

CHAPTER 4

STORMWATER MANAGEMENT

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8-4-1: STATUTORY AUTHORIZATION: This Chapter is adopted pursuant to Minnesota Statutes section 462.351.

8-4-2: FINDINGS: The City hereby finds that uncontrolled and inadequately planned use of wetlands, woodlands, natural habitat areas, areas subject to soil erosion and areas containing restrictive soils adversely affects the public health, safety and general welfare by impacting water quality and contributing to other environmental problems, creating nuisances, impairing other beneficial uses of environmental resources and hindering the ability of the City to provide adequate water, sewage, flood control and other community services. In addition, extraordinary public expenditures may be required for the protection of persons and property in such areas and in areas which may be affected by unplanned land usage.

8-4-3: PURPOSE: The purpose of this Chapter is to promote, preserve and enhance the natural resources within the City and protect them from adverse effects occasioned by poorly sited development of incompatible activities by regulating land disturbing or development activities that would have an adverse and potentially irreversible impact on water quality and unique and fragile environmentally sensitive land; by minimizing conflicts and encouraging compatibility between land disturbing and development activities and water quality

and environmentally sensitive lands; and by requiring detailed review standards and procedures for land disturbing or development activities proposed for such areas, thereby achieving balance between urban growth and development and protection of water quality and natural areas.

8-4-4: DEFINITIONS: For the purpose of this Chapter, the following terms, phrases, words and their derivatives shall have the meaning stated below. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directive.

APPLICANT: Any person who wishes to obtain a building permit, zoning or subdivision approval.

BEST MANAGEMENT PRACTICE (BMP): Structural or non-structural Practices used to manage, convey, or treat runoff.

CONTROL MEASURE: A practice or combination of practices to control erosion and attendant pollution.

DETENTION FACILITY: A permanent natural or manmade structure, including wetlands, for the temporary storage of runoff which contains a permanent pool of water.

DEWATERING: The removal of temporary sediment basin water, appropriated surface water or groundwater in order to dry or solidify a construction site.

Discharge: The release, conveyance, channeling, runoff or drainage of stormwater, including snow melt from a construction site.

EROSION: The wearing away of the ground surface as a result of the movement of wind, water or ice or land disturbance

activities.

EROSION PREVENTION:

Measures employed to prevent erosion. Examples include, but are not limited to, soil stabilization practices, limited grading, applying mulch or other temporary or permanent cover and construction phasing.

FINAL STABILIZATION:

Final stabilization is achieved when the site meets the following conditions:

A. All soil disturbing activities at the site have been completed and a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed;

B. For construction on individual residential lots, one of the following must be completed: (A) complete final stabilization as specified in paragraph (A) above; or (B) establish temporary stabilization including perimeter controls for the individual lot prior to occupation of the structure. If temporary stabilization is completed by someone who is not the owner of the property, the owner of the property must be informed in writing of the need for and the benefits of final stabilization;

C. All sediment must be cleaned out from conveyances and from

temporary sedimentation basins that are to be used as permanent water quality management basins. Sediment must be stabilized to prevent it from washing back into the basin, conveyances or drainage ways or discharging off-site or to surface waters. The cleanout of permanent basins must be sufficient to return the basin to design capacity. All drainage ditches constructed to drain water from the site after construction is complete must be stabilized to preclude erosion; and

D. All temporary synthetic and structural erosion prevention and sediment control best management practices (such as silt fences) must be removed as part of the final stabilization on the site.

FLOOD FRINGE: The portion of the flood plain outside of the floodway.

FLOOD PLAIN: The areas adjoining a watercourse or water basin that have been or may be covered by a regional flood.

FLOODWAY: The channel of the watercourse, the bed of water basins, and those portions of the adjoining flood plains that are reasonably required to carry and discharge flood water and provide water storage during a regional flood.

HYDRIC SOILS: Soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part.

