

Information on the Permittee:

Name of the Permittee: City of Gladstone, Missouri

Type of Entity: City - Municipality

Total Area (acres): 9 sq. miles = 5760 acres

Mailing Address: 4000 NE 76th St., Gladstone, MO 64119

Primary Contact: Timothy Nebergall, PE- City Engineer

Phone Number: (816) 436-5442

Secondary Contact: Chuck Williams- Director of Public Works

Phone Number: (816) 436-5442

Information on the Municipal Separate Storm Sewer System:

MS4 System Location: Gladstone

Name of Organization: City of Gladstone

County Permittee Resides: Clay County

There are major receiving waters within the permitted area include:

East Creek, Cave Creek, Old Maids Creek, Mill Creek, Rock Creek, Shoal Creek

The receiving waters are on the latest CWA's list of impaired waters.

Received certification that their SWMP complies with the requirements of Part 3.1: N/A

Information on Adjacent Waterways:

The Permittee is within 100 feet of: Streams

The Permittee is not within 100 feet of waters classified as major reservoirs.

None of the Permittee's area is defined as wetland.

The Permittee has received a CWA, Section 404 permit from the US Army Corps of Engineers: N/A

Stormwater from Gladstone does not discharge to a sinkhole.

Information on Critical Areas:

There are threatened or endangered species in the area: See Page 2

The Permittee has met eligibility criteria for protection of threatened or endangered species.

There are critical habitats in the area: See Page 2

The Permittee has met eligibility criteria for protection of critical habitats.

There are no historic properties in the area.

Endangered Species:

County	Species	Status	Habitat
Clay	Bald Eagle (<i>Haliaeetus leucocephalus</i>)	Threatened	
Clay	Pallid Sturgeon (<i>Scaphirhynchus albus</i>)	Endangered	Mississippi and Missouri Rivers

MCM #1: Public Education and Outreach on Stormwater Impacts

4.2.1.1 Permit Requirements

Gladstone plans to implement a public education program by distributing educational materials to the community and conducting outreach activities. The focus of these efforts will be to educate the public with activities discussing the impact of stormwater discharges on water quality and the steps the public can take to reduce pollutants in stormwater runoff.

4.2.1.2 Decision Process

Gladstone developed their stormwater public education and outreach program in cooperation with other jurisdictions in the region. The target pollutants were identified and prioritized. The public education program was designed to reduce pollution from the target pollutants having the greatest impact on water quality.

The following is a prioritized list of the leading pollutants, experienced in the permitted area, that are carried by stormwater runoff into water bodies. (1 = having most impact and 10 = having least impact)

<u>2</u>	Suspended Solids
<u>4</u>	Nutrients
<u>5</u>	Pesticides
<u>9</u>	Metals
<u>9</u>	Bacteria
<u>9</u>	Oxygen-Depleting Substances (BOD & other organics)
<u>5</u>	Oil and Grease
<u>8</u>	Salinity (Salt)
<u>5</u>	Priority Toxic Organic Chemicals (Household Hazardous Waste Pesticide/Herbicides)
<u>1</u>	Habitat Alterations
<u>10</u>	Floatables
<u>10</u>	Temperature

4.2.1.2.1 Inform Public on Steps

Gladstone plans to inform individuals and households in the community about the steps they can take to reduce stormwater pollution with the following programs:

	Year 1	Year 2	Year 3	Year 4	Year 5
Educational Materials:					
Post Information on Website	X	X	X	X	X
Maintain a Library of Stormwater Educational Materials	X	X	X	X	X
Distribute Brochures					
Lawn and Garden Activities	X	X	X	X	X
Hazardous Waste Disposal	X	X	X	X	X
Pet Waste Management	X	X	X	X	X
Trash Management	X	X	X	X	X
Vehicle Maintenance and Washing	X	X	X	X	X
Illicit Discharges	X	X	X	X	X
Display Educational Materials at Community Events	X	X	X	X	X

	Year 1	Year 2	Year 3	Year 4	Year 5
Public Awareness:					
Issue Press Release Regarding Local Storm Water Issues	X	X	X	X	X
Publish Articles in Local Newspaper	X	X	X	X	X
Issue Public Announcement on City Cable TV Channel	X	X	X	X	X
Distribute Stormwater Information at Community Event	X	X	X	X	X
Newsletter	X	X	X	X	X

4.2.1.2.2 How to Become Involved

Gladstone plans to inform individuals and groups on how to become involved in the stormwater program by providing those instructions in all materials distributed to the public. This is described in more detail in 4.2.2 Public Involvement/Participation.

4.2.1.2.3 Target Audiences

During the development of the education program, Gladstone identified the sources of stormwater pollutants that needed to be reduced to improve overall water quality. The target audiences were selected because changing their behavior will have a significant stormwater quality impact on the target pollutants. The target audiences for the public education program are:

1. Citizens (Homeowners)
2. Developers and Home Builders
3. Business Owners
4. Elected Officials
5. City Staff

4.2.1.2.4 Target Pollutant Sources

The target pollutant sources having a major impact on stormwater quality were identified. The following is a list of these sources:

The following is a list of potential sources of pollutants that are experienced in the permitted area. (1 = Major impact, 2 = Minor impact, 3 = Not an impact)

<u>1</u>	Construction activities (sediment, construction chemicals and debris, solid and sanitary wastes)
<u>2</u>	Overapplication of fertilizer, herbicides, pesticides
<u>2</u>	Improper disposal of paint and household hazardous chemicals
<u>2</u>	Pet waste contamination
<u>2</u>	Improper disposal of waste oil, grease, and gasoline disposal
<u>1</u>	Trash, debris, and illegal dumping
<u>2</u>	Detergents washed into drains
<u>2</u>	Snow removal (salt, sand and snow disposal)
<u>2</u>	Sanitary sewer overflows
<u>2</u>	Infiltration from cracked sanitary sewers
<u>2</u>	Failing septic systems
<u>2</u>	Sewer service connections to storm drainage system
<u>1</u>	Downspouts connected to storm drainage system
<u>3</u>	Lake or water body used for motor boating
<u>2</u>	Spills from roadway accidents or fires
<u>1</u>	Connected impervious areas covering large acreages (such as malls, institutions with large parking areas)
<u>1</u>	Stream bank erosion
<u>3</u>	Waste transfer station

4.2.1.2.5 Outreach Strategy & Partnerships

Gladstone's outreach strategy is to implement a variety of methods to reach a number of different target audiences multiple times. To change behavior, repetition is important. The mechanisms are described in 4.2.1.2.1 of this permit application.

