

ORDINANCE NO. 2256

AN ORDINANCE amending Section 15.32 of the Camas Municipal Code, to provide for erosion prevention and sediment control, adopting standards of review, provide for the submission of a final erosion prevention/sediment control plan, and prescribing a penalty for violations.

THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

Section I

Section 15.32.010 of the Camas Municipal Code is amended to provide as follows:

15.32.010 - Findings

Each year tons of sediment deposits are washed and blown from land-disturbing activities. These sediment deposits bring about detrimental effects to our society in the following ways:

1. Excessive input of sediment deposits in local storm drainage systems, stormwater facilities, ditches, creeks, and streams reduce their capacity to contain and convey water, thus increasing the likelihood of flooding.
2. Sediment deposits in local storm drainage systems cause an increase in public expenditures for maintenance.
3. Sediment deposits in stormwater facilities increase Home Owners Association's expenditures for maintenance.
4. Increased public expenditures for cleaning and maintaining roadway surfaces that receive excessive sediment;
5. Excessive sediment deposits can cause damage to occur to adjacent properties and rights-of-way.
6. Damages occur to fisheries due to the input of sediment deposits which clog spawning beds and increase turbidity levels, impairing the feeding ability of aquatic animals;
7. Runoff of sediment deposits promotes the transport of nutrients to lakes, causing algal blooms and oxygen depletion; and
8. Sediment deposits have been found to cause detrimental water quality problems in the Washougal River, Lacamas Creek, Lacamas Lake, Round Lake, Fallen Leaf Lake and, ultimately, impacts the water quality in the Columbia River.

Section II

Section 15.32.020 of the Camas Municipal Code is amended to provide as follows:

15.32.020 - Adoption of Standards

The city council adopts the following documents, including all diagrams and text: "Erosion Control Plans, A Technical Guidance Handbook, City of Camas, Washington, August 26, 1991", or latest edition; "Stormwater Management in Washington State, Department of Ecology, August 1999 (Draft) or latest edition; and "A Builders Guide to Erosion Prevention & Sediment Control, Second Edition, Clark County Home Builders Association, Vancouver, Washington."

Copies of such documents shall be maintained in the council file on these proceedings, and shall be made available for public inspection at the public works department, building department, and the library. In the event any provision of this chapter and/or any city ordinance conflicts with the adopted documents, then this chapter and/or the city ordinance will govern.

Section III

Section 15.32.030 of the Camas Municipal Code is amended to provide as

15.32.030 - Definitions

For the purpose of this chapter, the following definitions shall apply:

- A. "Land-disturbing activity" means any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) or existing soil topography, including, but not limited to, demolition, construction, reconstruction, clearing, grading, filling, excavation, and landscaping.
- B. "Best management practices" or "BMP" means those construction practices designed to minimize erosion and disturbance of the surface of the land and shall include all physical, structural, and managerial practices that, when used singly or in combination, prevent or reduce erosion.
- C. "BMP Manual" means the following documents, including all text and diagrams therein: "Erosion Control Plans, a Technical Guidance Handbook", City of Camas, Washington, August 26, 1991, or latest edition; "Stormwater Management in Washington State", Department of Ecology, August 1999 (Draft) or latest edition; and "A Builders Guide to Erosion Prevention & Sediment Control, Second Edition", Clark County Home Builders Association, Vancouver, Washington.
- D. "Director" means the City of Camas Public Works Director, or designee.
- E. "Impervious surface" means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, including, but not limited to, roof tops, walkways, patios, driveways, parking or storage lots, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which normally impede the natural infiltration of stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces.
- F. "New Development" means land-disturbing activities, including Class IV-general forest practices that are conversions from timber land to other uses; structural development, including construction or installation of a building or other structure; the creation of impervious surfaces; and any subdivision, short plat and binding site plans, as defined in RCW Chapter 58.17. All other forest practices and commercial agriculture activities are not considered new development.
- G. "Redevelopment" means, on an already developed site, the creation or addition of impervious surfaces; structural development including construction or installation of a building or other structure; and/or replacement of impervious surfaces that are not part of a routine maintenance activity; and land-disturbing activities associated with structural or impervious redevelopment.
- H. "Small parcel" means any development project which adds less than 5000 square feet of impervious surface and involve land-disturbing activities of less than one acre.