HYDROPHYTIC VEGETATION: Macrophytic plant life growing in water, soil or on a substrate that is at least periodically deficient in oxygen as a result of excessive

	water content.
LAND DISTURBING OR DEVELOPMENT ACTIVITIES:	Any change of the land surface including removing vegetative cover, excavating, filling, grading, and the construction of any structure.
MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4):	Any conveyance or system of conveyances, owned, or operated by a state, city, town, county, district, association, or other public body having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes that discharges to waters of the United States.
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES):	A federal program authorized by the Clean Water Act which controls water pollution by regulating point sources that discharge pollutants into waters of the United States.
PERSON:	Any individual, firm, corporation, partnership, franchisee, association or government entity.
PUBLIC WATER:	Water of the State as defined in Minnesota Statutes section 103G.005.
REGIONAL FLOOD:	A flood that is representative of large floods known to have occurred generally in the State and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of a 100-year recurrence interval.
RETENTION FACILITY:	A permanent natural or manmade structure that provides for the storage of stormwater runoff by means of a permanent pool of water.
SEDIMENT:	Solid matter carried by water,

sewage, or other liquids.

SEDIMENT CONTROL:	Methods employed to prevent sediment from leaving the site. Sediment control practices include silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, storm drain inlet protection and temporary or permanent sedimentation basins.
STABILIZED:	The exposed ground surface after it has been covered by appropriate materials such as mulch, staked sod, riprap, wood fiber, blankets, or other material that prevents erosion from occurring. An area is not considered to be stabilized if grass seed is applied.
STORMWATER POLLUTION PREVENTION PLAN (SWPPP):	Means a plan for that includes erosion prevention, sediment control, pollution prevention and stormwater management measures that when implemented will minimize soil erosion and minimize non-point source pollution to the maximum extent possible.
STRUCTURE:	Anything manufactured, constructed or erected which is normally attached to or positioned on land, including portable structures, earthen structures, roads, parking lots, and paved storage areas.
SURFACE WATER:	Means all streams, lakes, ponds, marshes, wetlands, reservoirs, springs, rivers, drainage systems, waterways, watercourses, wells, reservoirs, aquifers, irrigation systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private.

WETLANDS:

Land transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this definition, wetlands must have the following three (3) attributes:

A. Have a predominance of hydric soils;

B. Be inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and

C. Under normal circumstances support a prevalence of such vegetation.

8-4-3: SCOPE AND EFFECT:

A. Applicability: Every applicant for a building permit, subdivision approval, or a land disturbance permit that will disturb one acre or more of land must submit a SWPPP to the Zoning Administrator. A person performing an activity that will disturb less than one acre of land that is being performed in connection with a building permit or grading permit that is issued by the City is not required to submit a SWPPP but must adhere to the requirements set forth in subdivision 8-4-9, A-I of this Chapter. No building permit, subdivision approval, or permit to allow land disturbing activities shall be issued until approval of the SWPPP or a waiver of the approval requirement has been obtained in strict conformance with the provisions of this Chapter. The provisions of Section 8-4-9 of this Chapter apply to all land, public or private, located within the City.

B. Exemptions: The provisions of this Chapter do not apply to:

1. Any part of a subdivision if a plat for the

subdivision has been approved by the City Council on or before the effective date hereof;

2. Any land disturbing activity for which plans have been approved by the watershed management organization/watershed district within six (6) months prior to the effective date hereof;
 3. A lot for which a building permit has been approved on or before the effective date hereof;
 4. Installation of fence, sign, telephone, and electric poles and other kinds of posts or poles; or Emergency work to protect life, limb, or property.
- C. Waiver: The City Council, upon recommendation of the Planning Commission, may waive any requirement of this Chapter upon making a finding that compliance with the requirement of this Chapter will involve an unnecessary hardship and the waiver of such requirement will not adversely affect the standards and requirements set forth in Section 8-4-6 of this Chapter. The City Council may require as a condition of the waiver, such dedication or construction, or agreement to dedicate or construct as may be necessary to adequately meet said standards and requirements.

8-4-6: STORMWATER POLLUTION PREVENTION PLAN APPROVAL

PROCEDURES:A. Application: A written application for the stormwater pollution prevention plan along with the proposed stormwater pollution prevention plan, shall be filed with the Zoning Administrator and shall include a statement indicating the grounds upon which the approval is requested, that the proposed use is permitted by right or as an exception in the underlying zoning district, and adequate evidence showing that the proposed use will conform to the standards set forth in this Chapter. Prior to applying for approval of a stormwater pollution prevention plan, an applicant may have the stormwater pollution prevention plans reviewed by the appropriate departments of the City.

