

CHAPTER 15

GRADING, DRAINAGE AND EROSION CONTROL

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Section 15-101. Purpose.

The purpose of this chapter is to safeguard life, limb, property and public welfare by establishing minimum requirements for grading, drainage, surface structures and erosion control of land within Prince Georges County, Maryland, and to establish procedures by which these requirements are to be administered and enforced. It is the further purpose of this chapter to implement the provisions of Chapter 245, Laws of Maryland, 1970 codified as Section 105-110 Article 96A of the Annotated Code of Maryland, 1957, so as to safeguard the natural resources of the county and of the State of Maryland by controlling erosion and sediment deposition on lands and in waters within the watersheds of the state and to prevent their pollution.

Section 15-102. Erosion.

The process by which the ground surface is worn away by the action of wind and/or water.

Section 15-103. Grading permit.

A permit issued to authorize work to be performed under this chapter. The permit for grading, drainage, surface structures and erosion control intended as an incident to building construction may be included as part of the building permit.

Section 15-104. Loading-bearing fill.

Fill placed in a controlled manner to support structure foundations, vehicular traffic or any facility or earthwork which the instability thereof would constitute a public hazard or nuisance.

Section 15-105. Site work or development.

The constructing, installing, placing, planting or building, including the condition resulting therefrom of surface structures, including supporting foundations; utility lines and services (house) connections; open and enclosed storm drainage facilities, lines and structures; erosion and sediment control devices and facilities, including ground covers, plantings and landscaping.

Section 15-106. Site.

Any lot or parcel of land or combination of contiguous lots or parcels of land.

Section 15-107. Slope.

The inclined exposed surface of a fill, excavation or natural terrain.

Section 15-108. Adoption by reference of erosion and sediment control code.

For the purpose of establishing rules and regulations dealing with soil erosion, grading, drainage and sediment control, the City of Mount Rainier adopts as its erosion and sediment control code the provisions of regulations of Prince Georges County which regulations are contained in Subtitle 4, entitled "Building," in the Prince Georges County Code of Ordinances, the 1975 edition as amended, and as further amended in this chapter.

Section 15-109. Compliance.

The council member assigned to streets and roads for the City of Mount Rainier shall determine that the provisions of the county sediment control ordinance have been fully complied with in the excavation, grading, drainage, filling and construction on any public lands under the jurisdiction of the city, including, but not limited to, buildings, streets, alleys, parking lots or sidewalk construction and excavation of public lands for private driveways.

Section 15-110. Erosion and sediment control plans.

Any person, partnership, firm or corporation, to whom a city permit may be issued for construction within a public street right-of-way, shall submit as a part of their permit application,

two (2) copies of an erosion and sediment control plan which has been approved by the Prince Georges Soil Conservation District and Mount Rainier. The permit issued for said construction shall specify that the work must conform in all respects to the approved erosion and sediment control plan.

Section 15-111. Inspection.

All construction projects for which an erosion and erosion and sediment control plan is required shall be inspected periodically by the city engineer to determine compliance with the plan. The city engineer shall immediately notify the permittee in writing of any exceptions to the approved plan noted in his inspection, and shall specify a reasonable number of days in which the work must be corrected to conform to the plan. A final inspection shall be made and a report of same referred to the Prince George's Soil Conservation District. In addition to any other permit fees and charges,

the city may charge an additional fee, in an amount sufficient to cover the cost of said inspections by the city engineer.

Section 15-112. Violations.

Upon failure to take the directed corrective action within the time specified by the city engineer, the permittee shall be deemed to be in violation of this chapter. Each day a violation continues uncorrected shall be deemed a separate offense.

Section 15-113. Penalties.

Any person, partnership, firm or corporation violating the provisions of this chapter, upon conviction of such violation, shall be fined in an amount of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00). Imprisonment in default of this fine shall not exceed twenty-five (25) days and shall be regulated by the provisions of Section 4 of Article 38 of the Annotated Code of Maryland (1957 edition, as amended).

Section 15-114. Adoption of County Stormwater Management program by reference.

For the purpose of establishing rules and regulations of a stormwater management ordinance to establish minimum requirements and procedures to control the adverse results of stormwater runoff resulting from land developments , the City of Mount Rainier hereby adopts as its Stormwater management program the provisions of the Prince George's County Stormwater Management Regulations which are contained in Subtitle 4, Building, Sections 4-229.1 through 4-229.22 (1979 Edition, 1982 Supplement) in the Prince George's Code of Ordinances. And furthermore, Prince Georges County shall administer and enforce the provisions of said county ordinance within the corporate limits of the City of Mount Rainier. [Next Page is 181]