Section IV

Section 15.32.040 of the Camas Municipal Code is amended to provide as follows:

15.32.040 - Applicability

Any person proposing to undertake any land-disturbing activity, with the exception of any small parcel development, shall be required to meet the following standards:

- A. Submit an erosion prevention/sediment control plan in compliance with this chapter which shall set forth the proposed erosion prevention/sediment control measures and shall further satisfy the criteria of the standard details and specifications for erosion prevention/sediment control plans. The plan shall be submitted and approved by the City prior to the commencement of any land-disturbing activity. In addition, an erosion prevention/sediment control plan shall be submitted and approved by the City prior to the commencement of clearing, grading, fill, excavation, demolition, or construction related to any land development which requires a city permit, requires city approval, or is otherwise subject to SEPA review including, but not limited to, the following:
 - 1. Subdivisions;
 - 2. Short plats;
 - 3. Planned residential developments;
 - 4. Site plan approvals; and
 - 5. Street cuts.
- B. For all land-disturbing activities of an acre or more, furnish to the City an approved form of security in the amount of two hundred percent of the engineer's estimated cost of the erosion prevention/sediment control measures, including associated labor, shown on the approved erosion prevention/sediment control plan.

Section V

Section 15.32.050 of the Camas Municipal Code is amended to provide as follows:

15.32.050-Exemptions

The following are exempt from compliance with this chapter:

- A. Commercial agricultural and forest practices regulated under Washington Administrative Code Title 222, except for Class IV General Forest Practices that are conversions from timberland to other uses.
- B. Any land-disturbing activity where it has been shown, to the satisfaction of the Director, that no potential for erosion exists, no sediment can be transported from the site, and no degradation of the environment or drainage facilities will result from the proposed activity, with or without BMP's..
- C. General landscape maintenance activities which are limited in scope, including mowing, gardening, mulching, and barkdusting. The Director shall have discretion in the determination of water quality impacts caused by such activities and may require the installation of BMP's.

Section VI

Section 15.32.060 of the Camas Municipal Code is amended to provide as follows:

15.32.060 - General Requirements

- A. Compliance with this chapter shall be the joint and several responsibility of both the property owner on whose parcel the land-disturbing activity occurs and the person undertaking such activity. In addition, if the land-disturbing activity concerns a federal, state, or city issued permit, the permit holder is also responsible for meeting the requirements of this chapter.
- B. If the BMP's approved and applied to a site are insufficient to prevent sediment from reaching water bodies, adjacent properties, or public rights-of-way, then additional BMP's shall be implemented.

Section VII

A new Section 15.32.070 of the Camas Municipal Code is hereby added to provide as follows:

15.32.070 - Small Parcel Requirements

Any person instituting new development upon a small parcel shall be required to establish and maintain erosion prevention and sediment control during construction as described in Camas Municipal Code Section 15.32.080(D), to permanently stabilize soil exposed during construction, and to comply with the requirements set forth in "Stormwater Management in Washington State, Department of Ecology, Chapter 2, Minimum Requirements for All New Development and Re-Development, Section 2.5 Small Parcel Requirements".

Section VIII

A new Section 15.32.080 of the Camas Municipal Code is hereby added to provide as follows:

15.32.080 - Specific Requirements

A. Preliminary Erosion Prevention/Sediment Control Plan

- 1. A preliminary erosion prevention/sediment control plan shall be submitted at the time of application for each of the following land use applications and permits:
 - a. Short plats and site plan reviews subject to SEPA review;
 - b. Subdivision;
 - c. Planned residential developments.
 - d. Land-disturbing activities proceeding without a valid building or grading permit that are on or abutting slopes with grades greater than fifteen (15) percent.

All other land-disturbing activities are exempt from the provisions of this Section 15.32.080(A).

- 2. The preliminary erosion control plan, which can be included on the preliminary drainage plan, shall include:

- a. Site plan showing site topography; significant trees, as defined in Camas Municipal Code Section 18.62.030; existing and planned drainage features; and existing and proposed structures;
- b. Preliminary soil analysis describing soil types on site and their

- erosion potential; and
- c. Conceptual erosion control plan discussing BMP's to be utilized to control erosion/sediment and the general location of planned BMP's. The plan shall safeguard adjacent properties and confine erosion to within the project site.

B. Final Erosion Prevention/Sediment Control Plan

1. A final erosion prevention/sediment control plan shall be submitted as required by this Chapter.
2. The final erosion/sediment control plan may be submitted at the time of the pre-construction meeting and shall be developed by the project engineer or the party actually in charge of activities on the site.
 - a. The plan shall be stamped by the engineer and bear the signed agreement of the contractor or party in charge.
 - b. The plan shall be reviewed and approved by the City prior to the commencement of construction.
 - c. The plan shall be a refinement of the Preliminary Erosion/Sediment Control Plan (if required), clearly showing any changes or revisions.

