

SANGAMON COUNTY, ILLINOIS

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ORDINANCE  
NUMBER 17-44

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**AN ORDINANCE ADOPTING EROSION CONTROL REGULATIONS FOR  
DEVELOPMENT DISTURBANCES WITHIN THE VILLAGE THAT ARE LESS THAN  
ONE ACRE IN SIZE**

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Village Trustees

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Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

ORDINANCE NO. 17- 44

**AN ORDINANCE ADOPTING EROSION CONTROL REGULATIONS FOR  
DEVELOPMENT DISTURBANCES WITHIN THE VILLAGE THAT ARE LESS THAN  
ONE ACRE IN SIZE**

**WHEREAS**, the Village of Chatham, Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois; and,

**WHEREAS**, the Village Board desires to update its Building Regulations ordinance to better control erosion throughout the Village and protect against unnecessary sedimentary discharge into its storm sewers; and,

**WHEREAS**, the Village Board finds it in the best interests of the Village to modify its Building Regulations by adopting erosion control requirements for disturbances less than one acre in size; and,

**WHEREAS**, the Village Board of Trustees and the President of the Village of Chatham believe it is in the best interests of the Village to amend the Village Code as outlined in this Ordinance.

**NOW THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Chatham, Sangamon County, Illinois, as follows:

**Section 1. Recitals.** The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**Section 2. Amending the Village Code by adding Section 150.34 through Section 150.99 Erosion Control Standards for disturbances that are less than one acre in size – Administration and Enforcement.** Section 150.34 of the Village Code is hereby added as follows (added; ~~deleted~~):

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## **Article I. – GENERAL PROVISIONS**

### **150.34 - Purpose**

(A) Findings. The Village of Chatham finds that during construction, soil is highly vulnerable to erosion and that runoff from construction sites can carry a significant amount of sediment and other pollutants to the waters, rights-of-way and adjoining properties of the State, County and this Village.

(B) Purpose and Intent. The purpose and intent of this chapter is to promote and protect the property, health, safety and general welfare of the citizens of Chatham and associated downstream tributaries by:

(1) Managing and controlling the amount of pollutants in storm water discharges, soil erosion, sediment discharge, and mud and dirt deposits on public roadways caused by or as a result of construction activities, land disturbing activities or floodplain development activities;

(2) Ensuring that adequate drainage, storm water management and soil conservation measures are utilized at the site of any construction activity;

(3) Protecting storm water, ground water, water bodies, watercourses, and wetlands pursuant to and consistent with the Clean Water Act and the National Pollutant Discharge Elimination System (NPDES) permit granted to the Village of Chatham for discharges from small Municipal Separate Storm Sewer Systems (MS4);

(4) Enhancing and preserving the quality and value of our resources by minimizing erosion and sedimentation from construction sites.

### **150.35 – Jurisdiction**

These Sections of The Village's Building Regulations apply to land development and land disturbing activities on lands within the corporate boundaries of the Village of Chatham, Illinois and within 1.5 miles of said corporate boundaries.

### **150.36 – Definitions**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Agricultural land use. Use of land for planting, growing, cultivating, and harvesting of crops for human or livestock consumption and pasturing or yarding of livestock.

Applicant. Builder or Builder's designee.

Best management practices (BMP). Those practices as described in the most current edition of the "Illinois Urban Manual" to control erosion and sedimentation.

Clearing. Any activity that removes the vegetative surface cover.

Construction. Any land development, land disturbing or floodplain development activity.

Control measure. A practice or combination of practices to control erosion and sedimentation pollution.

Drainage way. Any natural or artificial watercourse, storm sewer, trench, channel, ditch, swale or similar depression into which surface water flows.

Emergency activity. Any activity that is immediately necessary for the protection of life, property or natural resources.

Erosion. The detachment and movement of soil, sediment or rock fragments by water, wind, ice, gravity and mechanical/construction activities.

Erosion control plan. A written description and drawing of the number, location, and size of BMPs and other pertinent information designed to meet the requirements of this chapter submitted by the applicant for review and approval.

Final Inspection Certificate. A document issued by the Village of Chatham's Code Enforcement Officer, or his/her designee, which states that all final inspections of a residential building have been completed.

