

1. GRADING, DRILLING, CLEARING, EXCAVATING, BACK-FILLING, SOIL STRIPPING, SOIL IMPORTING EXPORTING OR ANY OTHER FORM OF SOIL DISTURBANCE SHALL NOT COMMENCE UNTIL A TOWN OF PARKER GRADING/EXCAVATION PERMIT HAS BEEN ISSUED.
2. THE TOWN OF PARKER GRADING/EXCAVATION PERMIT IS VALID FOR A PERIOD OF 2 YEARS FROM THE DATE OF ISSUANCE. ANY LAPSE IN PERMIT COVERAGE MAY RESULT IN THE ISSUANCE OF A STOP WORK ORDER AND/OR FINES.
3. ALL EROSION AND SEDIMENT CONTROL BMPS SHALL BE INSTALLED ACCORDING TO THE CBMP PLAN INSTALLATION NOTES AND DETAILS AND/OR PERMITTED VARIANCES. ALL MATERIALS, WORKMANSHIP AND INSTALLATION METHODS ARE SUBJECT TO INSPECTION BY THE TOWN'S INSPECTOR. THE TOWN OF PARKER RESERVES THE RIGHT TO ACCEPT OR REJECT ANY SUCH MATERIALS, WORKMANSHIP AND/OR INSTALLATION METHODS THAT DO NOT CONFORM TO THE CBMP PLAN AND/OR PERMITTED VARIANCES.
4. THE EROSION CONTROL SUPERVISOR SHALL REVISE OR MODIFY THE EROSION AND SEDIMENT CONTROL MEASURES IF IT BECOMES APPARENT THAT THE ORIGINAL PLAN IS INADEQUATE, OR AS A RESULT OF DEFICIENCIES IDENTIFIED DURING INSPECTIONS PERFORMED BY THE TOWN'S INSPECTOR.
5. THE INSTALLATION OF ADDITIONAL EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES (BMPS) MAY BE REQUIRED OF THE EROSION CONTROL SUPERVISOR, PROPERTY OWNER, SITE DEVELOPER, CONTRACTOR AND/OR THEIR AUTHORIZED AGENTS AT ANY TIME THROUGHOUT THE DURATION OF THE PROJECT CONSTRUCTION AND/OR SUBSEQUENT REVEGETATION PERIOD.
6. THE EROSION CONTROL SUPERVISOR SHALL BE RESPONSIBLE FOR ENSURING THAT THE SITE REMAINS IN COMPLIANCE WITH THE NOTICE OF NUISANCE REPORTS (a.k.a, CONSTRUCTION SITE RUNOFF CONTROL INSPECTION REPORTS), APPROVED CBMP PLAN(S) AND THE TOWN OF PARKER STORM DRAINAGE AND ENVIRONMENTAL CRITERIA MANUAL.
7. THE EROSION CONTROL SUPERVISOR SHALL BE READILY AVAILABLE TO DISCUSS AND CORRECT ANY PROBLEMS THAT MAY ARISE RELATING TO GRADING, EROSION AND SEDIMENT CONTROL.
8. IF IT IS ANTICIPATED THAT ALL OR A PORTION OF THE PROJECT WILL OCCUR DURING SEASONS SUSCEPTIBLE TO SNOWFALL, THE USE OF CERTAIN EROSION AND SEDIMENT CONTROL BMPS ADJACENT TO PUBLIC ROADWAYS MAY NEED TO BE RECONSIDERED DUE TO THE NATURE OF SNOW REMOVAL OPERATIONS. AN APPROVED ALTERNATIVE MAY BE NECESSARY TO MINIMIZE DAMAGE FROM THESE OPERATIONS. THE TOWN OF PARKER ASSUMES NO RESPONSIBILITY FOR DAMAGE TO ANY BMPS AS A RESULT OF SNOW PLOWING AND SNOW REMOVAL.
9. AREAS OF LAND DISTURBANCE EQUAL TO 40 ACRES OR GREATER SHALL NOT BE EXPOSED FOR MORE THAN 30 CONSECUTIVE DAYS WITHOUT TEMPORARY OR PERMANENT STABILIZATION.
10. AUTHORIZED EXEMPTIONS MAY BE ALLOWED TO THE 40-ACRE LIMIT FOR REMOVAL AND STORAGE OF CUT MATERIAL WHERE (A) GEOTECHNICAL LIMITATIONS RESTRICT THE USE OF TEMPORARY OR PERMANENT STABILIZATION OF THE STORED MATERIAL (E.G., SWELLING SOILS, ROCK) AND (B) WHEN THE OWNER CAN DEMONSTRATE THAT THE 40-ACRE LIMIT IS PHYSICALLY AND/OR FINANCIALLY IMPRACTICABLE. FOR SITES GRANTED THIS EXEMPTION, A PHASING AND EARTHWORK QUANTITIES PLAN SHALL BE SUBMITTED TO THE PUBLIC WORKS DEPARTMENT AND APPROVED PRIOR TO THE COMMENCEMENT OF LAND DISTURBANCE ACTIVITIES. SUBMITTAL REQUIREMENTS INCLUDE:
  - (I) PHASING PLAN SHOWING CUT AND FILL VOLUMES AND LOCATIONS FOR EACH PHASE AND PROJECT TOTALS.
  - (II) EARTHWORK QUANTITY PLAN SHOWING CUT AND FILL VOLUMES AND LOCATIONS FOR EACH PHASE AND PROJECT TOTALS.
  - (III) BMP PLAN SHOWING SPECIFIC EROSION AND SEDIMENT CONTROLS FOR EACH PHASE.