The strategy is to partner with other governmental and non-governmental entities to execute the public outreach strategy. The idea is to share information and resources so duplication does not occur. The following entities will be assisting with the effort:

1. Mid-America Regional Council (MARC) (e.g. Water Quality Education Committee, Solid Waste Management Council)

The number of people targeted to be reached by the public education and outreach strategy is 5,000 per year.

4.2.1.2.6 Person Responsible

The person responsible for overall management and implementation of the permittee's stormwater public education and outreach program is the **CITY ENGINEER**. Others may be involved in the execution of each of the individual activities in the programs.

4.2.1.2.7 Measurable Goals Selection

Gladstone selected the measurable goals for each of the BMPs after reviewing EPA & ASCE research. Gladstone will evaluate the success of this minimum control measure by the amount of information distributed (e.g. brochures) and by the results of MARC public awareness surveys.

MCM #2: Public Involvement and Participation

4.2.2.1 Permit Requirements

Gladstone will comply with State and Local public notice requirements when implementing the public involvement and participation program.

4.2.2.2 Decision Process

The following sections include the documentation for Gladstone's decision process and rationale statement for the development of a stormwater public involvement and participation program. It documents the overall program and the individual BMPs, measurable goals, and responsible party for the program.

4.2.2.2.1 Involving the Public in Developing the Submittal

Gladstone involved the public in the development and submittal of the application and stormwater management program as follows:

1. Conducted Council Presentation in Open Forum Outlining Highlights of the Program.
2. Distributed Plan to the City's Environmental Management Advisory Committee (EMAC) for review and comment.

4.2.2.2.2 Involving the Public in Program Implementation

Gladstone plans to actively involve the public in the implementation of the stormwater program through a number of different methods because they are effective methods currently used by Gladstone or because of EPA guidance documents list these BMPs as effective public involvement methods.

4.2.2.2.3 Target Audiences to Involve in Program

The target audiences for the permittee's public involvement program are:

1. Citizens (Homeowners)
2. Developers and Home Builders
3. Business Owners
4. Elected Officials
5. City Staff

4.2.2.2.4 Public Involvement Activities

Gladstone plans will involve the public through the activities described below:

	Year 1	Year 2	Year 3	Year 4	Year 5
Discuss the program at Neighborhood Meetings	X	X	X	X	X
Environmental Management Advisory Committee	X	X	X	X	X
Volunteer Monitoring and Cleanup Activities including Stream Teams	X	X	X	X	X
Storm Drain Stenciling Program	X	X	X	X	X
Household Hazardous Waste Drop-Off Event	X	X	X	X	X
Regional Brush/Yard Waste Recycle Facility	X	X	X	X	X

4.2.2.2.5 Person Responsible

The person responsible for the overall management and implementation of the permittee's stormwater public involvement/participation program is the **CITY ENGINEER**. Others will be involved in the execution of each of the individual activities in the programs.

4.2.2.2.6 Goal Selected

Gladstone selected the measurable goals for each of the BMPs after reviewing EPA & ASCE research. Gladstone will evaluate the success of this minimum control measure by the number of people that participate in the program (e.g. household hazardous waste drop-off event, regional yard waste drop-off, etc), the number of presentations made to the Public (e.g. neighborhood meetings, City Council presentations, Park Board presentations, etc), and by the number of storm drains stenciled.

MCM #3: Illicit Discharge Detection and Elimination

4.2.3.1 Permit Requirement

4.2.3.1.1 Overview

Gladstone will develop, implement and enforce a program to detect and eliminate illicit discharges (as defined in 10 CSR 20-6.200) into their small MS4.

4.2.3.1.2 Map

Gladstone has developed a storm sewer map, showing the location of all outfalls and the names and location of all waters of the State that receive discharges from those outfalls.

The map will be continually updated using the following information:

	Year 1	Year 2	Year 3	Year 4	Year 5
Visual Inspection	X	X	X	X	X
Visual Screening	X	X	X	X	X
Piping Schematic Review	X	X	X	X	X
Sewer Maintenance Records	X	X	X	X	X
Public Complaints	X	X	X	X	X
As-Built Drawings of new stormwater facilities	X	X	X	X	X

4.2.3.1.3 Enforcement

Gladstone will effectively prohibit non-stormwater discharges into the stormwater system of Gladstone's stormwater system via ordinances and other regulations. Each ordinance/regulation will be enforceable by Gladstone with appropriate procedures and consequential actions.

4.2.3.1.4 Methods to Detect

Gladstone will implement and maintain a plan using the following methods to detect and address non-stormwater discharges, including illegal dumping to the stormwater system:

	Year 1	Year 2	Year 3	Year 4	Year 5
Visual Inspection	X	X	X	X	X
Visual Screening	X	X	X	X	X

Pipeline Video Detection Equipment (As Needed)	X	X	X	X	X
Public Watch Programs		X	X	X	X

The number of outfalls 36-inch are larger targeted for visual inspection and screening is 20% per year. Smaller outfalls will be evaluated on a case-by-case basis.