Final stabilization. The occurrence of all of the following: (1) all land disturbing activities at the site have been completed; (2) no areas of active erosion are evident; (3) all temporary erosion control measures are removed; (4) the plan of final site conditions has been met; and (5) a permanent perennial vegetative cover with a uniform density of 75% of the cover for the area has been established or equivalent permanent stabilization measures have been employed.

Floodplain development activity. An activity in a special flood hazard area as defined in the Village of Chatham Code of Ordinances, including, but not limited to, construction, filling and excavating.

Illinois Urban Manual. The manual prepared by the USDA Natural Resources Conservation Service for the Illinois Environmental Protection Agency as technical reference for developers, planners, engineers, government officials and others involved in land use planning, building site development, and natural resource conservation in rural and urban communities and developing areas.

Land disturbing activity. Any earth moving activity that results in the stripping of at least 25% of the permanent perennial vegetative cover density for the area.

Permittee. The applicant in whose name a valid erosion control permit is duly issued pursuant to this chapter and any agents, employees, or others acting under the direction of the applicant.

Property Owner. The person(s) or legal entity that holds title to the underlying real estate.

Runoff. The rainfall, snowmelt, or irrigation water or ground water flowing over the ground surface.

Site. The entire area included in the legal description of the land upon which the disturbing or land development activity is proposed.

Stop work order. An order issued by the Code Enforcement Officer or his/her designee when work is being performed without an erosion control permit or when a notice of violation of corrective action has not been completed in the specified time.

Village. The Village of Chatham, Illinois.

Village engineer. The consulting engineer assigned to the Village of Chatham, Illinois.

## **Article II. EROSION CONTROL PERMIT**

### **150.37 – Applicability**

(A) This chapter applies to the following types of land development or land disturbance activities. The following activities require an erosion control permit:

(1) Any land disturbing activity affecting a surface of 2,500 square feet or more, but less than 1 acre, including building, driveways and other paved surfaces.

(2) Excavation and/or filling 100 cubic yards or more of ground, sand, or other excavation or fill material.

(3) Any land disturbing activity occurring on any size of land area for which a flood development permit is required.

(4) Street, highway, road or bridge construction, enlargement, relocation or reconstruction.

(5) Laying, repairing, replacing or enlarging an underground pipe, wire, cable, or facility for a distance of 300 feet or more.

(6) Disturbing any size land area on slopes greater than 12 percent grade.

(7) Other activities that pose a serious erosion or water pollution risk as determined by the Village of Chatham's Code of ordinances.

(B) This chapter shall not apply, and no erosion control permit is required for the following activities:

(1) Agricultural land use.

(2) Gardening.

(3) Landscaping modifications except as part of a project for which a permit is required.

(4) Harvesting of trees.

(5) A land disturbing activity affecting less than 2,500 square feet.

(6) Excavation or filling of less than 100 cubic yards.

(7) Underground pipe and cable work for a distance of less than 300 continuous feet.

(8) Emergency activities.

(9) Village construction activities affecting less than 2,500 square feet.

(10) Land disturbing activities greater than 1 acre in size.

#### **150.38 – Permit Application**

(A) Areas under one acre. Before acquiring a building permit the applicant must submit an erosion control plan. The plan should be a drawing or sketch of the erosion control best management practices (BMPs) on the available form as required by this chapter, and pay the permit fee to the Village of Chatham. The erosion control general guidelines are listed in "Attachment A" of this Ordinance. Within one week of receipt, the Village of Chatham Code Enforcement Officer, shall approve the plan, or notify the applicant by phone, email or mail, the deficiencies that must be corrected concerning the erosion control plan. The review time will be one week for each re-submittal until such time the erosion control plan is approved. A building permit shall not be issued until such time that the erosion control plan is approved.

(B) Areas one acre or more. Owners and developers of one acre or more of real property within the Village limits, of which land disturbing activities are anticipated, are required to apply for and receive the required NPDES permit through the IEPA. This is covered specifically within the Village of Chatham's Land Subdivision Ordinance book (revised 2016), under section 155.094 Erosion and Sediment Control and 155.096 Surface Water Drainage.

#### **150.39 – Fees**

Upon submittal of the erosion control plan (sketch/drawing) for one acre or less, a fee of \$75.00 must be paid to the Village of Chatham. This fee may be modified from time to time by approval of the Village Board of Trustees.

