

ORDINANCE NO. O-8-11

AN ORDINANCE TO AMEND CHAPTER 8 OF THE CITY CODE,
ENTITLED, "EROSION AND SEDIMENT CONTROL AND STORMWATER
MANAGEMENT," ARTICLE II, ENTITLED, "SEDIMENT CONTROL,"
§ 8-7, ENTITLED, "PERMITS," ARTICLE III, ENTITLED,
"STORMWATER MANAGEMENT," § 8-26, ENTITLED, "PERMITS,"
SO AS TO ALLOW ELECTRONIC APPLICATION

BE IT ORDAINED, by the Mayor and Council of the City of Gaithersburg, in public meeting assembled, that Chapter 8 of the City Code, entitled, "Erosion and Sediment Control and Stormwater Management," is hereby amended to read as follows:

Chapter 8

EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT

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Article II. Sediment Control

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Sec. 8-7. Permits.

(a) *Required.* No person shall do any clearing, excavation or grading of land without first obtaining a permit from the city and without implementing soil erosion and sediment controls in accordance with the requirements of this article or any standards, rules or regulations promulgated hereunder.

(b) *Application.*

(1) To obtain a permit required by this article, an applicant shall first file an application therefor in writing upon forms furnished by to the city. The application shall be signed by the owner of the property, or an authorized agent, where the work is to be performed. If the owner is a corporation, it shall be signed by the president or vice-president, attested by the secretary or assistant secretary and the corporate seal affixed. The application shall be accompanied by scale plans or

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
Single strikethrough	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by Amendment.</i>
Double boldface strikethrough	<i>Deleted from existing law or the bill by amendment.</i>
***	<i>Existing law unaffected by bill.</i>

drawings, including an erosion and sediment control plan, the permit fee and a bond or other security as required in section 8-8. The plans accompanying the application shall be prepared and certified by a professional engineer, professional land surveyor, landscape architect, or other person qualified in the State of Maryland and approved by the city manager.

- (2) Prior to the issuance of a grading or building permit pursuant to this article, the provisions, if applicable, of chapter 22, "trees and forest conservation," and the environmental standards regulation must be complied with.

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ARTICLE III. STORMWATER MANAGEMENT

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Sec. 8-26. Permits.

(a) *Required.* No person shall develop any land without first obtaining a permit from the city and without providing for appropriate stormwater management measures, except as provided by this article, and any standards, rules and regulations promulgated hereunder.


(b) *Application.*

- (1) To obtain a permit required by this article, an applicant shall first file an application ~~therefore in writing upon forms furnished by the city. The application shall be signed by the owner of the property, or an authorized agent, where the work is to be performed. If the owner is a corporation, it shall be signed by the president or vice-president, attested by the secretary or assistant secretary and the corporate seal affixed.~~ The application shall be accompanied by scale plans or drawings, including a grading, erosion and sediment control and final stormwater management plan, the permit fee and a bond or other security as required in section 8-27. The plans accompanying the application shall be prepared and certified by a professional engineer, professional land surveyor, landscape architect, or other person qualified in the State of Maryland and approved by the city manager, or his or her designee.

ADOPTED this 3rd day of October, 2011, by the City Council of Gaithersburg, Maryland.


SIDNEY A. KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland this 3rd day of October, 2011. APPROVED by the Mayor of the City of Gaithersburg, Maryland this 3rd day of October, 2011.


SIDNEY A. KATZ, MAYOR

THIS IS TO CERTIFY that the foregoing Ordinance was adopted by the City Council of Gaithersburg, in public meeting assembled, on the 3rd day of October, 2011, and the same was APPROVED by the Mayor of the City of Gaithersburg on the 3rd day of October, 2011. This Ordinance will become effective on the 24th day of October, 2011.


ANGEL L. JONES, City Manager