

Placement of Fill Dirt on Property Requires a Permit

In 2014, the City adopted rules requiring receipt of a permit to excavate or place fill on a lot. When excavating or placing fill on a property, the City requires the following.

Application Requirements

1. Application Fee as set by resolution of the City Council. Typically, this fee would be \$75 unless located within a flood zone then the fee would be \$90.
2. A site plan or sketch including: plan view and cross-section of the excavation and/or fill areas; amount of excavated material to be removed from or fill material to be brought to the property; method of excavation and/or fill; and safety/security measures.
3. For a single family or mobile home lot of record, sod or seed shall be placed over all disturbed areas and compliance with the tree mitigation requirements of the Land Development Code shall be completed within six months of the end of the approved time frame for the excavation and/or fill operation.
4. Side slopes shall not be greater than one foot vertical to three feet horizontal.
5. Hours of operation shall be restricted to between 7:00 a.m. to 5:00 p.m. Monday through Friday.
6. If contractors are to be utilized, they shall hold either a specialty license as an excavation contractor or a state general contractor's license.
7. Excavation shall be prohibited within 2,000 feet of a public water supply well.
8. If the property is not owned or is owned only in part by the applicant, a notarized letter must accompany the application giving written consent by all property owners of the subject property.
9. All stormwater runoff must be directed to the road or alleyway and all fill must remain on the subject property.

Recent availability of inexpensive fill has allowed many homeowners to obtain fill for their property. If fill is placed on a property without having first obtained a permit, Code Enforcement action will commence and all application fees will be double. In addition, fines may also be imposed as well as costs of the Code Enforcement action.

For vacant lots without driveway culverts, access to the property must also be permitted. A permit for a permanent or temporary culvert may be obtained. A temporary culvert may be installed without headwalls and can remain in place for six months with up to a six month extension. The cost of a temporary culvert permit is \$75. A permanent culvert requires the pipe be placed at a specific elevation to be provided by the City and installation of concrete end walls. The cost of a permanent culvert is \$150 if the City can set the elevations or \$750 if a survey firm must be hired by the City to set the elevation.

If you have recently obtained fill for your property and have not obtained the required permits, please obtain a permit at your earliest opportunity. If Code Enforcement action commences prior to issuance of a permit, fees will be doubled and fines and costs may be imposed.

For additional information, contact the Community Development Department at 772-646-6314.