8-4-7: PLAN REVIEW PROCEDURE:

- A. Process: SWPPPs meeting the requirements of Section 8-4-6 of this Chapter and the site plan review checklist shall be submitted by the Zoning

Administrator to the Planning Commission for review in accordance with the standards of Section 8-4-8 of this Chapter. The Commission shall recommend approval, recommend approval with conditions or recommend denial of the SWPPP. Following the Planning Commission action, the SWPPP shall be submitted to the City Council at its next available meeting. City Council action on the SWPPP must be accomplished within one hundred twenty (120) days following the date the application for approval is filed with the Zoning Administrator.

- B. Duration: Approval of a SWPPP submitted under the provisions of this Chapter shall expire one year after the date of approval unless construction has commenced in accordance with the SWPPP. However, if prior to the expiration of the approval, the applicant makes a written request to the Zoning Administrator for an extension of time to commence construction setting forth the reasons for the requested extension, the Zoning Administrator may grant an extension of not greater than one single year. Receipt of any request for an extension shall be acknowledged by the Zoning Administrator within fifteen (15) days. The Zoning Administrator shall make a decision on the extension within thirty (30) days of the receipt. Any SWPPP may be revised in the same manner as originally approved.
- C. Conditions: A SWPPP may be approved subject to compliance with conditions reasonable and necessary to ensure that the requirements contained in this Chapter are met. Such conditions may, among other matters, limit the size, kind or character of the proposed development, require the construction of structures, drainage facilities, storage basins and other facilities, require replacement of vegetation, establish required monitoring procedures, stage the work over time, require alteration of the site design to ensure buffering, and require the conveyance to the City or other public entity of certain lands or interests therein.
- D. Performance Bond: Prior to approval of any SWPPP, the applicant shall submit an agreement to construct such required physical improvements, to dedicate property or easements, or to comply with such conditions as may have been agreed to. Such

agreement shall be accompanied by a bond to cover the amount of the established cost of complying with the agreement.

The agreement and bond shall guarantee completion and compliance with conditions within a specific time, which time may be extended in accordance with subsection B of this Section.

The adequacy, conditions and acceptability of any agreement and bond shall be determined by the City Council or any official of the City as may be designated by the City Council.

8-4-8 Fees: All applications for SWPPP approval shall be accompanied by a processing and approval fee, to be established by Council resolution.

8-4-9: APPROVAL STANDARDS:

- A. No SWPPP which fails to meet the standards contained in this Section shall be approved by the City Council. Necessary additional best management practices and design criteria for erosion control not included in this Chapter need to be performed in accordance with the MPCA publications "Protecting Water Quality in Urban Areas" and "Minnesota Stormwater Manual" and the Metropolitan Council publication: "Minnesota Urban Small Site BMP Manual".
- B. Site Dewatering and Basin Draining: Water pumped from the site shall be treated by temporary sedimentation basins, grit chambers, sand filters, upflow chambers, hydro-cyclones, swirl concentrators or other appropriate controls. Water may not be discharged in a manner that causes erosion, scour, sedimentation, or flooding of the site, receiving channels, or wetlands. All dewatering must comply with the MPCA NPDES Construction General Permit Part IV.D.
- C. Waste and Material Disposal: All waste and unused building materials (including garbage debris, cleaning wastes, wastewater, toxic materials or hazardous materials) shall be properly disposed of off-site and not allowed to be carried by runoff into a receiving channel or storm sewer system. Waste and building materials must be disposed of in compliance with any

disposal requirements set forth by the MPCA or other state or federal government agency.