#### **150.40 – Permits**

The erosion control plan, once it is approved, will be valid for the entirety of the construction of said lot and may be revoked and/or suspended for failure to comply with the Village Building Code Section 150 as amended. Revocation and suspension shall be in accordance with the Village Code of Ordinances, as amended.

#### **150.41 – Conditions of permit**

(A) All erosion control plans require the permittee to:

(1) Provide erosion control plans for disturbance areas less than one acre; the plans may be hand-sketched, but must be legible.

(2) Install all erosion control measures as identified in the erosion control plan in proper sequence.

(3) Install and stabilize all erosion control measures before beginning any clearing, land development or land disturbing activities.

(4) Submit documentation of any modifications to the erosion control plan to the Code Enforcement Officer.

(5) Allow for a visual inspection by the Village of in place perimeter BMPs. This will take place concurrently with the lot stake out inspection. The BMP requirements are listed in "Attachment A".

(6) Immediately repair any damaged or deficient erosion control measures.

(7) Inspect and complete a record of the site conditions and the constructed erosion and sediment control measures at least once a week, and after each rain event of 0.5 inches or more within a 24-hour period. Records of inspections and repairs shall be kept on site by the permittee and shall be provided for inspection immediately upon request by the Code Enforcement Officer, the Village engineer or their designees.

(8) Allow the Code Enforcement Officer, or his/her designees to enter the site for the purpose of inspecting compliance with the erosion control plan or directing the permittee to perform any work necessary to bring the site into compliance with the approved erosion control plan.

(9) Maintain a copy of the erosion control plan on site, which is accessible to the Code Enforcement Officer or his/her designees.

#### **150.42 – Erosion control plan completion notice**

The Code Enforcement Officer or designee shall issue an erosion control completion notice in accordance with the following procedures when disturbed areas have achieved final stabilization.

The permittee or landowner shall notify the Code Enforcement Officer or designee, in writing, that construction and final stabilization is complete. The written notification shall request an inspection. Within two working days, weather permitting, the Code Enforcement Officer or designee, shall inspect the site to determine if all of the conditions of the erosion control plan have been met and if final stabilization is complete. If the site is satisfactory, an erosion control plan completion notice shall be issued. If conditions are not satisfactory, the inspector shall list the deficiencies and the required corrective action. Once corrective actions have been completed, the permittee shall request, in writing, another inspection. Within two working days, weather permitting, the site shall be inspected and if the deficiencies are corrected satisfactorily an erosion control plan completion notice shall be issued. If the erosion control measures have been implemented correctly throughout the project, and the weather conditions associated with the time of year prevent establishment of final stabilization, a temporary Final Inspection Certificate may be issued.

### **Article III. – Erosion Control Plan**

#### **150.43 - Requirements**

(A) *Erosion control plans for areas less than one acre.* The erosion control plan does not require signature and seal of a licensed design professional. The erosion control plan shall include the following items:

(1) Site location and boundary, including dimensions.

(2) Location of existing features, including but not limited to, waterways, drainage swales, roadside ditches, curb and gutter or edge of pavement and sanitary and storm sewer structures.

(3) Location of proposed structures.

(4) Spot elevations, existing and proposed, at a minimum, for the following: edge of pavement or curb and gutter, property corners, slope changes and finished floor elevation of structures.

(5) Location and dimensions of erosion control measures, including but not limited to, perimeter erosion control barrier, inlet protection, stabilized construction entrance and concrete washout/containment area.



(6) Name, address and phone number of the permittee.

(B) General criteria, standards and specifications. All erosion control measures required as part of any erosion control plan shall comply with the design criteria, standards and specifications identified in the most recent addition of the Natural Resources Conservation Service Illinois Urban Manual and most recent edition of Illinois Department of Transportation Standard Specifications of Road and Bridge Construction. The following standards and design elements are required and should be addressed in all erosion control plans:

(1) Erosion control sequence plan. All land disturbance activities including temporary erosion control best management practices, permanent vegetative cover and the various stages or phases of earth disturbance and construction shall follow a chronological sequence as shown on the erosion control plan.

(2) Phasing plan. A phasing plan of land development shall be required for all sites. The area and schedule for each phase shall be shown.

