardening, or other minor activity which does not change the natural/existing drainage pattern of the land or parcel.
 - (3) Soil test borings to determine soil type and/or stability.
 - (4) Percolation test efforts.
 - (5) Normal maintenance procedures such as earth or gravel road leveling and minor repairs or alterations to right-of-ways not affecting a wetland or watercourse or natural/existing drainage pattern.
 - (6) Pole installation, service lines, and other earth changes of a minor nature, normal maintenance, and emergency repairs.
 - (7) Movement or placement of soil which involves less than one hundred (100) cubic yards of soil, provided such a movement or placement does not impede drainage, unreasonably alter the topography in comparison to adjacent properties, is being done on a parcel with an approved site plan, does not cause soil erosion or sedimentation to occur, and is not in violation of other provisions of the West Bloomfield Code of Ordinances.
 - (8) Building additions or the assembly of structures less than five hundred (500) total square feet in area.
 - (9) Stockpiling of soil and such similar materials for a retail or wholesale dealer of landscaping materials at the site of business where soil erosion or sedimentation does not result.

- (10) Stockpiling of topsoil or other landscaping materials on a parcel which is to be used on that parcel for the purpose of landscaping or otherwise improving soil conditions for the growth of vegetation on a parcel with an approved site plan, and which does not cause soil erosion or sedimentation to occur.
 - (11) Logging and mining activities determined in advance by the development services department to be bona fide operations.
- (b) Exemption provided in this section shall not be constructed as exemption from enforcement procedures pursuant to this article for earth changes that produce significant erosion, hazard or sediment problem or which are otherwise regulated under this article. If a dispute arises as to whether an erosion, hazard, or sediment problem is significant, the development services director or his/her designee shall resolve the dispute, in his/her discretion, based upon the specific facts and circumstances.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-306. Right of entry.

Permits are issued on the condition that the township's inspector shall have the right of entry upon the site of an earth change activity at all reasonable times to inspect the activity for compliance with the approved plans and permits, and to investigate any complaints about the work.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-307. Denial or revocation of permits.

Grading and drainage permits shall not be issued where one (1) or more of the following exists:

- (1) The proposed work would cause hazards to public safety and welfare.
- (2) The work as proposed by the applicant will damage any public or private property, or interfere with any existing drainage course in such a manner as to cause damage to any adjacent property, or result in the deposition of soil, sediment, or debris on any public way or into any waterway, or create an unreasonable hazard to persons or property.
- (3) The grading and drainage permit application is not deemed complete.
- (4) The land area for which the soil movement or placement is proposed is within a 100-year floodplain, wetland, watercourse, natural feature, woodland, fringe area, or other regulated area which requires additional permits from other agencies or the township until such permits are issued by the respective regulatory agency(ies).

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-308. Penalties.

- (a) Except as otherwise provided, any person, firm, or corporation who shall violate any provision of this article shall be punished as provided in section 1-10 of this Code.
- (b) Upon discovery of violations of a valid permit or other conditions of this article, the permittee shall be notified, in writing of all violations, corrective actions necessary to come into compliance and the deadline for compliance.
- (c) In case of serious concern and/or consequence, a stop work order will be immediately placed on the property, prohibiting all activity on the site except work necessary to correct the violations of the permit and this article.
- (d) Inspections made to determine compliance with these written orders will be assessed the same reinspection fees outlined in the fee schedule adopted by the township board.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-309. Responsibilities of permittee.

During all development operations, the permittee shall be responsible for the following:

- (1) The prevention of damage to any public utility or service within the limits of movement or placement of soil along any routes of travel equipment.
- (2) The prevention of damage to adjacent property. No person shall cause an earth change activity or the movement or placement of soil so close to the property line of a parcel as to endanger any adjoining public street, sidewalk, alley, or any public or private property without protecting such property from soil erosion and sedimentation, flooding or other damage which might result.
- (3) Carrying out the proposed work in accordance with the approved plans and in compliance with all the requirements of the permits and this article.
- (4) The prompt removal of all soil, miscellaneous debris, and other materials spilled, applied, dumped or otherwise deposited on public streets, highways, sidewalks, or other public thoroughfare during transit to and from the construction site where such spillage constitutes a public nuisance or hazard.
- (5) Ensuring that any sediment caused by accelerated erosion shall be removed from runoff water before it leaves the site of the earth change activity.
- (6) Maintenance and clean out of all sediment basins, traps, or other soil collection facilities as needed to ensure their proper function.
- (7) Ensuring that a copy of the permit is posted and made available for inspection at the site of the earth change.

- (8) Installation of permanent soil erosion control and grade stabilization measures within five (5) days of final grade approval, unless such work is not possible due to seasonal weather conditions.
- (9) When seasonal weather conditions do not permit the installation of permanent soil erosion control and grade stabilization measures, a subsequent thirty-day notice to install the appropriate control measures will be mailed to the permittee when weather conditions become adequate enough to permit the installation.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-310. Grading and drainage permit and plans required.

