

Chapter 7.54
EXCAVATION, GRADING & DRAINAGE

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7.54.010 Purpose.

This ordinance is enacted for the purpose of protecting the general health, safety, and welfare of the residents of the City from the hazards and danger of flooding and inadequate or improper drainage.

(History: Ord. EGD-2423 §1, 2003; EGD-1848 §1, 94; BC-1755 §2, 92; BC-1666 §1, 91)

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7.54.020 Scope.

The provisions of this ordinance shall apply to excavating, grading, regrading, filling, landfilling, berming, embanking, or diking land within the City.

(History: Ord. ROCR-2245 §13, 2001; EGD-1848 §2, 94; BC-1755 §3, 92; BC-1666 §1, 91)

7.54.025 Administration.

This Section of the Code shall be administered by the Director of Planning and Development Services or the Director's designee, hereinafter known as the "Director."

(History: Ord. EGD-2423 §2, 2003)

7.54.030 Permits Required.

Repealed.

(History: Ord. EGD-2423 §10, 2003; ROCR-2245 §14, 2001; EGD-1848 §3, 94; BC-1755 §4, 92; BC-1666 §1, 91)

7.54.040 Hazards.

Whenever the Director determines that any existing excavation, embankment, or fill on private property has become a nuisance, hazard to life and limb, endangers property, or adversely affects the safety, use, or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the Director, shall within the period specified therein repair or eliminate such excavation or embankment so as to eliminate the hazard and be in conformance with the requirements of this code. The Director may require plans and the issuance of a permit to verify compliance with the ordinance.

(History: Ord. EGD-2423 §3, 2003; EGD-1848 §4, 94; BC-1755 §5, 92; BC-1666 §1, 91)

7.54.050 Definitions.

Repealed.

(History: Ord. ROCR-2245 §18, 2001; EGD-1848 §5, 94; BC-1755 §6, 92; BC-1666 §1, 91)

7.54.080 Plans and Specifications.

Repealed.

(History: Ord. EGD-2423 §10, 2003; ROCR-2245 §15, 2001; EGD-1848 §6, 94; BC-1755 §9, 92; BC-1666 §1, 91)

7.54.090 Information on Plans and in Specifications.

Repealed.

(History: Ord. EGD-2423 §10, 2003; ROCR-2245 §16, 2001; EGD-1848 §7, 94; BC-1755 §10, 92; BC-1666 §1, 91)

7.54.100 Soils Engineering Report.

Repealed.

(History: Ord. EGD-2423 §10, 2003; EGD-1848 §8, 94; BC-1755 §11, 92; BC-1666 §1, 91)

7.54.110 Grading Fees - General.

Repealed.

(History: Ord. EGD-2423 §10, 2003; EGD-1848 §9, 94; BC-1755 §13, 92; BC-1666 §1, 91)

7.54.120 Cuts - General.

Unless otherwise recommended in an approved soils engineering report, cuts shall conform to the provisions of this section.

In the absence of an approved soils engineering report, these provisions may be waived for minor cuts not intended to support structures.

(History: Ord. EGD-2423 §4, 2003; EGD-1848 §10, 94; BC-1755 §14, 92; BC-1666 §1, 91)

7.54.130 Cut Slope.

The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than 3 horizontal to 1 vertical unless the owner furnishes a soils engineering report stating that the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property.

(History: Ord. EGD-1848 §11, 94; BC-1755 §15, 92; BC-1666 §1, 91)

7.54.140 Fills - General.

Unless otherwise recommended in an approved soils engineering report, fills shall conform to the provisions of this section.

In the absence of an approved soils engineering report, these provisions may be waived for minor fills not intended to support structures.

Fill on platted lots or within 500 feet of a public street or platted subdivision shall be graded to a uniform finish grade within 30 days after placement.