(3) Waste and material disposal. All waste and unused building materials (including garbage, cleaning wastes, wastewater, toxic materials, or hazardous materials) shall be disposed of following all federal, state, and local regulations.

(4) Stabilized Construction entrance. Each site shall have a stabilized construction entrance installed to prevent sediment from being tracked onto public and private roadways.

(5) Culvert and inlet protection. All on site storm culverts and inlets, and the impacted off-site downstream culverts and inlets shall be protected with appropriate best management practices.

(6) Runoff control. Runoff from the entire disturbed area from the site shall be controlled by all appropriate best management practices. If a channel or area of concentrated runoff passes through or adjacent to the site, silt fences shall be placed along the channel edges. Attention shall be given to the land area and slopes to be controlled before choosing an appropriate best management practices.

(7) Sediment cleanup. All off-site sediment deposits occurring as a result of land disturbing activities shall be cleaned up by the applicant before the end of each work day. Flushing may not be used as a cleanup method.

(8) Disturbance timing. Removal of existing vegetation shall be at a minimum. Existing vegetation shall be maintained until removal is necessary based upon each phase of construction. Appropriate best management practices shall be constructed prior to any land disturbance. Permanent vegetation shall be established as soon as practical after each phase of work on the site.

(9) Temporary stabilization. Disturbed soil to be left inactive for more than 14 calendar days stabilized by mulching, temporary seeding, sodding, covering with tarps, or equivalent control measures.

(10) Soil and material storage pile(s). Soil and material storage pile(s) containing more than 10 cubic yards of material shall not be located in a 100-year floodplain and must be at least 25 feet from a roadway ditch or drainage channel. If the storage pile(s) remain(s) for 14 or more calendar days, the perimeter shall be stabilized utilizing appropriate best management practices. At no time should soil or material piles block sight lines at roadway intersections or sidewalks, or run out into street(s), ditch(es) or adjacent properties(s).

(11) Channelized and sheet flow drainage. Channelized and sheet flow runoff from adjacent areas passing through the site shall be diverted around disturbed areas, if practical, and the channel shall be protected. Diverted runoff shall be conveyed in a manner that will not erode the conveyance and receiving channels. If diversion of channelized flow and/or sheet flow is impractical, the flow shall be controlled through appropriate best management practices to prevent erosion and carrying off of sediment and pollutants.

(12) Steep slope conditions. Sites with slopes of 12 percent or more shall require the use of additional best management practices i.e., erosion blanket(s)/pipe drain(s).

(13) Site dewatering. Water pumped from the site shall flow to a temporary sediment basin or other appropriate control designed for the highest dewater pumping rate to prevent sediment from leaving the sight. Water shall not be discharged in a manner that causes erosion of the site or receiving channels, nor should silt-laden water be pumped off-site.

(14) Final stabilization. The methods of final stabilization shall be identified. If seeding is to be used, the type of seed, rates and amount of seed shall be provided.

#### **ARTICLE IV. – MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES**

##### **150.44 – Maintenance.**

(A) All erosion and sediment control measures necessary to meet the requirements of these sections shall be maintained by the applicant during the period of land disturbance and land development activities in accordance with the standards of the Illinois Urban Manual in a satisfactory manner to ensure adequate performance of the erosion and sediment control measures until an erosion control plan completion notice is issued.

(B) The permittee shall immediately repair any sedimentation or erosion damage to property and drainage ways adjacent to the site resulting from land development and land disturbance activities.

(C) The permittee shall maintain and protect all on-site and off-site storm water drainage systems, drainage ways, floodplain and drainage easements as identified on the erosion control plan.

(D) The property owner shall be responsible for maintaining all erosion and sediment control measures necessary to meet the requirements of these Sections.

#### **150.45 – Inspection**

(A) The Village Code Enforcement Officer, engineers and/or designees will make inspections based on the following schedule:

(1) The erosion control plan will be checked for accuracy during the initial stake out inspection of the lot. If the erosion control BMPs are inadequate and do not coincide with the erosion control plan, the inspection will be failed and the permittee will need to remedy any deficiencies and have the site re-inspected before any land disturbance activity begins.

(2) Before the rough-in inspections (electrical, plumbing, mechanical, framing) are called in to the Village Utility office, the site will be checked for erosion control compliance. If the inspector finds inadequate erosion control BMPs, the Village will delay the notification of the inspectors for the rough-ins until the deficiencies have been remedied.