- (a) Application for a grading and drainage permit and accompanying plans, as required by this article, shall be submitted to the development services department and approved by the development services department prior to any construction, earth change activity, or other movement or placement of soil for the following improvements:
 - (1) New single-family construction or modification of an existing structure of more than five hundred (500) total square feet on the grade floor.
 - (2) Multiple, commercial, industrial or condominium construction.
 - (3) Transportation facilities, including all public and private streets, highways, railroads, airports, common carrier pipelines and mass transit facilities.
 - (4) Mass grading, of more than five hundred (500) square feet.
 - (5) Earth change activity involving one hundred (100) cubic yards or more of material.
 - (6) Grubbing.
 - (7) Stripping of topsoil.
 - (8) Service facilities, including, but not limited to, shopping centers and schools.
 - (9) Recreational facilities, including but not limited to; parks, campgrounds or trails.
 - (10) Utilities, including but not limited to; underground pipelines or cables.
 - (11) Oil, gas and mineral wells which are not exempt by law from permit requirements.
 - (12) Water impoundments and waterway construction or improvements.
 - (13) Construction of inground swimming pools.

- (b) For all improvements listed in subsection (a) above, a building permit shall not be issued until a grading and drainage plan has been submitted to and approved by the development services department.
- (c) Permits shall be approved, disapproved, or required modifications within thirty (30) calendar days of submission of a complete application and plan.
- (d) In all new developments where public utilities and other underground improvements are proposed, a master grading and drainage plan (i.e. a grading and drainage plan for the project which includes the building site in question as well as other building sites and improvements) shall be submitted along with the engineering drawings for the project. These drawings must be reviewed and approved by the development services department prior to issuance of a grading and drainage permit on the site.
- (e) All earth change activities and/or property disturbance regulated under this section shall be in conformance with the approved grading and drainage plan, unless deviations have been expressly approved by the development services department.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-311. Grading and drainage.

The following general grading and drainage requirements shall be applied in the design of the site plan for any new developments:

- (1) Drainage shall be adequately discharged off-site with proper retention.
- (2) No upstream drainage is restricted.
- (3) The development portion of the site in general shall be drained without standing water unless specifically designed for retention and/or detention.
- (4) Elevations representing the brick ledge, finished grade, and all finish floor grade shall be indicated.
- (5) The slopes of any proposed soil movement or placement shall meet abutting property line elevations, provided that a deviation to this requirement may be granted by the development services director or his/her designee in cases of unique characteristics on the site which would require special treatment. Any approval of the deviation shall also provide special treatment to be applied.
- (6) All sump pumps that are not directly connected to an underground storm drainage system must be discharged a minimum of ten (10) feet away from the foundation to a township approved drainage swale, rain garden or other suitable drainage conveyance system.

- (7) Proposed slope and elevation of soil which is moved or placed adjacent to lot corners shall be equal to or lower than existing ground elevations. If the proposed surface elevations must be higher than existing ground surface elevations at adjacent lot corners, on-site grading to contain all surface water may be required, as determined by the development services director or his/her designee.
- (8) The proposed side yard swale elevation between all houses or structures must be a minimum of one and one-half (1½) feet below the lower adjacent building or structure grade.
- (9) Soil shall not be placed or moved on a lot so as to restrict or impede existing surface water drainage across such lots from adjacent properties. When lots have rear-to-front drainage, soil shall not be placed or moved so as to restrict or impede existing surface water drainage swales that should exist around each building or structure.
- (10) For attached side entry garages, the minimum width of driveways shall be twenty-two (22) feet, measured at the face of the garage. All driveways shall be a minimum of two (2) feet from the side property line to allow for a drainage swale. Requirement for a two-foot wide swale may be modified or waived by the development service director or his/her designee if a functional alternative of storm drainage is provided.

- (11) Driveway grade requirements are as follows:

Side entrance slab/pavement area: Minimum two (2) percent slope, maximum four (4) percent slope.

Slope down to road: Minimum two (2) percent slope, maximum ten (10) percent slope.

Reverse drive slope: Minimum two (2) percent slope, maximum seven (7) percent slope.

Minimum and maximum slopes may be modified or waived by the development services director or his/her designee if suitable runoff mitigation systems are designed and provided.

- (12) The following grading requirements shall apply to berms:

- a. No berms shall be placed over any underground public watermain, sanitary sewer, or storm drain, or within designated easements for such facilities. No berm shall be constructed over such easements prior to, or subsequent to, final grade approval.
- b. Violation of this section shall waive the township's responsibility for replacement of the existing grade during and after utility maintenance. In the event the township must service a utility where a berm has been constructed in violation of this ground elevation prior to construction of the berm.