- D. Hazardous Materials: Oil, gasoline, paint and any hazardous substances must be properly stored, including secondary containment, in order to prevent spills, leaks or other discharge. Measures must be taken to restrict access to storage areas in order to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with MPCA NPDES Construction General Permit Part IV.F.
- E. Liquid Waste: All non-stormwater discharges (wastewater from concrete truck and other vehicle washing, maintenance spills, etc.) conducted during the construction activity shall not be discharged to the storm sewer system, wetlands, natural drainageways, or waters of the state and must comply with the MPCA NPDES Construction General Permit.
- F. Site Erosion Control: The site shall include, as applicable, BMPs to minimize the erosion as described in the MPCA NPDES Construction General Permit Part IV.B. In addition, the following criteria also applies:
 - 1. Channelized runoff from adjacent areas passing through the site shall be diverted around disturbed areas, if practical. Otherwise, the channel shall be protected as described below. Sheetflow runoff from adjacent areas greater than ten thousand (10,000) square feet in area shall also be diverted around disturbed areas, unless shown to have resultant runoff rates of less than 0.5 feet cubed/second across the disturbed area for the one year storm. Diverted runoff shall be conveyed in a manner that will not erode the conveyance and receiving channels. Sediment control is required along channel edges to reduce sediment reaching the channel.
 - 2. All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time and to the extent feasible conform to the natural limitations presented by the topography and soils in order to create the best potential for preventing soil erosion.
 - 3. All disturbed ground left inactive must be stabilized using the methods and timeframes listed

in the MPCA NPDES Construction General Permit.

4. The normal wetted perimeter of a temporary or permanent drainage ditch must be stabilized within the timeframe identified in the MPCA NPDES Construction General Permit.
5. Pipe outlets must have temporary or permanent energy dissipation installed within the timeframe identified in the MPCA NPDES Construction General Permit. Whenever possible, natural vegetation shall be retained and protected.

G. Site Sediment Control:

1. Sediment control practices must be established on all down gradient perimeters as identified in the MPCA NPDES Construction General Permit Part IV.C. The timing and sequence for installation must match that of the MPCA NPDES Construction General Permit.
2. Sediment conveyance systems designed as sediment containment systems shall have the necessary protection as required in the MPCA NPDES Construction General Permit.
3. Sheet flow shall be maintained for all slopes as required in the MPCA NPDES Construction General Permit.
4. For site with more than ten (10) acres disturbed at one time, or if a channel originates in the disturbed area, one or more temporary or permanent sediment basins shall be constructed. Each sediment basin shall be designed to meet the storage and discharge requirements identified in the MPCA NPDES Construction General Permit Part III.C.
5. Temporary soil stockpiles must have appropriate protection as identified in the MPCA NPDES Construction General Permit.
6. Tracking: Each site shall have graveled roads, access, drives and parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road shall be removed by street cleaning (not flushing) at a minimum before the end of each workday or more often as

requested by the City.

7. Drain Inlet Protection: All storm drain inlets shall be protected during construction until control measures are in place with a field inlet, street inlet without a curb head, street inlet with a curb head, culvert inlet protection, or a sediment trap, meeting accepted design criteria standard and specification contained in the Metropolitan Council's publication "Minnesota Urban Small Site BMP Manual". Storm drain inlets shall be protected during all phases of construction and must comply with the MPCA NPDES Construction General Permit. Hay bales are not considered an acceptable BMP for inlet protection.
- H. Inspections and Maintenance of Erosion and Sediment Control Practices: An applicant shall comply with the inspection and maintenance requirements identified in the MPCA NPDES Construction General Permit Part IV.E.
- I. Final Stabilization: An applicant shall comply with the final stabilization requirements identified in the MPCA NPDES Construction General Permit Part IV.G. In addition, all areas on the site that are disturbed during construction must be restored. The types of permanent restoration being used on the site shall be clearly shown on the plans including, but not limited to, four (4) inches topsoil, sod, mulch, erosion control blanket, seed, impervious cover and structures.
- J. Stormwater Pollution Prevention Criteria for Permanent Facilities:
 1. An applicant shall install or construct, on or for the proposed land disturbing or development activity, all stormwater management facilities necessary to manage increased runoff in accordance with the runoff rate policy identified in the City's Local Surface Water Management Plan (LSWMP).
 2. An applicant shall install or construct, on or for the proposed land disturbing or development activity, all stormwater management facilities necessary to manage nutrient and sediment loading in accordance with the policies identified in the City's LSWMP.