(3) Before the final inspections (electrical, plumbing, mechanical, framing) are called in to the Village Utility office, the site will be checked for erosion control compliance. If the inspector finds inadequate erosion control BMPs, the Village will delay the notification of the inspectors for the final inspections until the deficiencies have been remedied.

(4) Periodic inspections will be made throughout the life of the erosion control plan, including every time after a 0.5 inch or greater rainfall. Precipitation amounts in the Village of Chatham will be verified from the National Oceanic and Atmospheric Administration website at [www.weather.gov](http://www.weather.gov), “central Illinois Springfield Spaulding Dam 24 hour precipitation”. At any time the erosion control BMPs are inadequate the Code Enforcement Officer can issue a “Stop Work order” until such time that the deficiencies are remedied.

#### **ARTICLE V. – ENFORCEMENT and PENALTIES**

##### **150.46 - Notice of violation.**

(A) The Code Enforcement Officer shall issue a notice of violation if the erosion control plan is not being implemented or the conditions of the permit are not being met. The notice of violation shall state the violation, the corrective action necessary and the day by which the correction must be completed.

(B) If the corrective action specified in the notice of violation is not completed within (3) three calendar days, a stop work order may be issued. The Code Enforcement Officer shall

determine the extent of the order, which may include all work at the site except for the corrective action.

(C) If no reasonable effort at a corrective action is made within the specified time limit, or if immediate corrective action is necessary, the Code Enforcement Officer may cause the corrective action to be performed by Village employees and shall assess the actual and administrative costs of such performance against the permittee.

(D) A "Stop Work Order" may be issued at any time if work is being done without a valid, current or approved erosion control plan, or contrary to this code.

(E) Failure to obtain an approved erosion control plan for a land disturbance or land development activity, or a failure to comply with the requirements of the approved erosion control plan or the provisions of this chapter, shall be deemed a violation.

#### **150.47 – Enforcement**

(A) The Village of Chatham corporate authorities may bring an action to enforce compliance with the requirements of this chapter through either the administrative adjudication process in chapter 39 of this Code, or by filing an action in the circuit court. Such action may request an injunction requiring conformance with this chapter and such other order as the administrative hearing officer or court deem necessary to secure compliance with this chapter.

(B) Nothing herein shall prevent the Village of Chatham from seeking such other legal remedies available to prevent or remedy any violations of this chapter, including suspension and/or revocation of the approved erosion control plan.

(C) Final inspections of the structure and Final Inspection Certificates will not be issued:

(1) If there is any noncompliance with this chapter;

(2) If there is an injunction or other court order; and,

(3) If any fines are due and owing to the Village.

(D) No additional building permit for any property shall be issued to any applicant when the applicant is not in compliance with the requirements of this chapter.

#### **150.99. – Penalty**

(A) Any person who shall violate the provisions of this chapter or any code adopted by reference herein shall, upon conviction, be subject to a penalty not less than \$50.00 per day for a first offense ~~nor more than \$500.00 per day.~~ All second and subsequent offenses involving either the same property or permittee shall subject the person to a minimum penalty of \$75.00 and no more than \$750.00 per day. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. In addition to this penalty, the village may

utilize other statutory or common law remedies deemed appropriate by a court of law, including but not limited to injunctive relief, preliminary injunctive relief, and obtaining a temporary restraining order.

(B) The Building Code Administrator may in his discretion compromise minor violation of this chapter where the offender promptly corrects the condition constituting the violation; pays a fine of \$25; and pays the cost of a re-inspection fee as set forth in Appendix A.

(C) Any structure, fence, swimming pool or satellite dish, or any part thereof, constructed or maintained not in accordance with this chapter is hereby declared a nuisance, subject to abatement in accordance with law.

(D) The Village shall retain the right to refuse inspections and withhold occupancy permits pending compliance with this Chapter.