11. ANY EROSION AND SEDIMENT CONTROL BMPs THAT ARE DAMAGED OR IN NEED OF MAINTENANCE OR REPLACEMENT SHALL BE CORRECTED AS SOON AS POSSIBLE, IMMEDIATELY IN MOST CASES.
12. ALL DEFICIENCIES LISTED ON THE NOTICE OF NUISANCE FORM SHALL BE COMPLETED AS SOON AS POSSIBLE, IMMEDIATELY IN MOST CASES. ALL REQUIRED ACTIONS MUST BE IN THE CORRECTED FORM DURING THE FOLLOW-UP INSPECTION.
13. THE EROSION CONTROL SUPERVISOR IS RESPONSIBLE FOR ENSURING THAT ALL STREETS, CURBS, GUTTERS, SIDEWALKS, DRIVEWAYS, PARKING LOTS, ALLEYS, TRICKLE CHANNELS, AND/OR OTHER IMPERVIOUS SURFACES IMPACTED BY CONSTRUCTION ACTIVITIES ARE THOROUGHLY CLEANED THROUGHOUT THE DAY IF THEY BECOME SOILED. THESE AREAS MUST ALSO BE THOROUGHLY CLEAN BEFORE THE END OF THE WORK DAY.
14. BULK STORAGE STRUCTURES FOR PETROLEUM PRODUCTS AND OTHER CHEMICALS SHALL HAVE ADEQUATE PROTECTION SO AS TO CONTAIN ALL SPILLS AND PREVENT ANY SPILLED MATERIAL FROM ENTERING STATE WATERS.
15. ALL TRASH RECEPTACLES ON SITE SHALL BE FREE OF HOLES, CRACKS, GAPS, AND/OR OTHER PERMEABLE AREAS THAT MAY ALLOW FOR THE DISCHARGE OF POLLUTANTS.
16. ALL TRASH RECEPTACLES ON SITE SHALL BE EMPTIED AT A FREQUENCY AS TO ENSURE THAT THE TRASH REMAINS CONFINED TO THE RECEPTACLE.
17. ALL LOOSE TRASH AND LITTER ASSOCIATED WITH THE PROJECT MUST BE REMOVED AND PROPERLY DISCARDED ON A DAILY BASIS.
18. ALL PORTABLE TOILETS SHALL BE STAKED DOWN AT ALL TIMES USING U-SHAPED REBAR STAKES. THE PORTABLE TOILETS SHALL ALSO BE PLACED A MINIMUM DISTANCE OF 10 FEET FROM ALL IMPERVIOUS SURFACES, INCLUDING, BUT NOT LIMITED TO STREETS CURBS, GUTTERS, SIDEWALKS AND PARKING LOTS.
19. THE EROSION CONTROL SUPERVISOR SHALL MAINTAIN STRICT ADHERENCE TO THE LIMITS OF CONSTRUCTION AND PROPERTY LIMITS FOR ALL MATERIALS, VEHICLES AND EQUIPMENT. FAILURE TO ABIDE BY THIS REQUIREMENT MAY RESULT IN THE ISSUANCE OF A STOP WORK ORDER.
20. ALL CONSTRUCTION TRAFFIC MUST ENTER AND EXIT THE SITE THROUGH THE APPROVED ACCESS POINT(S). A VEHICLE TRACKING CONTROL PAD IS REQUIRED AT ALL APPROVED ACCESS POINTS TO THE SITE. EXCEPTIONS MAY BE CONSIDERED FOR CONSTRUCTION ACTIVITY OCCURRING IMMEDIATELY ADJACENT TO PAVED AREAS AND WHERE ALTERNATIVE BMP'S ARE IMPLEMENTED. SUCH ACTIVITY MAY INCLUDE, BUT NOT BE LIMITED TO RESIDENTIAL CONSTRUCTION, UTILITY CONSTRUCTION, ETC.
21. NO PERMANENT SLOPES GREATER THAN 3:1 ARE ALLOWED.
22. ALL PERMANENT SLOPES STEEPER THAN 4:1 (HORIZONTAL TO VERTICAL) SHALL REQUIRE EROSION CONTROL BLANKET(S). TEMPORARY SLOPES IN TEMPORARY SEDIMENT BASINS THAT ARE STEEPER THAN 4:1 MAY REQUIRE EROSION CONTROL BLANKETS.
23. THE EROSION CONTROL SUPERVISOR SHALL BE RESPONSIBLE FOR CORRECTING ANY ADVERSE IMPACTS THAT OCCUR TO NEIGHBORING PROPERTIES. THE EROSION CONTROL SUPERVISOR MUST OBTAIN PERMISSION FROM LAND OWNERS PRIOR TO ENTERING SUCH PROPERTY.
24. A WATER SOURCE SHALL BE AVAILABLE ONSITE DURING CONSTRUCTION ACTIVITIES, AND UTILIZED TO MINIMIZE FUGITIVE DUST. ALTERNATIVE BMPs MAY BE REQUIRED IF INITIAL ATTEMPTS TO SUPPRESS DUST ARE UNSUCCESSFUL.