4.2.3.1.5 Informing the Public

Gladstone will inform public employees, businesses and the general public of hazards associated with illegal discharges and improper disposal of waste using the following methods:

	Year 1	Year 2	Year 3	Year 4	Year 5
Educational Programs:					
Procedural Training for City Staff	X	X	X	X	X
Distribute Literature	X	X	X	X	X
Recycling Program for Household Hazardous Waste	X	X	X	X	X
Regional Brush/Yard Waste Recycle Facility	X	X	X	X	X

	Year 1	Year 2	Year 3	Year 4	Year 5
Volunteer Programs:					
Storm Drain Stenciling	X	X	X	X	X
Illegal Dumping Hotline	X	X	X	X	X

4.2.3.1.6 Not Significant Contributors

Gladstone has not identified any of the following categories of non-stormwater discharges or flows (i.e. illicit discharges) as significant contributors of pollutants to their small MS4: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined in 10 CSR 20-6.200), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, springs, water from crawl space pumps, footing drains, lawn watering, flows from riparian habitats and wetlands, and street wash water (discharges or flows from fire fighting activities are excluded from the effective prohibition against non-stormwater and will only be addressed where they are identified as significant sources of pollutants to waters of the State.)

4.2.3.1.7 Occasional Incidental Non-Stormwater Discharges

Occasional incidental non-stormwater discharges such as charity car washes will not be considered an illicit discharge because they are not significant

sources of pollutants to the MS4. BMPs for charity car washes will be addressed in educational materials distributed to the public. Other occurrences will be evaluated on a case-by-case basis.

4.2.3.2 Decision Process

Gladstone has documented their decision process for the development of a stormwater illicit discharge detection and elimination program. Gladstone's rationale statement addresses both their overall illicit discharge detection and elimination program and the individual BMPs, measurable goals, and responsible persons for their program.

4.2.3.2.1 Sources for Mapping

Gladstone has developed a storm sewer map showing the location of all outfalls and the names and location of all receiving waters. Gladstone used the following sources to compile the maps:

1. As-built drawings
2. Piping Schematic Review
3. Sewer Maintenance Records
4. Public Complaints

4.2.3.2.2 Regulatory Mechanism

Gladstone will use the following mechanism to effectively prohibit illicit discharges to the MS4:

1. City Ordinance
2. Inspection

This mechanism was selected because ordinances are commonly used by Gladstone to establish laws and set forth the enforcement mechanisms. The ordinance establishes legal authority: to regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) of stormwater discharges by any use; to prohibit illicit connections and discharges to the MS4; and to establish legal authority to carry out all inspections, surveillance and monitoring procedures necessary to ensure compliance.

Gladstone will implement and maintain the following mechanisms to effectively prohibit illicit discharges to the MS4 on the respective schedule:

	Year 1	Year 2	Year 3	Year 4	Year 5

City Ordinance	X				
Visual Inspection and Screening	X	X	X	X	X

4.2.3.2.3 Enforcement

Gladstone will set forth in the ordinance enforcement procedures intended to remove the source of the illicit discharge detected. Enforcement actions may include:

	Year 1	Year 2	Year 3	Year 4	Year 5
Discontinue Water Service		X	X	X	X
Civil Penalties		X	X	X	X

4.2.3.2.4 Detection

Gladstone will detect and address illicit discharges to the MS4, including discharges from illegal dumping and spills. Gladstone's program will address on-site sewage disposal systems that flow into the MS4.

4.2.3.2.4.1 Identify Priority Areas

Gladstone will use the system maps identified in 4.2.3.1.2 above and other data, including land-use, to identify priority areas with likelihood of illicit connections.

4.2.3.2.4.2 Trace the Source

Gladstone will develop an illicit discharge detection program based upon the EPA Illicit Discharge Detection and Elimination Guidance Manual (Pitt et al 2004) to trace illicit discharges to the source.

4.2.3.2.4.3 Removal

Gladstone will follow the ordinance adopted and the enforcement mechanisms detailed in the ordinance.

4.2.3.2.4.4 Program Evaluation

The success of the described program will be evaluated annually by analyzing the number of illicit connections discovered and eliminated.

4.2.3.2.5 Public Information

Gladstone will inform public employees, business and the general public of hazards associated with illegal discharges and improper disposal of waste through the following methods:

	Year 1	Year 2	Year 3	Year 4	Year 5
Educational Programs:					
Procedural Training for City Staff		X	X	X	X
Distribute Literature		X	X	X	X
Household Hazardous Waste Recycling Event	X	X	X	X	X
Regional Brush/Yard Waste Recycle Facility	X	X	X	X	X

	Year 1	Year 2	Year 3	Year 4	Year 5
Volunteer Programs:					
Storm Drain Stenciling	X	X	X	X	X
Illegal Dumping Hotline	X	X	X	X	X

Where applicable the information distributed through these means will coordinate with the information distributed in the Public Education minimum control measure (e.g., consistent/coordinated messages in literature).

4.2.3.2.6 Responsible Party

The **CITY ENGINEER** will be responsible for overall management and implementation of Gladstone's stormwater illicit discharge detection and elimination program. Others will be involved in the execution of each of the individual activities in the programs.

4.2.3.2.7 Measurable Goals

Gladstone will evaluate the success of the program based on the number of illicit connections found and eliminated.

MCM #4: Construction Site Stormwater Runoff Control

4.2.4.1 Permit Requirements

Gladstone has developed an erosion and sediment control ordinance for land disturbance activities that disturb greater than 200 square feet. Activities that disturb greater than 1 acre of land are still required to obtain a Missouri Department of Natural Resources land disturbance permit.

4.2.4.1.1 Regulatory Mechanism

The erosion and sediment control ordinance is the regulatory mechanism by which Gladstone will ensure compliance.

4.2.4.1.2 Best Management Practices (BMPs)

Minimum acceptable Best Management Practices (BMPs) are identified within the Gladstone erosion and sediment control ordinance.

4.2.4.1.3 Wastes to Be Controlled

Gladstone will require construction site operators to control wastes that may cause adverse impacts to water quality such as:

1. Sediment
2. Litter and Trash
3. Chemicals
4. Discarded Building Materials
5. Concrete Truck Washout
6. Sanitary Waste

4.2.4.1.4 Site Plan Review

Gladstone's erosion and sediment control ordinance outlines the procedures and responsibilities for site plan review.

4.2.4.1.5 Receipt & Consideration of Public Comment

N/A

4.2.4.1.6 Site Inspection

Gladstone's erosion and sediment control ordinance outlines the procedures for site inspection and the enforcement of erosion and sediment control measures.