(History: Ord. EGD-2423 §5, 2003; EGD-1848 §12, 94; BC-1755 §17, 92; BC-1666 §1, 91)

7.54.150 Preparation of Ground.

The ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, topsoil, and other unsuitable materials scarifying to provide a bond with the new fill.

(History: Ord. EGD-1848 §13, 94; BC-1755 §19, 92; BC-1666 §1, 91)

7.54.160 Fill Material.

Detrimental amounts of organic material shall not be permitted in fills. Except as permitted by the Director, no rock or similar material which will not naturally decompose, with a maximum dimension greater than 12 inches shall be buried or placed in fills.

Exception. The Director may permit placement of larger rock when the registered design professional properly devises a method of placement, continuously inspects its placement, and approves the fill stability. The following conditions shall also apply:

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- A. Prior to issuance of the land disturbance permit, potential rock disposal areas shall be delineated on the grading plan.
 - B. Rock sizes greater than 12 inches in maximum dimension shall be 10 feet or more below grade, measured vertically.
 - C. Rocks shall be placed so as to assure filling of all voids with fines.
- (History: Ord. EGD-2423 §6, 2003; EGD-1848 §14, 94; BC-1755 §20, 92; BC-1666 §1, 91)

7.54.170 Compaction.

All fills shall be compacted to a minimum of 90 percent of maximum density as determined by the latest edition of ASTM D1557, D1556, D2167, or D2937.

(History: Ord. EGD-1848 §15, 94; BC-1755 §21, 92; BC-1666 §1, 91)

7.54.180 Fill Slope.

Fill slopes shall be no steeper than 3 horizontal to 1 vertical.

(History: Ord. EGD-1848 §16, 94; BC-1755 §22, 92; BC-1666 §1, 91)

7.54.190 Setbacks - General.

Cut and fill slopes shall be set back from site boundaries in accordance with this section.

Setback dimensions shall be horizontal distances measured perpendicular to the site boundary.

(History: Ord. EGD-1848 §17, 94; BC-1755 §23, 92; BC-1666 §1, 91)

7.54.200 Top of Cut Slope.

The top of cut slopes shall be made not nearer to a site boundary line than one-fifth of the vertical height of cut with a minimum of 2 feet and a maximum of 10 feet.

(History: Ord. EGD-2423 §7, 2003; EGD-1848 §18, 94; BC-1755 §24, 92; BC-1666 §1, 91)

7.54.210 Toe of Fill Slope.

When fill height exceeds 24 inches in overall height, the toe of slope shall be made not nearer to the site boundary line than 1 foot. In any circumstance, fill shall not be placed in a manner that creates a nuisance, or in a manner that creates a surface flooding hazard for a habitable structure.

Where a fill slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the plans and work to protect the adjoining property from damage as a result of such grading. These precautions may include but are not limited to:

- A. Additional setbacks.
- B. Provision for retaining or slough walls.
- C. Mechanical or chemical treatment of the fill slope surface to minimize erosion.
- D. Provisions for the control of surface waters.

(History: Ord. EGD-2948 §2, 2012; EGD-1848 §19, 94; BC-1755 §25, 92; BC-1666 §1, 91)

7.54.220 Modification of Slope Location.

The Director may approve alternate setbacks. The Director may require an investigation and recommendation by a registered design professional to demonstrate that the intent of this section has been satisfied.

(History: Ord. EGD-2423 §8, 2003; EGD-1848 §20, 94; BC-1755 §26, 92; BC-1666 §1, 91)

7.54.230 Drainage - General.

Unless otherwise indicated on the approved grading plan, drainage facilities shall conform to the provisions of this section.

(History: Ord. EGD-1848 §21, 94; BC-1755 §27, 92; BC-1666 §1, 91)

7.54.240 Subsurface Drainage.

Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.