3. The applicant shall comply with the runoff volume requirements identified in the City's LSWMP.
 4. The following stormwater management practices shall be investigated in developing a SWPPP in the following descending order of preference:
 - a. Natural infiltration of precipitation on site;
 - b. Flow attenuation by use of open vegetative swales and natural depressions;
 - c. Stormwater retention facilities; and
 - d. Stormwater detention facilities.
 5. A combination of successive practices may be used to achieve the applicable minimum control requirement specified in subsection G1 of this Section. Justification shall be provided by the applicant for the method selected.
- K. Design Standards: Stormwater detention facilities constructed in the City shall be designed according to the most current technology as reflected in the Minnesota Pollution Control Agency's publications "Protecting Water Quality in Urban Areas", and the "Minnesota Stormwater Manual," the policies identified in the City's LSWMP and shall contain, at a minimum, the following design factors:
1. A minimum pond depth of four feet and a maximum pond depth of 10 feet;
 2. A permanent pool length-to-width ratio of three to one (3:1) or greater;
 3. A minimum protective shelf extending ten feet (10') into the permanent pool with a slope of ten to one (10:1), beyond which slopes should not exceed three to one (3:1); and
 4. All stormwater detention facilities are required to have skimming as identified in the City's LSWMP.
- L. Wetlands:

1. Runoff shall not be discharged directly into wetland without presettlement of the runoff.
2. A protective buffer of natural vegetation at least 25 feet in width shall surround all wetlands.
3. Wetlands must not be drained or filled, wholly or partially, unless replaced by restoring or creating wetland areas of at least equal public value. Replacement must be guided by the following principles in descending order of priority:
 - a. Avoiding the direct or indirect impact of the activity that may destroy or diminish the wetland;
 - b. Minimizing the impact by limiting the degree or magnitude of the wetland activity and its implementation;
 - c. Rectifying the impact by repairing, rehabilitating, or restoring the affected wetland environment;
 - d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the activity; and
 - e. Compensating for the impact by replacing or providing substitute wetland resources or environments.
4. Redevelopment along the south end of Walsh Lake (DNR waterbody 214W) shall be done following MN DNR standards for "Management of Shorelines".
- M. Steep Slopes: No land disturbing or development activities shall be allowed on slopes of eighteen percent (18%) or more.
- N. Catch Basins: A number of newly installed and rehabilitated catch basins shall be provided at key locations with a sump area for the collection of coarse-grained material. Such basins shall be cleaned at least one a year or more often if so determined by the City's periodic inspections.
- O. Drain Leaders: All newly constructed and reconstructed buildings will route drain leaders to

pervious areas wherein runoff can be allowed to infiltrate. The flow rate of water exiting the leaders shall be controlled so no erosion occurs in the pervious areas.

- P. Sump Pumps: Under no circumstances will permanent or temporary sump pumps be allowed to be connected to the sanitary sewer system. Discharge from sump pumps shall be done to low and pervious areas where the runoff can be allowed to accumulate and infiltrate without flooding, eroding or jeopardizing adjacent property.
- Q. Inspection and Maintenance. All stormwater management facilities shall be designed to minimize the need of maintenance, to provide access for maintenance purposes and to be structurally sound. All new stormwater facilities must be surveyed so that as-built drawings may be created as identified in the City's LSWMP. All stormwater management facilities shall follow the operation and maintenance requirements presented in the City's LSWMP to ensure continued effective removal of pollutants carried in stormwater runoff. The Director of Public Works, or designated representative, shall inspect all stormwater management facilities during construction, during the first year of operation, and at least once every two (2) years thereafter. The inspection records will be kept on file at the Public Works Department for a period of six (6) years. It shall be the responsibility of the applicant to obtain any necessary easements or other property interests to allow access to the stormwater management facilities for inspection and maintenance purposes.
- R. Models/Methodologies/Computations: Hydrologic models and design methodologies used for the determination of runoff and analysis of stormwater management structures shall be approved by the Public Works Coordinator. Plans, specifications and computations for stormwater management facilities submitted for review shall be sealed and signed by a registered professional engineer. All computations shall appear on the plans submitted for review, unless otherwise approved by the Public Works Coordinator.
- S. Watershed Management Plans/Groundwater Management Plans: SWPPPs shall be consistent with adopted watershed management plans and ground water

management plans prepared in accordance with Minnesota Statutes sections 103B.231 and 103B.255 respectively, and as approved by the Minnesota Board of Water and Soil Resources in accordance with State law.