4.2.4.2 Decision process

The following sections include the rationale statement for the development of Gladstone's overall construction site stormwater runoff control program. It documents the individual BMPs, measurable goals, and responsible party for their program.

4.2.4.2.1 Regulatory Mechanism

Gladstone has developed an erosion and sediment control ordinance. A copy of the ordinance is attached to this document.

4.2.4.2.2 Enforcement

Enforcement action is outlined in the erosion and sediment control ordinance.

4.2.4.2.3 Implementation of Proper Controls

Gladstone will require construction site operators to control wastes that may have adverse impacts on water quality with the following method:

	Year 1	Year 2	Year 3	Year 4	Year 5
Implementation of Proper Erosion and Sediment Controls	X	X	X	X	X

4.2.4.2.4 Pre-Construction Site Plan Review

Gladstone has implemented procedures for site plan review. The estimated percentage of sites that will have a plan review is 100%.

4.2.4.2.5 Public Input on Submittals

Gladstone will not implement procedures for receipt and consideration of information submitted by the public.

4.2.4.2.6 Site Inspection & Enforcement

Gladstone has implemented procedures for site inspection and enforcement of control measures.

4.2.4.2.7 Person Responsible

The person responsible for overall management and implementation of the Construction Site Stormwater Runoff Control is the **CITY ENGINEER**. Others will be involved in the execution of each of the individual activities in the programs.

4.2.4.2.8 Measurable Goals

The BMPs selected were chosen because of the evidence that they will have a positive impact on the target pollutants identified for Gladstone. Gladstone will evaluate the effectiveness of the program based upon the number of site plans reviewed for conformity with the ordinance and the number of site inspections conducted.

MCM #5: Post-Construction Stormwater Management in New Development and Redevelopment

4.2.5.1 Permit Requirement

4.2.5.1.1 Overview

Gladstone will develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale.

4.2.5.1.2 Strategies

Gladstone will develop and implement strategies, which will include a combination of structural and/or non-structural Best Management Practices (BMPs), appropriate for the community. Gladstone will adopt a manual of Best Management Practices for developers and incorporate environmentally friendly designs into capital improvement projects.

4.2.5.1.3 Ordinance

Gladstone will use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State or Local law.

4.2.5.1.4 Long-Term Operation & Maintenance

Gladstone will ensure adequate long-term operation and maintenance of BMPs through routine inspection.

4.2.5.2 Decision Process

The following sections include the rationale statement for the development of a post-construction stormwater management program. It documents the BMPs, measurable goals, and responsible party for the program.

4.2.5.2.1 Priority Areas

Gladstone will implement regulatory procedures to address stormwater runoff from new development and redevelopment projects. There are no areas identified as a priority for regulatory procedures.

4.2.5.2.2 Regulatory Procedures

Gladstone will implement and maintain regulatory procedures that will be specifically tailored for the community, minimize water quality impacts, and attempt to maintain pre-development runoff conditions.

	Year 1	Year 2	Year 3	Year 4	Year 5
Ordinance		X			
Inspection and Maintenance of Long-Term Controls		X	X	X	X
Comprehensive Plans		X	X	X	X
Publication of BMPs		X	X	X	X

4.2.5.2.3 Non-Structural Best Management Practices (BMPs)

4.2.5.2.3.1 Policies & Ordinances

Gladstone will implement and maintain policies and ordinances that will help minimize water quality impacts.

	Year 1	Year 2	Year 3	Year 4	Year 5
Protect Sensitive Areas, such as Wetlands and Riparian Areas		X	X	X	X
Maintain and/or Increase Open Space		X	X	X	X
Minimize Impervious Surfaces		X	X	X	X

4.2.5.2.3.2 Infill Development

Gladstone will implement and maintain policies and ordinances that will help minimize water quality impacts of Infill Development Projects.

	Year 1	Year 2	Year 3	Year 4	Year 5
Protect Sensitive Areas, such as Wetlands and Riparian Areas		X	X	X	X
Maintain and/or Increase Open Space		X	X	X	X
Minimize Impervious Surfaces		X	X	X	X

4.2.5.2.3.3 Education

Gladstone will implement education programs for developers and the public about project designs that minimize water quality impacts.

4.2.5.2.3.4 Other Non-Structural Measures

N/A

4.2.5.2.4 Structural BMPs

4.2.5.2.4.1 Structural BMPs

Gladstone will implement and maintain the following structural BMPs:

	Year 1	Year 2	Year 3	Year 4	Year 5
Detention/Retention	X	X	X	X	X
Native Plantings	X	X	X	X	X
Filtration Practices			X	X	X

4.2.5.2.5 Regulatory Mechanism

Gladstone will implement an ordinance or other regulatory mechanism to address post-construction runoff from new developments and redevelopments. These mechanisms will help to not only recommend proper practices, but will help enforce the proper use of the practices under certain circumstances. They include:

	Year 1	Year 2	Year 3	Year 4	Year 5
Ordinance		X	X	X	X
Inspection and Maintenance of Long-Term Controls		X	X	X	X
Comprehensive Plans		X	X	X	X
Publication of BMPs		X	X	X	X

Gladstone will ensure compliance with the developed ordinance by way of sanctions and enforcement mechanisms. Gladstone will implement the following sanctions in their ordinance:

1. Non-Monetary Penalties (such as Stop Work Orders)
2. Bonding Requirements
3. Permit Denial for Non-Compliance
4. Ordinance

4.2.5.2.6 Long-Term Operation & Maintenance

Gladstone will implement options to help ensure the long-term operation and maintenance of their selected BMPs. These options will help ensure that future O&M responsibilities are clearly identified.

4.2.5.2.7 Responsible Party

The person responsible for overall management and implementation of the permittee's Post-Construction Stormwater Management in New Development and Redevelopment program is the **CITY ENGINEER**. Others will be involved in the execution of each of the individual activities in the programs.

