

ORDINANCE NO. 14.276

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,029, passed December 17, 2001, by amending Section 42-86 thereof, deleting the grading permit one-call surcharge.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,029, passed December 17, 2001, is hereby amended by amending Section 42-86 thereof, deleting the grading permit one-call surcharge, as follows:

Sec. 42-86. Permits required.

(a) No person shall grade, strip, excavate, fill, stockpile or cause any non-agricultural earth change on any site without a grading permit issued by the city engineer for any of the following purposes:

(1) Platting of land pursuant to chapter 106, pertaining to subdivisions, of this Code.

(2) Development of land for which a site plan is required, pursuant to article V of chapter 82 of this Code.

(3) Installation of utility improvements in trenches that are greater than one foot in width or underground appurtenances with an excavated surface area greater than 400 square feet by a public or private utility company.

(4) Excavation or the creation of any disturbed surface of 500 square feet or more of cumulative area within 100 feet of a lake, pond, river, stream, recognized drainageway or within the defined flood fringe of a river or stream.

(5) Any excavation or cause of earth change more than an average of two feet in depth across 2,500 square feet or more of area, or creation of a disturbed area more than 20,000 square feet in area, excluding basement excavations and backfill, utility service connections for one- or two-family residential dwellings, and utility trenches no greater than one foot in width.

(6) Any fill of dirt, stone, brick, concrete, soil or similar material covering a cumulative area larger than 2,500 square feet.

(7) Stockpiling of any granular construction material in excess of 5,000 cubic yards on any site.

(b) A grading permit will not be necessary for any of the activities identified in subsection (a) of this section where, prior

to formal application, the applicant receives from the city engineer a written statement that the planned work or final structures or topographical changes, as presented by the applicant to the city engineer prior to formal application, will not result in or contribute to accelerated soil erosion or sedimentation and will not significantly interfere with any existing drainage course.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Terrence L. Timmins, Deputy City Attorney

Preston A. Daniels, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 03-2226), passed by the City Council of said City at a meeting held September 22, 2003 signed by the Mayor on September 22, 2003 and published as provided by law in the Business Record on October 6, 2003 Authorized by Publication Order No. 3883.

Diane Rauh, City Clerk