C. Preliminary and Final erosion prevention/sediment control plans shall encompass, at a minimum, the following:

1. Construction Access Route: Construction vehicles access shall be limited to one specific route. The Director must approve additional accesses. Access route shall be stabilized with fabric and quarry spalls to minimize the tracking of sediment, mud, or debris onto public roads. Evidence of tracking of material from a construction site may require construction activities to cease until corrections are made.
2. Sediment Removal from Roadways: If sediment, mud, or debris is transported onto a road surface, the roads shall be cleaned thoroughly at the end of each workday, or more often if necessary. Soil deposits shall be removed from roads by shoveling and sweeping. Street washing is not allowed unless approved by the Director and only after sediment is removed in the manner described above. When street washing is approved, all inlets must be protected and down-stream confinement facilities must be provided. Containment facilities shall be emptied and cleaned after each washing and wash waters properly disposed of.
3. Stabilization of Denuded Areas: All exposed soils shall be stabilized by cover and containment, in a timely manner, by suitable application of BMP's, including but not limited to sod or other vegetation, plastic covering, straw mulching, or crushed aggregate on areas to be paved. During the period from October 1st to July 5th, no soil shall be exposed for more than two (2) days, including temporary suspension of work. From July 5th to October 1st, no soil shall be exposed more than seven (7) days, including temporary suspension of work. BMP's shall be selected, designed, and maintained in accordance with the BMP manual.
4. Protection of Water Bodies and Adjacent Properties: Water bodies and adjacent properties shall be protected from sediment deposition by appropriate use of vegetative filter strips, sediment barriers or filters, sediment traps or ponds, dikes or mulching, or by a combination of these

measures and other appropriate BMP's.

5. Sediment Ponds and Sediment Traps: Prior to leaving a site larger than one (1) acre, stormwater runoff shall be detained in sediment ponds, sediment traps, or other approved BMP systems until turbidity levels are at or below the State's allowable levels. The City may require the construction of a temporary storm drainage facility to bypass and protect the permanent facility until the project is complete and ready for the permanent facility to be brought on-line. Permanent stormwater quality and quantity facilities must be designed to the standards set forth in the latest edition of "Stormwater Management in Washington State, Department of Ecology". Sediment traps are restricted to sites of less than one acre. Additionally, infiltration systems shall be isolated and protected from sedimentation by sediment traps, sacrificial systems, duplicate systems, or redundant systems.
6. Storm Drain Inlet Protection: All storm drain inlets shall be protected so that stormwater runoff shall not enter the conveyance system without first being filtered or otherwise treated to remove sediment.
7. Storm Drain Outlet Protection: All storm drain outlet devices shall be protected so that stormwater runoff leaving a project site will flow at non-erosive rates.
8. Maintenance: All erosion and sediment control BMP's shall be regularly inspected and maintained to ensure continued performance of their intended function. A maintenance log for private facilities shall be provided and kept as a permanent record. The maintenance log shall be in a designated on-site location.
9. Idle Construction Sites: Uncompleted construction sites shall be inspected no less frequently than once a week and after each rainfall and shall be repaired, if needed, consistent with the standards set forth in Camas Municipal Code 15.32.080(C)(3).
10. Underground Utility Construction: The construction of underground utility lines shall be subject to the following requirements:
 - a. A trenching and utility placement schedule, and an erosion control plan specifically related to underground work shall be submitted and approved prior to beginning work. On-site pre-construction meetings are highly recommended.
 - b. The length of trench opened at one time shall be minimized.
 - c. Excavated material shall be placed to minimize runoff into trenches and adjacent roadway consistent with safety and space considerations.
 - d. Trench dewatering devices shall discharge into a sediment trap or sediment pond.
 - e. BMP's shall be used to control erosion during and after construction.
 - f. BMP's damaged during construction shall be replaced or repaired.

