

16-12-2: **Permit Required** - A grading and excavation permit must be obtained prior to any person undertaking any earth-disturbing activity, including but not limited to grading, excavating, clearing of timber, vegetation or revegetation, or landscaping activity, if the area of the activity is:

- (1) More than **400** square feet of surface area.
- (2) An excavation or placement of earth greater than three **(3) feet in height or depth from original ground** levels, including test holes for percolation tests for the design of septic systems or soils tests for foundation structure designs; or
- (3) Final vegetation or revegetation of the entire surface of a septic or leach field system approved by the Summit County Department of Environmental Health, whether or not 400 square feet in area.

*No permit will be required for **emergency work**, as shall be defined by the regulations, or for activity covered by a valid building permit. Work not requiring a permit shall nevertheless conform to the regulations.*

16-12-3: **Financial Guarantee** - No permit application shall be approved unless the applicant shall have provided a financial guarantee of completion of grading and revegetation acceptable to the Town of Blue River. The amount of the guarantee shall be calculated on the basis of \$1.50 per square foot of disturbed area. "Disturbed area" means all adjacent and/or associated areas of disturbance or uprooting of trees or vegetation resulting from construction activity, including but not limited to new roads or parking areas; graded or run-over areas disturbed to provide materials, equipment or other storage needs; or any other, similar area determined by the Building Official to be disturbed.

In calculating the disturbed area, the Building Official shall exclude areas of completed construction, including but not limited to residence, garage, paved roads, sheds, patios, gazebos and decks. In the case of septic or leach field systems the entire area of disturbance, including areas containing the installed system, shall be included.

Note: Permits for excavation for purposes of Soil Percolation or Profile Testing Only do not require approval of the Planning and Zoning Commission. It is the responsibility of the person digging the hole(s) or the owner of the property upon which the hole(s) is dug to fill it in as soon as possible. Any such hole shall be covered whenever left unattended or, alternatively, access thereto shall be prevented by fence or other suitable structure. A \$150 deposit is required for each test, to be refunded upon satisfactory restoration of the site. [Town Code §18-1-20(a)] **Excavation of any kind other than the specified test hole(s) is not permitted.**

Permits for excavation for purposes of Septic System Replacement Only do not require approval of the Planning and Zoning Commission. These permits require a financial guarantee as above.

16-12-4: **Expiration** – Any permit issued under this article shall expire twelve months from the date of issue.

Note: Permits for excavation for purposes of Soil Percolation or Profile Testing expire sixty (60) days after issue, unless extended for good cause shown.