25. ALL CHEMICAL OR HAZARDOUS MATERIAL SPILLS, INCLUDING CONCRETE WASHOUT WATER, WHICH MAY ENTER WATERS OF THE STATE OF COLORADO, WHICH INCLUDES BUT ARE NOT LIMITED TO, SURFACE WATER, GROUND WATER, DRY GULLIES OR STORM SEWERS LEADING TO SURFACE WATER, SHALL BE IMMEDIATELY REPORTED TO THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT (CDPHE) PER 25-8-601, AND THE TOWN OF PARKER. RELEASES OF PETROLEUM PRODUCTS AND CERTAIN HAZARDOUS SUBSTANCES LISTED UNDER THE FEDERAL CLEAN WATER ACT (40 CFR PART 116) MUST BE REPORTED TO THE NATIONAL RESPONSE CENTER AND THE CDPHE. SPILLS THAT POSE AN IMMEDIATE SAFETY HAZARD SHALL BE REPORTED TO 911.
26. THE CLEANING OF CONCRETE TRUCKS AND EQUIPMENT IS RESTRICTED TO THE APPROVED CONCRETE WASHOUT LOCATION ON THE JOB SITE. CONCRETE WASH WATER SHALL NOT BE DISCHARGED TO STATE WATERS OR STORM SEWER SYSTEMS.
27. VEHICLE AND EQUIPMENT DEGREASING IS PROHIBITED ON THE JOB SITE.
28. ALL DEWATERING ON SITE SHALL BE COORDINATED WITH THE TOWN'S INSPECTOR. A STATE PERMIT MAY BE REQUIRED FOR DEWATERING. THE EROSION CONTROL SUPERVISOR IS RESPONSIBLE FOR OBTAINING AND ADHERING TO ALL APPLICABLE PERMITS.
29. HYDRAULIC SEEDING AND/OR HYDRAULIC MULCHING ARE ONLY ALLOWED IN AREAS UNDER TEMPORARY OR PERMANENT IRRIGATION OR FOR THE PURPOSE OF TEMPORARY SOIL STABILIZATION.
30. APPLICABLE CONSTRUCTION BMPS SHALL REMAIN IN PLACE AND PROPERLY MAINTAINED UNTIL ALL LANDSCAPING HAS BEEN INSTALLED AND THE DESIRABLE VEGETATION HAS REACHED A POINT IN WHICH EROSION AND SEDIMENTATION IS NO LONGER A CONCERN AS DETERMINED BY THE TOWN'S INSPECTOR.
31. GRADING SECURITY RELEASE REQUIREMENTS:
  - 1) DEVELOPABLE PROPERTY: IN ORDER FOR THE GRADING SECURITY TO BE RELEASED, THE SITE MUST MEET ITEMS A-H OR ITEM I (BELOW).
    - A. ALL SOIL-DISTURBING ACTIVITIES ASSOCIATED WITH THE GRADING PERMIT HAVE PERMANENTLY CEASED.
    - B. UNIFORM PERENNIAL VEGETATION COVER HAS BEEN ESTABLISHED WITH AN INDIVIDUAL PLANT DENSITY OF AT LEAST SEVENTY PERCENT (70%) OF PRE-DISTURBANCE LEVELS.
    - C. ALL CBMPS HAVE BEEN PROPERLY REMOVED FROM THE SITE.
    - D. IF ANY EROSION IS PRESENT, IT IS INSIGNIFICANT AND IS NOT LEAVING THE SITE AND/OR LEADING INTO ANY ON-SITE DRAINAGE INFRASTRUCTURE THAT MAY CONVEY SURFACE WATER OFF SITE.
    - E. WEEDS REPRESENT NO MORE THAN FIFTY PERCENT (50%) OF THE TOTAL VEGETATION ON THE SITE.
    - F. NO WEEDS ARE PRESENT FROM LIST A OF THE COLORADO NOXIOUS WEED LIST, AS AMENDED.
    - G. THE SITE IS PREDOMINANTLY FREE OF WEEDS FROM LIST B OF THE COLORADO NOXIOUS WEED LIST, AS AMENDED.
    - H. WEEDS ARE EVENLY DISTRIBUTED THROUGHOUT THE SITE WITH NO LARGE CONCENTRATIONS PRESENT.
    - I. A NEW GRADING PERMIT AND REPLACEMENT SECURITY HAS BEEN SUBMITTED AND APPROVED

