

# NOTICE OF INTENT

January 3, 2011

**RE: Erosion and Sediment Control Ordinance Number 528 and the Erosion and Sediment Control Standards Adopted by the City of Basehor, May 5<sup>th</sup>, 2008.**

To Whom It May Concern:

In an ongoing effort to control the erosion and sedimentation that occurs with land disturbance activities, the City of Basehor has adopted rules and regulations that provide guidance on the installation and maintenance of erosion control measures.

Ordinance Number 528 adopted by the City of Basehor will be strictly enforced and adhered to.

Every person being issued a building permit through the City of Basehor shall receive a copy of the Erosion and Sediment Control Standards. These guidelines show Best Management Practices to be used in the installation and maintenance of control measures. Also included in this signed statement are some excerpts from Ordinance Number 528 (see below).

## **4-1204 Inspection**

**A. Initial Inspection.** The Permit Holder shall notify the Building Official or the Public Works Director when initial Erosion and Sediment Control measures are installed in accordance with the Erosion and Sediment Control Plan. No Land Disturbance activities shall begin prior to approval from the Building Official, Public Works Director or the Planning Director that all pre-construction Erosion and Sediment Control measures are correctly installed per the approved Plan.

**C. Routine Inspection.** It shall be the duty of the Permit Holder to routinely inspect the construction site and maintain effective Erosion and Sediment Control measures. Routine inspections **shall be performed once per month or more frequently if required on the Plan and within twenty-four hours following each rainfall event of**

**1/2" or more within any twenty-four hour period.** A log shall be kept of these inspections. Any deficiencies shall be noted in a report on the inspection and include the action taken to correct the deficiency. Inspection reports shall be submitted to the Building Official or the Planning Director upon request.

The inspection report shall include the following minimum information:

1. Inspectors name.
2. Date of inspection.
3. Observations relative to the effectiveness of the Erosion and Sediment Control measures.
4. Actions necessary to correct deficiencies.
5. Signature of Person performing the inspection.

The Code Enforcement Officer may also perform inspections of the Land Disturbance site to verify compliance with the Erosion and Sediment Control Plan. Should it be found that Erosion and control methods are ineffective or are not being maintained properly, the Code Enforcement Officer or designated Officer may take enforcement actions described within this Chapter.

**D. Closure of Land Disturbance Activities.** Once the site is stabilized a final inspection shall be requested. The site shall be considered stabilized when Perennial Vegetation, pavement, buildings or structures using permanent materials, cover all areas that have been disturbed. Perennial Vegetation shall be considered established and completed for stabilization when it has established a healthy and growing stand with a density of at least 70 percent of undisturbed areas at the site.

#### **4-1205 Enforcement**

**A. In General.** The Code Enforcement Officer or designated Officer shall handle enforcement of the provisions of this Chapter through routine activities that include receiving inspection reports from the Permit Holder when requested, inspections, and communication with contractors. However, if these methods fail, the Code Enforcement Officer or designated Officer may proceed with any or all of the following enforcement measures:

**1. Refusal of Inspection.** Request for an inspection of any permitted construction activity may be denied if it is found that Erosion and Sediment control measures have not been implemented, or are found to be ineffective or are not maintained. If an inspection is refused, a notice of violation or a stop work order may be issued. No further inspections will be performed until the Erosion and control measures have been implemented or violations have been abated.

**3. Stop Work Order.** The Code Enforcement Officer or designated Officer is authorized to issue a stop work order for any or all construction activity within the established boundary of the Permit. The stop work order shall be in writing and shall be given to the owner of the property involved, or the owner's agent or to the Person doing the work. In addition, notice of the stop work order shall be posted on the site. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the

reason for the order and the conditions under which the cited work will be permitted to resume. Any Person who shall continue to work after having been served with a stop work order, except such work as that Person is directed by the City to perform the removal of a violation or unsafe condition, is guilty of a public offense and may be subject to penalties as prescribed herein.

**4. Abatement.** Should any Person fail to comply with the provisions of this Chapter, the Code Enforcement Officer or designated Officer is authorized to correct or abate such violation without further notice. This action can be taken in lieu of, or in conjunction with, any action taken under Chapter IV; Article 12 of the Municipal Code of the City of Basehor, or enforcement actions set forth in this Chapter.

Along with all permits that are issued through the City of Basehor a self-inspection report will be included. This is to remain on the job site and be readily accessible for the Building Official or designated inspector. These inspections are to be conducted as outlined in section 4-1204. One official copy of the adopted ordinance will be kept in the office of the Assistant City Clerk for your review.

I \_\_\_\_\_, have hereby been given notice of the  
(Permit Applicant)

intent of the City of Basehor to strictly enforce Ordinance Number 528 and the installation and maintenance of Erosion and Sediment Control Measures.

Date: \_\_\_\_\_

Company Name: \_\_\_\_\_

Respectfully,

*Mark J. Lee*

Mark J. Lee  
Building Official  
City of Basehor

Mark Loughry  
City Administrator  
City of Basehor

CC: Gene Myracle; City Superintendent, Mitch Pleak; City Engineer, Terry Hill; Mayor