4.2.5.2.8 Measurable Goals

Gladstone selected the measurable goals for each of the BMPs after reviewing EPA & ASCE research on the effectiveness of certain BMPs. The BMPs selected were chosen because of the evidence that they will have a positive impact on the target pollutants identified as a concern for Gladstone. The implementation of BMPs selected will determine the success of the measure on water quality.

MCM #6: Pollution Prevention/Good Housekeeping for Municipal Operations

4.2.6.1 Permit Requirement.

4.2.6.1.1 Overview

Gladstone will develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

4.2.6.1.2 Training

Using training materials that are available from EPA, State and other organizations, Gladstone's program will include employee training to prevent and reduce stormwater pollution from municipal activities.

4.2.6.2 Decision Process

Gladstone has documented their decision process for the development of a pollution prevention/good housekeeping program for municipal operations. Gladstone's rational statement addresses both their overall pollution prevention/good housekeeping program and the individual BMP's, measurable goals, and responsible persons for the program. The rational statement is outlined in the following sections.

4.2.6.2.1 Pollution Prevention & Good Housekeeping Measures

Gladstone will implement and maintain pollution prevention and good housekeeping measures in the following City activities:

	Year 1	Year 2	Year 3	Year 4	Year 5
Street Sweeping	X	X	X	X	X
Recycling Program	X	X	X	X	X
Maintenance Schedule	X	X	X	X	X
Maintenance Activities	X	X	X	X	X
Employee Training	X	X	X	X	X

4.2.6.2.2 Employee Training

Gladstone will implement an employee-training program in the following areas so as to prevent and reduce stormwater pollution from the following activities:

	Year 1	Year 2	Year 3	Year 4	Year 5
Park and Open Space Maintenance	X		X		X
Fleet and Building Maintenance		X		X	
New Construction and Land Disturbances	X	X	X	X	X
Stormwater System Maintenance	X	X	X	X	X
Street Maintenance	X	X	X	X	X
Snow Removal Operations		X		X	

These activities will be coordinated with the outreach programs developed for the public information and illicit discharge minimum control measures so that a consistent message is presented throughout Gladstone's program.

4.2.6.2.3 Activities

Gladstone's program will address the following areas:

4.2.6.2.3.1 Clean Up Activities

The following activities will be formalized and implemented to reduce the floatables and other pollutants in the MS4:

	Year 1	Year 2	Year 3	Year 4	Year 5
Street Sweeping	X	X	X	X	X
Maintenance Schedule		X	X	X	X
Maintenance Activities			X	X	X

4.2.6.2.3.2 Pollutant Locations

Gladstone would like to reduce or eliminate the discharged pollutants from the following locations:

1. Streets
2. Municipal Parking Lots
3. Maintenance and Storage Yards
4. Fleet or Maintenance Shops with Outdoor Storage Areas
5. Salt/Sand Storage Locations

The following controls and/or programs will be implemented to reduce or eliminate the discharge of pollutants from facilities owned by Gladstone:

	Year 1	Year 2	Year 3	Year 4	Year 5
Recycling Program including Regional Brush/Yard Waste Recycling Facility	X	X	X	X	X
Employee Training	X	X	X	X	X

4.2.6.2.3.3 Pollutant Removal

Gladstone will implement training procedures for the removal of dredge spoil, accumulated sediments, floatables, and other debris.

4.2.6.2.3.4 Flood Management

Gladstone will review their current regulations concerning flood management to ensure they allow for:

1. Assessment and implementation of solutions that address impacts to water quality for new projects and;
2. Review of existing projects for inclusion of water quality aspects.

4.2.6.2.4 Responsible Party

The **CITY ENGINEER** will be responsible for overall management and implementation of the pollution prevention and good housekeeping program for Gladstone. Others will be involved in the execution of each of the individual activities in the programs.

4.2.3.2.5 Program Evaluation

Gladstone will evaluate the success of the pollution prevention/good housekeeping minimum control measure by tracking the progress of each measure against the implementation schedule. Each one of the measures described in this permit was chosen based on its implementability by Gladstone staff and impact on water quality.

CHAPTER 2200. EROSION AND SEDIMENT CONTROL

Sec. 9.2200.010. General provisions.

(a) *Scope.* The provisions of this chapter are to set forth procedures for controlling erosion and sediment caused by land disturbance activities, in the City of Gladstone.

(b) *Intent.* The purpose of this chapter is to provide minimum requirements to safeguard life, health, property, and public welfare, by regulating and controlling the design, construction, and use of development or other activities, which disturbs or breaks the topsoil or results in the movement of earth on land in the City of Gladstone.

Sec. 9.2200.020. Applicability.

This chapter shall apply to all real property within the corporate limits of the City of Gladstone, Missouri.

Sec. 9.2200.030. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Where terms are not defined in this chapter and are defined in the building code or residential code, such term shall have the meaning ascribed to them as in those codes. Where terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings as the context implies.

Accelerated erosion. See "Erosion."

Alluvial soil means a soil formed from materials transported in suspension by flowing water and deposited by sedimentation.

Anchor trench means a long, narrow ditch in which the edges of a material (e.g. silt fence, erosion control blanket or geotextile etc.) are buried to hold in place.

Approved means any structure used or intended for supporting or sheltering any use of occupancy.

Approved source means an independent person, firm or corporation, approved by the building official, who is competent and experienced in the application of engineering principles to materials, methods or systems analyses.

Best management practices (BMP) Means the preferred methods and/or products that will correct or control erosion, sedimentation or water quality degradation on a specific site for particular site conditions.

Blanket means a rolled materials consisting of coir (coconut fiber), jute, straw, wood fiber, or various synthetic materials used to prevent erosion, trap sediment, protect seed and promote the growth of vegetation. They can be either degradable or permanent.

Building official means the officer or other designated authority charged with the administration and enforcement of this chapter, or a duly authorized representative.

Certified professional soil erosion and sediment control specialist (CPESC) means an individual(s) that are designated by the Soil & Water Conservation Society.

Cellular confinement system means a synthetic grid with open spaces filled with soil, sand, gravel, or concrete. The matrix mechanically stabilizes these materials and is used for erosion control and/or load support applications.