Following removal of the berm during service, no substantial landscaping shall be placed over a water main, sanitary sewer or storm drain. Such shall be seeded and mulched.

- (13) A walkout basement not otherwise regulated by the building department under the Michigan Building Code, as amended, for ingress/egress windows or doors below grade shall be allowed if:
- a. The proposed grade extending from the walkout basement is designed to drain to the rear or side yard swale and will not result in standing water conditions and indicates no adverse impact on adjacent properties. The grade located ten (10) feet from a building shall be no less than one-half ($\frac{1}{2}$) foot below the proposed finish ground elevation of the building. At no time shall the proposed grade extending from a walkout basement be lower than the surrounding grades within the lot such that it will result in a standing water condition.
 - b. For pre-existing buildings, where township consideration is given to allow a walkout basement to remain, where the conditions of subsection (12)a. cannot be met, approval will be subject to:
 1. Construction of an enclosed storm sewer system meeting the minimum requirements of the section 24-180 to convey surface drainage away from the building and adjacent structures shall be required. The design of such system shall be detailed on a grading and drainage plan reviewed and approved by the development services department. At no time shall surface drainage be allowed into a building's footing drain collection system.
 2. The grading and drainage plan indicates no adverse impact on adjacent properties.
 3. Provide the township with a hold harmless agreement acceptable in form to the township attorney.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-312. Specifications of grading and drainage plans.

- (a) Grading and drainage plans shall be prepared by a licensed, registered civil engineer or licensed, registered surveyor, signed and sealed, and shall conform with the following minimum requirements, with the final sufficiency of such plan to be determined by the development services department. No hand drawn plans shall be accepted:
- (1) A scale of not less than one (1) inch equals thirty (30) feet. Scales of one (1) inch equals twenty (20) feet are preferred.
 - (2) Date, north arrow and scale.

- (3) The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
- (4) The location of all existing and proposed structures on the subject property and all existing structures within fifty (50) feet of the subject property.
- (5) The location of all existing and proposed drives, parking area and easements on the property.
- (6) The location and widths of right-of-way of all abutting streets and any driveway locations across abutting public streets.
- (7) The location of freestanding signs and lighting structures.
- (8) The proposed location and dimensions of any pedestrian sidewalk or bike path.
- (9) Existing ground elevations on a twenty-five-foot by twenty-five-foot grid or by contours at two-foot intervals or other such topographic information satisfactory to the development services department. Include existing ground elevations on adjacent land within fifty (50) feet of the property and existing building, drive, and parking lot elevations, and elevations of any adjacent unusual surface conditions.
- (10) The name, address and telephone number of the engineer responsible for the preparation of the grading and soil erosion control plans.
- (11) Bench mark description and location used for the development, based on United States Geological Survey datum(available at the development services department).
- (12) Proposed brick ledge and walkout grades to be stated in tenths of a foot.
- (13) All zoning setbacks shown and properly labeled.
- (14) All official township wetland, watercourses, 100-year floodplains, and woodlands as accurately depicted on the official township maps, including buffer zones, all which are subject to field inspection after permit application, and all other natural features on the property, including tree lines, etc.
- (15) The proposed method of rear yard drainage.
- (16) All existing and proposed ground grades in tenths of a foot.
- (17) General direction of the rear yard drainage and swales indicated with arrows.
- (18) Additional grades shown under special conditions required by the development services department.

- (19) The location of existing and/or proposed buildings or structures on the property clearly shown, including the dimensions to front, side, and rear property lines. The dimensions from each proposed building or structure to any adjoining building or structure on or within fifty (50) feet of any proposed buildings must be shown.
 - (20) Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this article are being observed.
 - (21) The location of all utility leads (water, sanitary, sump pump).
 - (22) All proposed retaining walls shall be shown on the grading and soil erosion plan. Calculations by a registered civil engineer shall accompany all retaining walls of thirty (30) inches or greater in height.
 - (23) Retaining walls that are forty-two (42) inches or greater in height and are adjacent to driveways, walkways, patios and other such structures shall include a safety railing that is at least thirty-six (36) inches in height with a four-inch maximum width between spindles per Michigan Building Code regulations. All other retaining walls that do not have the above mentioned conditions may not require a safety rail unless deemed appropriate.
 - (24) The location of all temporary soil erosion control measures to be installed and maintained until installation of permanent soil erosion control measures at the street, and at all other property lines with an elevation below proposed or existing grades.
 - (25) The location of a temporary gravel access drive onto the lot.
 - (26) A description of the soils on the subject property.
 - (27) Design of any rain garden or bio-swale proposed for the collection of surface drainage. Design should include a cross-section and landscape and planting details.
 - (28) If a master grading plan exists for the site, then the proposed grades and drainage patterns must be consistent with the grades and drainage patterns shown on the master grading plan.
- (b) For all approved plats and site plans, the following additional requirements shall apply:
- (1) A timing schedule indicating the anticipated starting and completion dates of the installation of roads and utilities, and the time of exposure of each area prior to completion of effective erosion and sediment control measures.
 - (2) A certified statement of the quantity of excavation and fill involved.