**Section 3. Severability.** In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

**Section 4. Repeal and Savings Clause.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this ordinance.

**Section 5. Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 12 day of September, 2017.

	YES	NO	ABSENT	PRESENT
TERRY FOUNTAIN	X			
BRETT GERGER	X			
NINA LINDHORST			X	
RYAN MANN	X			
MATT MAU			X	
PAUL SCHERSCHEL	X			

DAVE KIMSEY				
TOTAL	4	0	2	0

**APPROVED** by the President of the Village of Chatham, Illinois this 12 day of September, 2017.

  
Dave Kimsey, Village President

Attest:

  
Amy Dahlkamp, Village Clerk



## **Attachment A**

### **General Erosion Control Measures:**

(1) A Perimeter Erosion Barrier will be required for any lot anticipated to have excavation, grading or other earth disturbing activities. This barrier, consisting of either silt fence or linear wattles (rolled erosion control products) shall be placed along the perimeter of the lot or the area of disturbance, whichever is smaller. Generally, silt fence will be used in areas bordering adjacent lots or in rear yards where construction traffic is not anticipated to cross, and wattles will be used across the roadway frontage where construction traffic may require removal and reinstallation for certain activities. Wattles shall be connected to the corners of silt fence and shall be "hooked" adjacent to the stabilized construction entrance for the site. The Illinois Urban Manual provides recommended installation requirements for silt fences and wattles. Code 920 and Standards IUM -514 and IUM- 620 <http://www.aiswcd.org/illinois-urban-manual/practice-standards/>

(2) Should the permit holder have written approval to place excavated material on an adjacent empty lot, silt fence will be required around the stock pile as well. If the adjacent lot is used for placing spoil, then the erosion control measures will be inspected at the same time as the excavation activities occur. Upon removal of the stock piles, the areas disturbed shall be finish graded, seeded and mulched.

(3) Inlet Protection shall be used if there is an existing inlet, whether in the roadway or within the property boundaries, to prevent silt and debris from entering into the storm sewer system. Inlet filters shall be maintained on a daily basis and shall be kept free of debris and silt. Code 860 and 861 of the Illinois Manual shall be used in addition to Standards IL-560, IUM- 561C, and IUM-561D.

(4) A Temporary Concrete Washout Facility will be required for all construction activities requiring mortar or concrete. Sizing of this facility will be dependent upon the anticipated construction activities, however the following Illinois Urban Manual standards shall serve as a guideline for set up of the facility: Standard IUM 654B, IUM 654ET, and IUM 654SB. Signage is not required, however the permit holder shall be responsible for notifying all contractors and suppliers of this requirement, including masons for brick work. Upon completion of all concrete work, the washout facility and contents shall be properly disposed of offsite.

(5) A Construction Road Stabilization will be required for the site. This work/facility can be coordinated with the anticipated location of the final driveway location and serve as a base to remain in place. Sizing of the stabilization area shall be adequate to allow for sufficient vehicular access from the roadway to the building site as to avoid tracking dirt and mud on the public streets from vehicles entering and exiting the site. The permit holder shall encourage workers to use this construction road for access and parking during on-going work activities. Construction of this facility shall follow Standard IL-506 of the Illinois Urban Manual. Geotextile fabric is not required but may be necessary to avoid mud pumping through the rock should site conditions be wet and unstable.

(6) It is understood that certain construction operations, deliveries or weather conditions may prohibit complete containment of on-site erosion. Silt, soil, rocks, and debris shall be cleaned from the roadway, sidewalk, drainage swales, gutters, and inlets immediately upon identification or at the end of each working day, whichever occurs first. Debris shall be swept or shoveled, water shall not be used to "wash" off the street or facility to avoid washing silt downstream.

(7) Until such time that sod and final landscaping is in place and established, gutter downspouts with extensions will be required to prevent the erosion of the soil on the existing or adjacent lots. The downspout extensions may be routed to rear yard swales as an allowable discharge point, or perforated pipe can be used to dissipate the flow from the gutters as long as it is done so in a manner that does not cause erosion.

(8) Should the erosion control measures be installed incorrectly, or determined to be ineffective per the guidelines identified in the Illinois Urban Manual, or for the particular site conditions, the stake out inspection will be postponed and will be required to be re-scheduled by the permittee for re-examination prior to initiating excavation activities.

(9) Throughout the duration of the permit, erosion control measures shall be maintained or repaired during construction activities. Failure to do so will result in deferral of all subsequent inspections until such time that the permittee restores the site condition to a clean and operational condition. Repeated erosion control violations will result in a "Stop Work Order", in which all work, except for erosion control restoration activities, will be prohibited until compliance is achieved.