

Chapter 71

SOIL EROSION AND SEDIMENT CONTROL

- § 71-1. Statement of purpose.**
- § 71-2. When permit required.**
- § 71-3. Administration and enforcement; inspections; fees.**
- § 71-4. Violations and penalties.**

[HISTORY: Adopted by the Town Commissioners of the Town of Perryville 8-3-71 as Ord. No. 108. Sections 71-3A and B and 71-4 amended at time of adoption of Code; see Chapter 1, General Provisions, Art. I. Other amendments noted where applicable.]

GENERAL REFERENCES

Building construction – See Chapter 32.
Flood damage control – See Chapter 46.

§ 71-1. Statement of purpose.

The purpose of this chapter is to safeguard the natural resources of the Town by ensuring compliance with minimum requirements for the control of grading and earthmoving; to provide measures to control soil erosion and sedimentation; and to establish procedures by which these requirements and measures are to be administered and enforced. Provisions of this chapter are adopted under authority of, and in compliance with, §§ 105 through 110 of Article 96A of the Annotated Code of Maryland and Section 20 of the Cecil County Zoning Ordinance.

§ 71-2. When permit required.

- A. A grading permit shall be obtained from Cecil County offices prior to the start of any grading, clearing or other earth change which may:

- (1) Introduce sediment into any watercourse of the Town, county or state;
- (2) Move more than one hundred (100) cubic yards of earth; or
- (3) Create undue erosion and sediment damage to landowners downstream, adjacent to or in the immediate vicinity of the subject site.

B. Exceptions to this requirement are:

- (1) Agricultural land management practices approved by and installed under supervision of the Cecil Soil Conservation District.
- (2) Construction of agricultural structures or the construction of single-family residences and/or their accessory buildings on lots of two (2) acres or more.
- (3) Construction or maintenance of county roads for which an erosion and sediment control plan has been approved by the Cecil Soil Conservation District.¹

§ 71-3. Administration and enforcement; inspections; fees.

- A. The grading, erosion and sediment control program of the Town of Perryville will operate under the control of and be administered by Cecil County agencies. Applications for all grading permits will be submitted to and approved by the Cecil County Soil Conservation District.²
- B. Inspections will be conducted by the Cecil County Soil Conservation District. However, law or enforcement officers of Perryville may require evidence of the county grading permit at any time such grading or construction is underway. Failure to produce the proper grading permit upon request may result in immediate suspension of the work underway and initiation of any corrective measures necessary to ensure the protection of the natural resources or health and welfare of the Town should such elements be endangered by the work underway.¹
- C. Any fees associated with the grading permit or subsequent inspection will be assessed by and paid to the county agency charged with administration of this program.

¹ Editor's Note: Original Subsection C, Existing activities and structures, which immediately followed this subsection, was deleted at time of adoption of Code; see Chapter 1, General Provisions, Art. I.

² Editor's Note: Amended at time of adoption of Code; see Chapter 1, General Provisions, Art. I.

§ 71-4. Violations and penalties.³

Any violation of this chapter shall be deemed a misdemeanor, and the person, partnership or corporation who is found guilty of such violation shall be subject to a fine not exceeding five hundred dollars (\$500.) or ninety (90) days' imprisonment for each and every violation. Any agency whose approval is required under this chapter or any person in interest may seek an injunction against any person, partnership or corporation, whether public or private, violating or threatening violation of any provisions of this chapter. Notice of violation of any of the provisions of this chapter shall be filed with the Maryland Department of Natural Resources as well as with appropriate county agencies, including the Cecil Soil Conservation District.

³ Editor's Note: Amended at time of adoption of Code; see Chapter 1, General Provisions, Art. I.