- T. Easements: If a SWPPP involves direction of some or all runoff off of the site, it shall be the responsibility of the applicant to obtain from adjacent property owners any necessary easements or other property interests concerning flowage of water.

8-4-10: LAWN FERTILIZER REGULATIONS:

- A. Use Of Impervious Surfaces: No person shall apply fertilizer to or deposit clippings, leaves, or other vegetative materials on impervious surfaces, or within stormwater drainage systems, natural drainageways, or within wetland buffer areas.
- B. Unimproved Land Areas: Except for driveways, sidewalks, patios, areas occupied by structures or areas which have been improved by landscaping, all areas shall be covered by plants or vegetative growth.
- C. Fertilizer Content: Except for the first growing season for newly established turf areas, no person shall apply liquid fertilizer which contains more than one-half percent (0.5%) by weight of phosphorus, or granular fertilizer which contains more than three percent (3%) by weight of phosphorus, unless the single application is less than or equal to one-tenth (1/10) pound of phosphorus per one thousand (1,000) square feet. Annual application amount shall not exceed one-half (1/2) pound of phosphorus per one thousand (1,000) square feet of lawn area. The use of phosphorus-free fertilizer is strongly recommended.
- D. Buffer Zone: Fertilizer application shall not be made within 25 feet of any wetland or water resource.

8-4-11: NONCOMPLIANCE AND ENFORCEMENT PROCEDURES:

- A. Notice of Noncompliance: If the City finds that the work on the site is not being performed in conformance with this Section and the submitted SWPPP, it shall issue a written notice of noncompliance to the applicant that states the corrective measures to be taken.

- B. Stop Work Order: If the corrective measures identified in the notice of noncompliance are not completed by the time period set forth in the notice, the Public Works Coordinator or his or her designee may issue an order for the City to stop all inspections required for land use or building permit approvals for the site until all corrective actions identified in the notice are completed. The applicant must notify the Public Works Coordinator upon completion of all corrective actions. Once the Public Works Coordinator has verified that all corrective actions required have been taken, he or she shall inform the City and the City may resume inspections on the site.
- C. Action against the Financial Security: If the corrective action identified in the notice of noncompliance is not completed within the time specified, the City may act against the financial security. The City may use the funds from the financial security to reimburse itself for any costs incurred in taking corrective action or performing remedial work to bring the site into compliance.
- D. Emergency Action. If circumstances exist such that noncompliance with this Chapter poses an immediate danger to the public health, safety or welfare, as determined by the City, the City may take emergency preventative action on the site. Prior to taking emergency preventative action, the City must make a reasonable attempt to contact and direct the applicant to take the necessary action.
- E. Suspension or Revocation of a Land Disturbance Permit, Grading Permit or Building Permit: The City may revoke or suspend a land disturbance permit, grading permit or building permit whenever the actions contained in the notice of noncompliance are not taken within the time specified. The City must notify the applicant of the suspension or revocation in writing. The applicant may appeal the permit suspension or revocation to the City Council within 10 days of the date of the suspension or revocation notice.
- F. Penalty: Any person convicted of violating any provision of this Chapter shall be guilty of a misdemeanor and shall be subject to a fine or

imprisonment as specified by state statute. Such penalty may be imposed in addition to any other enforcement action taken by the City.

8-4-12: OTHER CONTROLS: In the event of any conflict between the provisions of this Chapter and the provisions of an erosion control or shoreland protection ordinance adopted by the City Council the more restrictive standard prevails.

8-4-13: SEVERABILITY: The provisions of this Chapter are severable. If any provision of this Chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of this Chapter which can be given effect without the invalid provision or application.

Adopted by the City Council of the City of Lauderdale this 27th day of January, 2015. Published by summary in the Roseville Review the 3rd day of February, 2015.