D. Individual Home Sites and Small Parcels

1. Construction of home sites and small parcels can cause significant amounts of sediment to be transported to receiving waters. Care must be taken to stabilize base soil throughout the construction process. Vehicles must be limited to construction access points. Builders of single family homes and other small projects shall refer to the following BMP manuals for guidance in preparing a site erosion control and soil stabilization plan:
 - a. “Stormwater Management in Washington State”, Department of Ecology, August 1999 (Draft) or latest edition, and
 - b. “A Builders Guide to Erosion Prevention & Sediment Control, Second Edition”, Clark County Home Builders Association, Vancouver, Washington.
2. The following are required erosion/sediment control measures:
 - a. Only construction vehicles are allowed off-street and must be utilized only on gravel construction access areas..
 - b. Workers’ personal vehicles shall be parked on adjacent streets or other approved areas.
 - c. All unworked and exposed soils must be stabilized by seeding, covering, or mulching from the curb line to at least ten (10) feet from the building envelope.
 - d. Pre-grade all sidewalk areas receiving runoff from the subject lot and stabilize for use as sediment traps.
 - e. Gravel drives used as site entrances shall be constructed of minimum two-inch (2") diameter gravel and no finer materials are allowed.
 - f. Construction materials such as lumber shall be delivered and stored on designated locations which are stabilized and protected from erosion.
 - g. Each owner, builder, or permit holder shall install and maintain inlet protection on street storm drain inlets down-slope from their site.
 - h. Erosion control measures shall be reviewed and inspected at the end of each day. In non-work periods, inspections shall take place after each rainfall or at least once a week, whichever is more frequent. Needed corrections shall be made immediately.

Section IX

A new section 15.32.090 of the Camas Municipal Code is hereby added to provide as follows:

15.32.090 - Enforcement

A. The severity of enforcement shall generally correspond to the degree of actual or

potential impact of erosion and sediment from a site on natural and man-made water bodies, adjacent property, stormwater conveyance systems, and stormwater facilities. The director of public works, or his authorized designee, is directed and authorized to implement and enforce all provisions of this chapter. In enforcing this chapter, the public works director shall have the following duties and powers:

- 1) To require the submission of erosion prevention/sediment control plans, and to review and approve such plans.
- 2) To inspect all construction activities to assure compliance with the provisions of this chapter.
- 3) To issue a “stop work” order for the site upon notice of any construction activity being conducted in violation of this chapter or in violation of an approved erosion prevention/sediment control plan.
- 4) To require any person violating the provisions of this chapter or an approved erosion prevention/sediment control plan to undertake all cleanup, corrective, and any other remedial measures necessary to remedy such violation.

B. Enforcement—Stop Work Order

- a. The issuance of a “stop work” order indicates that all work of every type, make and description on the site shall cease, except for erosion prevention/sediment control measures.
- b. A “stop work” order will be in effect until such time as the Director establishes that all the necessary erosion prevention/sediment control measures are in place, functioning, and the site is stabilized.
- c. Upon the written request of the person ordered to “stop work”, the Director may authorize the resumption of work on the site prior to completion of all directed mitigation efforts. The Director shall only authorize the resumption of work where the aggrieved person is actively pursuing directed mitigation efforts, the resumption of work will not create additional hazards, and the work will in no manner diminish the ability of the aggrieved person to finalize directed mitigation efforts.

C. Enforcement—Civil Infraction

- a. Any person, firm or corporation which violates any provision of this chapter or which undertakes any construction activity in violation of an approved erosion prevention/sediment control plan as outlined in this chapter or who violates the terms of any “stop work” order issued pursuant to this chapter, shall be guilty of a civil infraction punishable by a fine of not more than five hundred dollars a day. Each separate day or any portion thereof during which any violation occurs or continues constitutes a separate offense.

D. Continued Duty to Correct Violation. Payment of a monetary penalty pursuant to this Chapter does not relieve a person of the duty to correct the violation as ordered.

E. Appeal. Any appeal to the decision of the Camas municipal court shall be governed by the Rules for Appeal of Decisions of Courts of Limited Jurisdiction (RALJ).

F. Accrual of Penalty. The City is authorized to collect the monetary penalty by use of appropriate legal remedies. Seeking legal redress by the City shall neither stay

nor terminate the accrual of additional per diem monetary penalties so long as the violation continues.

This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED by the Council and APPROVED by the Mayor this 10th day of

January, 2000.

SIGNED: _____

Mayor

ATTEST: _____

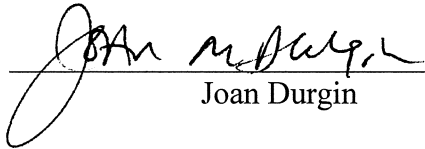
Clerk

APPROVED as to form:

[Signature]
City Attorney

ORDINANCE NO. 2256

On January 10, 2000, the Camas City Council enacted Ordinance No. 2256, which adopts erosion prevention and sediment control measures, standards of review, provides for the submission of a final erosion prevention/sediment control plan, and prescribes penalties for violations of the ordinance. The Finance Department will mail any person the full text of the ordinance upon request.


Joan Durgin