FOR THE APPLICABLE SITE OR ASSIGNMENT AS PROVIDED BY SECTION 11.10.150 OF THE TOWN OF PARKER MUNICIPAL CODE. IT IS THE PROPERTY OWNER'S OBLIGATION AT THE TIME OF CLOSING TO ENSURE THAT THE NEW SITE OWNER HAS PROVIDED THE TOWN WITH A REPLACEMENT SECURITY.

- 2) NONDEVELOPABLE PROPERTY: IN ORDER FOR THE GRADING SECURITY TO BE RELEASED, THE SITE MUST MEET ITEMS A–H AND J, OR ITEMS I AND J (BELOW).
- A. ALL SOIL–DISTURBING ACTIVITIES ASSOCIATED WITH THE GRADING PERMIT HAVE PERMANENTLY CEASED.
  - B. ALL CBMPS HAVE BEEN PROPERLY REMOVED FROM THE SITE.
  - C. EROSION IS NEGLIGIBLE, IF EVEN PRESENT.
  - D. THE VEGETATION REPRESENTS A PERENNIAL STAND OF A DENSE, UNIFORM SURFACE OF GRASS WITH NO AREA GREATER THAN ONE (1) SQUARE FOOT THAT IS BARREN OF DESIRABLE VEGETATION. INFREQUENT, WIDELY SCATTERED AREAS WHERE NATIVE VEGETATION HAS NOT YET TAKEN HOLD MAY QUALIFY FOR ACCEPTANCE AT THE DISCRETION OF THE TOWN.
  - E. WEEDS REPRESENT NO MORE THAN TEN PERCENT (10%) OF THE TOTAL VEGETATION ON SITE.
  - F. NO WEEDS ARE PRESENT FROM LIST A OF THE COLORADO NOXIOUS WEED LIST, AS AMENDED.
  - G. THE SITE IS PREDOMINANTLY FREE OF WEEDS FROM LIST B OF THE COLORADO NOXIOUS WEED LIST, AS AMENDED.
  - H. WEEDS ARE EVENLY DISTRIBUTED THROUGHOUT THE SITE WITH NO LARGE CONCENTRATIONS PRESENT.
  - I. A NEW GRADING PERMIT AND REPLACEMENT SECURITY HAS BEEN SUBMITTED AND APPROVED FOR THE APPLICABLE SITE OR THE GRADING PERMIT HAS BEEN ASSIGNED AS PROVIDED BY SECTION 11.10.150 OF THE TOWN OF PARKER MUNICIPAL CODE. IT IS THE PROPERTY OWNER’S OBLIGATION, AT THE TIME OF CLOSING ON THE SALE OF A SITE THAT IS SUBJECT TO A GRADING PERMIT, TO ENSURE THAT THE NEW PROPERTY OWNER HAS PROVIDED THE TOWN WITH A REPLACEMENT SECURITY.
  - J. ALL KNOWN DRAINAGE ISSUES ASSOCIATED WITH THE PROJECT HAVE BEEN MITIGATED AND A SUFFICIENT AMOUNT OF TIME HAS PASSED TO ENSURE THAT SUCH ISSUES HAVE BEEN CORRECTED. THIS REQUIREMENT DOES NOT INCLUDE THOSE DRAINAGE ISSUES ORIGINATING ON RESIDENTIAL LOTS.

