

Sec. 26-96. - Owner responsibility.

It is the responsibility of each property owner within the municipal limits of the city to take appropriate measures to control the erosion and siltation of soil materials from the owner's property. The owner shall not allow water runoff to transport silt, earth, topsoil, etc., from the owner's property to other properties or onto city streets, drainage easements, drainage facilities or storm drains. The property owner shall be responsible for damages to others created by the actions of builders, contractors, developers and others performing construction or other activities on the owner's property which create conditions that cause or aggravate erosion.

(Ord. No. 2000-03-12, § I(A), 4-4-2000)

Sec. 26-97. - Contractor responsibility.

Plans and specifications prepared for construction of improvements shall address suggested erosion/siltation control measures and techniques to assist the contractor in implementing a suitable program to control erosion. The city shall not be required to approve and may, in the city's discretion, deny approval of plans and specifications based upon the city's opinion as to the suitability of erosion measures submitted. The contractor shall take whatever measures are necessary to control and limit the transport of silt, earth, topsoil, etc., from the site of construction, including, but not limited to, the erosion/siltation control measures and techniques provided on the plans and specifications. The contractor shall, upon completion of his work, leave the owner's property in a condition that minimizes the transportation of the owner's silt, earth, topsoil, etc.

(Ord. No. 2000-03-12, § I(B), 4-4-2000)

Sec. 26-98. - City approval.

The city, through its officials, city engineers and inspectors, may refuse to issue approvals or permits, including plats, drainage studies, plans and specifications, building permits, interim inspections, acceptance of maintenance of completed construction of public streets or storm drainage facilities or certificates of occupancy if, at the time the approval or permit is sought, the owner, developer and/or contractor does not have in place adequate erosion/siltation control measures in accordance with city ordinances.

(Ord. No. 2000-03-12, § I(C), 4-4-2000)

Sec. 26-99. - Unlawful conduct.

It shall be unlawful for a person, owner or contractor to fail to take adequate erosion/siltation control measures in accordance with city ordinances and/or to allow water runoff to transport silt, earth, topsoil, etc., from the property under that person's care, custody or control to other properties or onto city streets, drainage easements, drainage facilities or storm drains.

(Ord. No. 2000-03-12, § I(D), 4-4-2000)