Channel erosion. See “Erosion.”

Channel Stabilization means the protection of the sides and bed of a channel from erosion by controlling flow velocities and directions or by lining the channel with vegetation, riprap, concrete or other material.

Check dam (rock check structures) means a temporary barriers of 3-6 inch rock constructed across a swale or drainage ditch. Used to reduce the velocity of concentrated stormwater flows, reduce degradation and to trap sediment.

Clearing means any activity, which removes the vegetative surface cover.

Department of Natural Resources (DNR) means the state agency in Missouri responsible for preserving and protecting the state’s natural and cultural resources. DNR is responsible for regulating the NPDES program (which includes stormwater runoff permitting).

Design standards means the defined conditions where a specific conservation practice or set of practices are to be used.

Drainage way means any channel that conveys surface runoff throughout the site.

Easement means that portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on, or above a said lot or lots.

(1) *Access* means that portion of land or property reserved for present or future use by a person or agency to access utility or drainage easements or adjacent properties. The easement shall be permitted to be for use on said lot or lots.

(2) *Drainage* means that portion of land or property reserved for present or future storm water run-off. The easement shall be permitted to be for use under or on said lot or lots.

- (3) *Utility* means that portion of land or property reserved for present or future utility, such as electric, gas, water, etc. The easement shall be permitted to be for use under, on, or above a said lot or lots.

Environmental Protection Agency (EPA) means the federal agency responsible for the enforcement of the Clean Water Act.

Erosion means the process, by which soil particles are detached, transported and deposited by wind, water, ice, or gravity. The following terms are used to describe different types of erosion:

- (1) *Accelerated erosion* means erosion much more rapid than natural or geologic erosion, primarily as a result of human activities.
- (2) *Channel erosion* means the widening, deepening, and headward cutting of small channels and waterways due to erosion caused by moderate to large floods.
- (3) *Gully erosion* means the erosion process whereby runoff water accumulates in narrow channels, and, over relatively short time periods, removes the soil to considerable depths. When surface channels cannot be smoothed out by normal agricultural tillage operations, they are called gullies.
- (4) *Sheet erosion* means the gradual removal of a fairly uniform layer of soil from the land surface by runoff water.
- (5) *Shoreline erosion* means the loss of soil materials due to the wave action of a permanent waterbody such as a pond, lake, or ocean.
- (6) *Splash erosion*. The spattering of small soil particles caused by the impact of raindrops on wet soils. The loosened and spattered particles may or may not be subsequently removed by surface runoff.
- (7) *Rill erosion* means the erosion process whereby numerous small channels only several inches deep are formed. Commonly occurs on recently disturbed and exposed soils.
- (8) *Saltation* means the movement of soil particles by rolling or a series of short bounces along the ground surface due to the wind.
- (9) *Suspension* means the transport of soil particles by the wind for relatively long distances.

Erosion control means the prevention and/or reduction of soil particle movement. Erosion control reduces soil detachment, transport, and deposition.

Erosion control blanket means temporary or permanent fabricated materials that protect the soil and enhance the establishment of vegetation.

Erosion control revegetation mat (ECRM) means a permanent blanket made of synthetic material used for long-term protection against soil movement.

Erosion Control Technology Council (ECTC) means a division of the International Erosion Control Association, which develops standards and guidelines for products and testing of materials.

Erosion and sediment control plan means a set of plans, prepared by or under the direction of a licensed professional engineer, indicating specific measures and sequencing to be used controlling erosion and sediment on a development site before, during, and after construction.

Fabric. See “Geotextile.”

Fee means a refundable deposit placed with the City of Gladstone, to cover any cost associated with the repair or maintenance of the provisions of this chapter that are found in violation and not rectified by the owner.

Filter cloth. See “Geotextile.”

Geotextile (Fabric, Filter Cloth) means a woven or nonwoven water permeable material either natural or synthetic used to filter liquids and to prevent the movement of sediment, to separate different materials or to reinforce and strengthen them.

Ground cover means any vegetation producing a protective mat on or just above the soil surface. Usually refers to low-growing herbaceous plants.

Grading means the excavation or fill of material, including the resulting conditions thereof.

Gully erosion. See “Erosion.”

Land disturbance means any activity that changes the physical conditions of landform, vegetation and hydrology, creates bare soil, or otherwise may cause Erosion or sedimentation. Such activities include, but are not limited to, clearing, removal of vegetation, stripping, grading, grubbing, excavation, filling, logging and storing of materials.

Landscaping means the placement of sod, seed, trees, and other vegetation after final grading is complete.

Lot means a parcel of land occupied or to be occupied by one building, or unit group of buildings, and the accessory buildings or use customarily incident thereto.

Natural erosion means the natural influence of climatic forces on the surface of the earth.

Normal water level means the average summer water level. The free surface associated with flow in natural streams.

Owner means any person, agent, firm or corporation having a legal or equitable interest in the property.

Permanent seeding means the establishment of perennial vegetation on disturbed areas for periods longer than 12 months.

Permit means an official document or certificate issued by the authority having jurisdiction that authorizes performance of a specified activity.

Person means an individual, heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

Precipitation means a process by which water in liquid or solid state (rain, sleet, snow) is discharged out of the atmosphere upon a land or water surface.

Premises means a lot, plot or parcel of land, easement or public way, including any structures thereon.

Qualified design professional means someone who is trained and highly qualified in their field such as horticulturists, landscapers, various design specialists and technicians.

Registered design professional means a qualified design professional who is normally certified and/or degreed as an engineer, landscape architect, arborist, forester, biologist, erosion and sediment control specialist, etc.

Rill erosion. See "Erosion."

Rock check structures. See "Check Dam."

Scarify means roughing the land surface.

Scour means the clearing and digging action of flowing water, especially the erosion caused by stream water in sweeping away sediment from the streambed and outside bank of a curved channel.

Sediment means a mineral or organic material which, after being in suspension and transported from its original location by wind, water, gravity or ice, has come to rest in a new location.

Sheet erosion. See "Erosion."

Sheet flow means water flowing across wide, uniform area such as a highway, parking lot, or field.