(D) NOXIOUS WEEDS MUST BE CONTROLLED AS PROVIDED UNDER STATE LAW AND SECTION 6.01.260 OF THE TOWN OF PARKER MUNICIPAL CODE. FAILURE TO CONTROL NOXIOUS WEEDS ON THE SITE MAY CONSTITUTE A NUISANCE, SUBJECT TO THE PENALTIES CONTAINED IN THE CODE.

**DEFINITIONS:**

**DEVELOPABLE PROPERTY** MEANS ANY LAND THAT HAS BEEN GRADED AND IS PART OF A PLATTED LOT OR PLATTED TRACT OF RECORD, THAT WAS PLATTED FOR FUTURE DEVELOPMENT, INCLUDING RESIDENTIAL HOME CONSTRUCTION OR PUBLIC IMPROVEMENTS.

**NONDEVELOPABLE PROPERTY** MEANS LAND THAT HAS BEEN GRADED AND WILL NOT BE FURTHER DISTURBED AS PART OF ANY FUTURE DEVELOPMENT. EXAMPLES INCLUDE, BUT ARE NOT LIMITED TO: PARKS, OPEN SPACE, HOMEOWNER ASSOCIATION OR BUSINESS ASSOCIATION PLATTED TRACTS, DETENTION PONDS AND DRAINAGEWAYS.

- 32. FAILURE TO COMPLY WITH ANY OF THE REQUIREMENTS DESCRIBED IN THIS SECTION MAY RESULT IN THE ISSUANCE OF: A NOTICE OF INTENT TO ISSUE A STOP WORK ORDER, A STOP WORK ORDER AND/OR THE REMEDIES/PENALTIES DESCRIBED IN CHAPTER 11.10 OF THE TOWN OF PARKER MUNICIPAL CODE.
- 33. ANY PERSON CONVICTED OF VIOLATING ANY PROVISION OF THE TOWN OF PARKER, GRADING & EARTH MOVEMENT SECTION OF THE MUNICIPAL CODE SHALL BE GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, BE PUNISHED BY A FINE OF NOT MORE THAN FOUR HUNDRED NINETY NINE DOLLARS (\$499.00) FOR EACH SEPARATE OFFENSE. EACH DAY A VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE. THE TOWN ALSO MAY SEEK IN MUNICIPAL COURT AN INJUNCTION, ABATEMENT, RESTITUTION OR ANY OTHER REMEDY TO PREVENT, ENJOIN, ABATE OR REMOVE THE VIOLATION. A PERSON CONVICTED OF VIOLATING CHAPTER 11.10 OF THE TOWN OF PARKER MUNICIPAL CODE SHALL BE LIABLE FOR THE ACTUAL COST OF REHABILITATING THE PROPERTY. THE COSTS MAY BE RECOVERED AS RESTITUTION IN MUNICIPAL COURT PROCEEDINGS OR IN A SEPARATE CIVIL ACTION.
- 34. THE TOWN OF PARKER RESERVES THE RIGHT TO ALLOW MODIFICATIONS AND SUBSTITUTIONS TO THE CBMP NOTES AND DETAILS WHEN SUCH MODIFICATIONS AND SUBSTITUTIONS OFFER THE SAME LEVEL OF PROTECTION AS THE STANDARD REQUIREMENTS BASED UPON THE SPECIFIC SITUATION, AS DETERMINED BY TOWN STAFF. DUE TO THE INSIGNIFICANCE AND REGULARITY OF SUCH MODIFICATIONS AND SUBSTITUTIONS, THE APPROVAL OF SUCH VARIATIONS MAY NOT BE DOCUMENTED BY TOWN STAFF.