- (3) Plans of all drainage provisions, retaining walls, cribbing, planting, erosion control measures, or other temporary or permanent soil erosion control measures to be constructed in connection with, or as part of, the proposed work together with a map showing the drainage area of land tributary to the site and estimated runoff of the area served by any drains.
- (4) Areas of high erosion potential, due either to highly erodible soils or subsoils or steep slopes (greater than a thirty (30) percent slope), and the precautions to be undertaken to protect these areas.
- (5) A program proposal for the maintenance of all erosion and sediment control facilities both during and after construction. Those which are to remain after project completion must include a designation of the party responsible to carry out that maintenance.
- (6) Other information or data as may be required by the township which shall include, but not limited to; data regarding the nature, distribution and supporting ability of existing soils and rock on the site.
- (7) The grading and drainage patterns of the site parcel must be consistent with the stormwater management plans developed, and approved, pursuant to chapter 24, article 6, stormwater management.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-313. Foundation certificate.

After placement of the foundation and backfilling, a written certification from a licensed, registered surveyor or engineer shall be submitted to the development services department. This certification shall state that the proposed brick ledge elevations and horizontal placement of the foundation are properly set and conform to the approved grading plans. No rough framing shall be placed without receipt and approval of such certification by the development services department. In the event of a failure to comply with this provision, removal or modification of the structure may be required as determined by the development services department based upon a review of all applicable circumstances, including, without limitation; the cause and/or impact of the lack of conformance with the plans.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-314. Final grade approval.

- (a) As-built plans shall be submitted to the development services department at least seventy-two (72) hours prior to request for a final grading inspection, indicating all brick ledge elevations, setbacks, lot corner elevations, drainage swales and berms, and marked "AS-BUILT". The as-built plans shall be inspected by the development services department before scheduling a final grade inspection.

- (b) Upon completion of the work in accordance with the approved grading and drainage plan, the owner or developer shall request a final grade approval of the site. Upon receipt of this request, the development services department shall schedule a final grading inspection. If all work has been completed in accordance with the approved plan, the development services department shall notify the building department. A certificate of occupancy shall not be issued without this approval, unless final grading cannot be done due to seasonal weather conditions. In such cases, a temporary certificate of occupancy may be issued for up to six (6) months, if determined appropriate by the building department. If all work has not been completed in accordance with the approved plan, the township shall provide notice of revisions or site modifications which must be made as a condition to approval and an escrow in an amount equal to all remaining work must be submitted to the township.
- (c) No significant change to the grade and drainage pattern shall be made after receiving final grade approval, unless specifically authorized by the development services department. Violation of this provision is subject to penalties described in section 1-10 of this Code.
- (d) No final grading will be approved if temporary soil erosion measures are not in place unless permanent stabilization is provided.
- (e) The township reserves the right to hire an independent surveyor to perform foundation certification and/or final grade as-built when deemed appropriate.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-315. Fees.

- (a) For all residential construction, a nonrefundable grading and drainage permit fee shall be submitted with four (4) sets of grading and drainage plans when applying for a grading and drainage permit and for each substantial revision. Grading and drainage permit fees shall be adopted by resolution of the township board.
- (b) Soil erosion control and grading and drainage inspections will be done as needed at no cost to the applicant. However, failure to maintain, repair, install, or otherwise provide for adequate soil erosion protection measures to remain on the site or to grade the site as approved which results in additional inspections will result in an additional inspection fee for each additional inspection necessary to insure that adequate soil erosion, sedimentation and grade protection measures remain on the site.
- (c) All reinspection fees will be due and payable thirty (30) days after billing, or if a certificate of occupancy is to be issued, prior to the issuance of the certificate of occupancy.

- (d) Permit fees for all residential construction, reinspection plats, site plans, commercial, industrial, and all other nonresidential construction projects shall be set by duly published resolution of the township board.

(Ord. No. C-435-B, § 1, 3-3-08)

Sec. 8-316. Notice of noncompliance.

If the township determines that a parcel of land in violation of this article, it may seek to enforce this article by notifying the person who owns the land, by certified mail, with return receipt requested, of its determination. The notice shall contain a description of specific grading and drainage measures which, if implemented by the landowner, would bring the landowner into compliance with this article.

(Ord. No. C-435-B, § 1, 3-3-08)

Secs. 8-317—8-325. Reserved.