Shoreline erosion. See "Erosion."

Silt means a deposition of sediment.

Silt fence means a temporary barrier consisting of a geotextile which is attached to supporting posts and trenched into the ground at the base. As the runoff water slowly filters through the geotextile, the sediment settles out on the uphill side of the silt fence.

Site means synonymous with job site.

Splash erosion. See “Erosion”

Stable means non-eroding.

Stormwater management means a master plan or systems approach to the planning of facilities, programs and management organizations for comprehensive control and use of stormwater within a defined geographical area.

Suspension. See “Erosion.”

Tenant means a person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

Temporary seeding means the establishment of fast-growing annual vegetation to provide economical erosion control for up to 12 months and to reduce the amount of sediment moving off the site.

Turf reinforcement mat (TRM) means a permanent synthetic erosion control blankets which resist erosion and reinforce the root zone of vegetation to allow heavier flows without losing the vegetation or underlying soil. Increases the ability for vegetation to resist the erosive force of flowing water.

Vegetation means plant life or total plant cover of an area.

Sec. 9.2200.040. Permit required; application.

(a) *Required*. A Land Disturbance Permit shall be required for any owner, tenant, contractor, or authorized agent who intends to do any activity that will cause land disturbance in an area greater than 200 square feet.

(b) *Exempt from permit*. Exemptions from permit requirements of this chapter shall not be deemed to grant authorization for the use to be in violation of the provisions of this chapter or any other laws or ordinances of the jurisdiction. Permits shall not be required for the following:

1. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
2. Existing nursery and agricultural operations conducted as a permitted main or accessory use, such as gardens and landscaping.

(c) *Application for permit.* To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the Department of Community Development for that purpose. Such application shall:

1. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed work.
2. Indicate the name of the owner/developer, their address, phone number(s); the contractor, contact person, address, phone number(s); and the registered design professional, contact name, address, and phone number(s).
3. Be accompanied by an erosion and sediment control plan and other information as required in Section 9.2200.050 et seq.
4. Each application shall include a statement that any land clearing, construction, or development involving the movement of earth shall be in accordance with the Erosion and Sediment Control Plan.
5. Be signed by the applicant, or the applicants authorized agent.
6. Give such other data and information as required by the building official.

(d) *Action on application.* The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time, per City policy, after filing. If the application or construction documents do not conform to the requirements or pertinent laws, the building official shall reject such application. If the building official is satisfied that the application and construction documents conform to the requirements of this chapter, codes, laws, and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

(e) *Time limitation of application.* An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(f) *Validity of permit.* The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this chapter or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this chapter or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on information given shall not prevent the building official from requiring the corrections of errors in the information given. The building official is also authorized to prevent land disturbance where in violation of this chapter or of any other ordinances of this jurisdiction.

(h) *Expiration.* Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days

after the time the work is commenced. The building official is authorized to grant in writing one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(i) *Suspension or revocation.* The building official is authorized to suspend or revoke a permit issued under the provisions of this chapter wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation, or any of the provisions of this chapter.

Sec. 9.2200.050. Erosion and Sediment Control Plan.

(a) *Submittal documents.*

- (1) Erosion and sediment control plan, special inspections and site observation programs, and other data shall be submitted in one or more sets with each application for a permit. A registered design professional shall prepare the erosion and sediment control plan. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.
- (2) Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this chapter.

(b) *Information on erosion and sediment control plan.* Erosion and sediment control plan shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Erosion and sediment control plan shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provision of this chapter and relevant laws, ordinances, rules and regulations, as determined by the building official and shall include the following:

1. A natural resources map identifying soils, forest cover, and resources protected under this chapter. (Map should be at a scale of no smaller than 1"=100')
2. A sequence of construction of the development site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.
3. All erosion and sediment control measures necessary to meet the objectives of this chapter throughout all phases of construction and after completion of development of the site. Depending upon the complexity of the project, the drafting of intermediate plans may be required at the close of each season.

4. Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilization application, and kind and quantity of mulching for both temporary and permanent vegetative control measures.

(c) *Design requirements.* Erosion and sediment control work for which a permit has been issued shall be in accordance with approved plan and the following design requirements:

1. Grading, erosion control practices, sediment control practices, and waterway crossings shall meet the design criteria of this chapter and relevant laws, ordinances, rules and regulations, and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the building official. Cut and fill slopes shall be no greater than 2:1.
2. Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.
3. Erosion control requirements shall include the following:
 - a. Soil stabilization shall be completed within 5 days of clearing or inactivity in construction.
 - b. If seeding or another vegetative erosion control method is used, it shall become established within 14 days or the building official may require the site to be reseeded or a nonvegetative option employed.
 - c. Soil stockpiles must be stabilized or covered at the end of each workday.
 - d. The entire site must be stabilized, using a heavy mulch layer or another method that does not require germination to control erosion, at the close of the construction season.
 - e. Techniques shall be employed to prevent the blowing of dust or sediment from the site.
 - f. Techniques that divert upland runoff past disturbed slopes shall be employed.
4. Sediment control requirements shall include:
 - a. Settling basins, sediment traps, or tanks and perimeter controls.
 - b. Protection for adjacent properties by the use of a vegetated buffer strip in combination with perimeter controls.
5. Waterway and watercourse protection requirements shall include:
 - a. A temporary stream crossing installed and approved by the building official if a wet watercourse will be crossed regularly during construction.
 - b. Stabilization of the watercourse channel before, during, and after any in-channel work.
 - c. Stabilization adequate to prevent erosion located at the outlets of all pipes and paved channels.

6. Construction site access requirements shall include:

- a. A temporary access road provided at all sites.
- b. Other measures required by the building official in order to ensure that construction vehicles do not track sediment onto public streets or washed into storm drains.

(d) *Site plan.* The erosion and sediment control plan submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from the lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazards areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot.

(e) *Examination of documents.* The building official shall examine or cause to be examined the accompanying erosion and sediment control plan and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this chapter and other pertinent laws or ordinances.