(History: Ord. EGD-1848 §22, 94; BC-1755 §28, 92; BC-1666 §1, 91)

7.54.250 Surface Drainage.

All drainage facilities shall be designed to carry waters to the nearest drainageway approved by the Director as a safe place to deposit such waters. Storm sewer plans, drainage plans for commercial developments, subdivision grading plans showing intended drainage requirements for all lots, and drainage of lots adjacent to engineered swales or floodplains shall be approved by the Director. Prior to issuance of a Certificate of Occupancy for new buildings or additions, all drainage and grading shall be in compliance with this Chapter, with the subdivision grading plan, and the site grading plan approved as part of the permit. Erosion of ground in the area of discharge shall be prevented by installation of erosive control devices.

Obstructions shall not be created or installed within drainageways and engineered swales which will create ponding on adjacent property, divert water onto the adjoining property, or impede drainage. Fences may be erected in such areas provided they do not unnecessarily restrict the flow of water.

Water from intermittent sources such as discharges from sump pumps, foundation drains, swimming pools, swimming pool backwashes, or other similar sources excluding lawn sprinklers shall not be discharged to the surface closer than five feet to the public right-of-way or in a manner that creates a nuisance, or in a manner that creates a surface flooding hazard for a habitable structure. Water from intermittent sources including lawn sprinklers shall not prohibit mowing of grass or growth of vegetation on adjacent property, create a hazardous condition, or cause damage to adjacent structures or substantial interference with the use or maintenance of adjacent property provided the adjacent property is graded in accordance with this Section. Where such conditions exist and the City has given written notice of the violation, the owner of the property shall take appropriate measures to eliminate the problems caused on the adjacent property.

The area surrounding the building foundation shall have a drainage gradient as provided for in O.P.M.C. Chapters 16.100 or 16.110 with a draining gradient thereafter of not less than 2.5 percent toward approved drainage facilities unless waived by the Director.

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(History: Ord. EGD-2948 §3, 2012; EGD-2666 §1, 2008; EGD-2423 §9, 2003; ROCR-2245 §17, 2001; EGD-1848 §23, 94; BC-1810 §1, 93; BC-1755 §29, 92; BC-1666 §1, 91)

7.54.260 Interceptor Drains.

Repealed.

(History: Ord. EGD-2423 §10, 2003; EGD-1848 §24, 94; BC-1755 §30, 92; BC-1666 §1, 91)

7.54.270 Erosion Control - General.

Repealed.

(History: Ord. EGD-2423 §10, 2003; EGD-1848 §25, 94; BC-1755 §31, 92; BC-1666 §1, 91)

7.54.280 Grading Inspection - General.

Repealed.

(History: Ord. EGD-2423 §10, 2003; EGD-1848 §26, 94; BC-1755 §32, 92; BC-1666 §1, 91)

7.54.290 Grading Designation.

Repealed.

(History: Ord. EGD-2423 §10, 2003; EGD-1848 §27, 94; BC-1755 §33, 92; BC-1666 §1, 91)

7.54.300 Engineered Grading Requirements.

Repealed.

(History: Ord. EGD-2423 §10, 2003; EGD-1848 §28, 94; BC-1755 §34, 92; BC-1666 §1, 91)

7.54.310 Regular Grading Requirements.

Repealed.

(History: Ord. EGD-2423 §10, 2003; EGD-1848 §29, 94; BC-1755 §35, 92; BC-1666 §1, 91)

7.54.320 Notification of Noncompliance.

Repealed.

(History: Ord. EGD-2423 §10, 2003; EGD-1848 §30, 94; BC-1755 §36, 92; BC-1666 §1, 91)

7.54.330 Transfer of Responsibility for Approval.

Repealed.

(History: Ord. EGD-2423 §10, 2003; EGD-1848 §31, 94; BC-1755 §37, 92; BC-1666 §1, 91)

7.54.340 Completion of Work - Notification of Completion.

Repealed.

(History: Ord. EGD-2423 §10, 2003; EGD-1848 §32, 94; BC-1755 §38, 92; BC-1666 §1, 91)

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