(f) *Amended erosion and sediment control plan.* Work shall be in accordance with the approved erosion and sediment control plan, and any changes made during construction that are not in compliance with the approved erosion and sediment control plan shall be resubmitted for approval as an amended set of erosion and sediment control plan.

Sec. 9.2200.060. Fees.

(a) *Payment of fees.* A permit shall not be valid until deposits as set for in Sections 9.2200.060 et seq., have been paid.

(b) *Subdivision developments.* A deposit of \$50.00 per lot shall be paid to the City prior to issuance of any permits. Deposit of this type will be refunded after all lots have been sold in the subdivision and in which the owner(s) have paid their deposit as required by Section 9.2200.060 et seq. The refund must be requested in writing to the building official for approval and processing within 12 months of approval of final inspection or the deposit is forfeited to the City of Gladstone.

(c) *Residential lots.* A deposit of \$500.00 per lot shall be paid to the City prior to issuance of any permits. Deposit of this type will be refunded after a certificate of occupancy and/or a passing final inspection has been issued for all permits associated with said lot. The refund must be requested in writing to the building official for approval and processing within 12 months of approval of final inspection or the deposit is forfeited to the City of Gladstone.

(d) *Commercial developments.* A deposit of \$5,000.00 per lot/tract shall be paid to the City prior to issuance of any permits. Deposit of this type will be refunded after a

certificate of occupancy and/or a passing final inspection has been issued for all permits associated with said lot/tract. The refund must be requested in writing to the building official for approval and processing within 12 month of approval of final inspection or the deposit is forfeited to the City of Gladstone.

(e) *Forfeiture of deposit.* The deposits required, as set forth herein shall be forfeited to the City upon the permit holder not correcting any violation as prescribed in Section 9.2200.080 et seq., within prescribed time as set forth thereto.

(f) *Subsequent violations fees.* The second and any subsequent violations of this chapter, the permit holder shall forfeit \$100.00 of required deposit to the City for administrative fees and the deposits required, as set forth herein shall be forfeited to the City upon the permit holder not correcting any violations as prescribed in Section 9.2200.080 et seq. within prescribed time as set forth thereto.

Sec. 9.2200.070. Inspections.

(a) *Generally.* Erosion and sediment control work for which a permit is required shall be subject to inspections by the building official or designated agent who shall make inspections as hereinafter required and either shall approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the erosion and sediment control plan as approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this chapter or other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this chapter or other ordinances of the jurisdiction shall not be valid.

(b) *Required inspections.* The building official, upon notification shall make the inspections as set forth:

1. Start of construction
2. Installation of sediment and erosion measures
3. Completion of site clearing
4. Completion of rough grading
5. Completion of final grading
6. Close of the construction season and at the restart of construction season
7. Completion of final landscaping

(c) *Inspection request.* It shall be the duty of the holder of the land disturbance permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access and means for inspection of such work that are required by this chapter.

(d) *Approval required.* Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspection and shall either

indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this chapter. Any portion that does not comply shall be corrected and such portion shall not proceed until authorized by the building official.

Sec. 9.2200.080. Enforcement.

(a) *Stop work order; revocation of permit.* In the event that any person holding a land disturbance permit pursuant to this chapter violates the terms of the permit, implements, or maintains site development in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, and has not corrected such violation within 48 hours of notification, the building official may suspend or revoke the land disturbance permit and any or all other permits associated with the site; and will take measures to have the violations corrected at the expenses of the permit holder. No work hereafter shall commence until the permit holder complies with the following:

1. If the erosion control measures that the City took exceeds the required deposit, the permit holder shall pay the difference.
2. The Permit holder shall pay a new deposit as set forth in Section 9.2200.060 et seq.

(b) *Form of notification.* Notification of violation shall be by one or more of the following:

1. Phone call (leaving message on an answering machine or voice mail shall be considered as if spoken to permit holder).
2. Written notice mailed, faxed, e-mailed, or served.
3. Posting of property.
4. Verbal notification in person with permit holder.

(c) *Responsibility of City.* Upon inspection, if a violation is noticed, it is the responsibility of the City to notify the permit holder as soon as possible, take pictures of the violation(s), and create and maintain a written record of the violation(s).

Sec. 9.2200.090. Violations.

(a) *Unlawful acts.* It shall be unlawful for any person, firm or corporation to construct, enlarge, alter, repair, or maintain any grading, excavation, or fill, or cause the same to be done contrary to or in violation of any provisions of this chapter.

(b) *Violation: penalties.* Any person who violates a provision of this chapter or fails to comply with any order made there under, or any certificate or permit issued there under, from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by the board of appeals, or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and

noncompliance respectively, be guilty of a misdemeanor, punishable as provided in 1.100.140 of this code. The imposition of one penalty for any violation shall not excuse the violation, or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that a prohibited condition is maintained shall constitute a separate offense.

Sec. 1.100.140. General penalty.

(a) Except as hereinafter provided, whenever in this Code or any other ordinance of the city or in any rule, regulation or order promulgated pursuant to such Code or other ordinance of the city any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such Code or in such other city ordinance, rule, regulation or order the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or of any other ordinance of the city or of any rule, regulation or order promulgated pursuant to such Code or other city ordinance shall be punished by a fine not exceeding \$500.00, or by imprisonment for a period of not exceeding 90 days, or by both such fine and imprisonment.

(b) Whenever any provision of the Revised Statutes of Missouri or other statute of the state limits the authority of the city to punish the violation of any particular provision of this Code or other city ordinance or rule, regulation or order promulgated pursuant thereto to a fine of less amount than that provided in this section or imprisonment for a shorter term than that provided in this section, then the violation of such particular provision of this Code or other city ordinance, rule, regulation or order shall be punished by the imposition of not more than the maximum fine or imprisonment so authorized or by both such fine and imprisonment.

(c) Each day any violation of this Code or any other city ordinance or rule, regulation or order promulgated pursuant thereto shall continue shall constitute a separate offense, unless otherwise provided.

(Code 1974, § 1-9)

State law references: Authority of third class cities to prescribe penalties, RSMo 77.590.