

# CITY OF CORINTH



*Gateway to Success*

## RESIDENTIAL CONSTRUCTION INFORMATION PACKET

Revised June 22, 2011  
Plan Submittal Requirements revised 2/27/14



## RESIDENTIAL PLAN SUBMITTAL REQUIREMENTS

1. Three (3) sets of 22" x 34" construction plans,
  2. Three (3) sets of foundation plans,
  3. One (1) engineer's letter for foundation design,
  4. One (1) copy of the Energy Code Compliance Report,
  5. Three (3) plot plans that are 8 ½ "x 11" and show lot dimensions, setbacks, easements, and shall, also, be grading plans with arrows that show drainage direction to the street or to a dedicated drainage easement.
  6. Please note any special requirements that are site specific.
- Also, plot plans and engineer's letter shall be detached from the construction plans.
  - The house plan # is required along with all square footages on the application w/description.

**All** contractors are required to register with the City of Corinth including 3<sup>rd</sup> party energy inspectors.

Registration renewals may be done either by regular mail, email, fax or in person. If payment is made by credit card over the phone, a credit card fee of \$3.95 will apply in addition to the registration fee, if any.

The City of Corinth has adopted the 2009 International Building Codes and the 2008 National Electric Code (IBC & NEC).

Revised 2/27/14

A. General Requirements:

1. No construction may begin until a building permit has been issued. Three (3) complete sets of plans must be submitted in order to apply for a permit.

Plans must include:

- a. A site plan indicating all proposed structures and where those structures are to be placed in relation to property lines.
  - b. A complete floor plan of the structure(s)
  - c. Windows and door sizes.
  - d. Elevation drawings showing exterior wall construction.
  - e. Foundation drawings stamped by a professional engineer licensed by the State-of-Texas
2. Building permit must be displayed in an obvious place that can be seen by the public, CITY APPROVED PLANS MUST BE KEPT ON-SITE.
  3. Instruct subcontractors and their employees to park in such a way that emergency vehicular traffic will not be obstructed, i.e., fire trucks and ambulances.
  4. Building addresses must be posted in a location that is conspicuous from the street on each lot at all times. Numbers must be a minimum of four inches (4") in height.
  5. Addresses must be posted on all temporary electrical poles.
  6. A minimum 15 yard commercial trash container or a boxed enclosure must be provided on the site AND EMPTIED AS NEEDED.
  7. Lumber or other building materials must be stacked neatly.

B. General Inspection Notes:

Office hours for inspectors are from 7:30-9:00 a.m. and 4:30-5:30 p.m. Monday thru Thursday and 7:30-8:30 a.m. on Friday. Offices close at 11:00 a.m. on Friday.

Streets and alley rights-of-way must be clear of construction material at all times. The street right-of-way typically extends to the back side of the side-walks. Inspections will not be performed, and a possible fine may be assessed for a violation.

C. Residential Inspections Required:

No concrete or plumbing rough inspections will be made if it has been determined that it is too wet. All rained out inspections must be recalled. Plumbing rough inspections may be conducted in wet weather provided that a five (5) p.s.i. air test is placed on the sewer lines. When the inspection is requested, it must be stated that there is an air test on the sewer.

No concrete inspections will be made unless the temperature is at least 38 degrees and rising. All inspections held back because they do not meet this requirement must be recalled.

Each of the following inspections must be requested in the listed order. If an inspection is requested before a prior required inspection has been approved, no inspection will be conducted.

Inspections required are:

1. Temporary Pole (after building permit has been issued)

2. Plumbing Rough
3. Foundation
4. Combination (framing, electrical rough, plumbing top-out and mechanical)
5. Sheetrock
6. Gas & Electric Meters
7. Lawn irrigation system inspection
8. Flatwork (Public Works makes these inspections)
9. Building Final

D. Residential Inspection Requirements:

1. Temporary Power Pole:

- a. Double pole breaker installed for 220 volt plug.
- b. Single pole breaker installed for 120 volt plug with G.F.C.I., protection on all 120 volt receptacles.
- c. Box is to be secured to the pole.
- d. Pole is to be braced, secure and stable.
- e. A ground rod must be installed with a ground wire that is a minimum size of 6 AWG.
- f. The licensed electrician can test house circuits provided that power is disconnected when the electrician leaves the site. If anyone other than the electrician connects power to the house circuits (other than the electric company after approval of the Utility Final) citations will be issued for creating an electrical hazard to the citizens of Corinth.
- g. Citations will be issued to anyone running power from the T-pole without proper connections on each end of the cord.
- h. Legible address numbers must be posted on the T-pole. Numbers must be at least four (4") inches in height.
- i. No holes are allowed in the panel face.
- j. Plugs outside the panel box must be weatherproof.

2. Plumbing Rough:

No plumbing rough inspections will be made if it has been determined that it is too wet. All rained out inspections must be recalled. Plumbing rough inspection may be conducted in wet weather provided that a five (5) p.s.i. air test is placed on the sewer lines. When the inspection is requested, it must be stated that there is an air test on the sewer.

Plumbing rough inspections cannot be performed if the temperature is below freezing unless an air test has been placed on the sanitary sewer lines and the water distribution lines. All plumbing rough inspections will be canceled when freezing conditions exist unless it is specified that an air test has been placed on the system.

Water Lines:

1. Hose bibs must be installed in the water line to check the pressure on the water line.
2. All hose bibs must have non-removable vacuum breakers installed at all times.
3. A one (1") inch line supply will be required when supplying over nineteen (19) fixture units per the I.P.C.) International Plumbing Code). One inch (1") lines can not supply more than thirty-three (33) fixture units.
4. Copper lines will not be allowed to touch each other.
5. Water lines must be sleeved or taped, painting will not be accepted.
6. The water meter must be installed when inspection is called in or there will be a \$75.00 re-inspection fee.
7. The water meter must be installed correctly with arrow pointing toward the house.

8. Lead solder and fluxes containing lead are not allowed to be used to join potable water lines.
9. Cover must be removed from water meter box when plumbing rough inspection is requested.
10. T & P (pop-off) lines for water heaters can not be run in slab.
11. All lines under the slab must be type "L" copper or thicker, if copper is used.
12. All piping located under the slab must be continuous with no joints.
13. The water meter should be in place with all valves open to allow for testing of the lines at City of Corinth water pressure. If City of Corinth water is not available, a 50 psi air test can be substituted for the water test.

#### Sanitary Sewer

1. Five (5') feet head of water measured at the last stack in the house. The measurement will be taken from ground level. Stacks that are too high are subject to receiving a disapproval tag. The water test must include the sewer yard line. A test tee must be installed at the sewer tap.
2. A 5 psi air test can be substituted for the water test required on the sewer line.
  - a. No more than seventy-two (72") on a one and one-half (1-1/2") arm. No more than ninety-six (96") inches on a two (2") inch arm.
  - b. Full size double clean outs must be installed.
  - c. The sewer tap must be exposed two (2') feet from either side of sewer connection. (This means that two (2') feet of the City's green lateral line adjacent to the tie in must be exposed at the time of inspection).
  - d. Holes dug for sewer taps that are deeper than six (6') feet, must be protected by a temporary construction fence.
8. Foundation: (All foundation plans must be stamped by a structural engineer). No concrete or plumbing rough inspections will be made if it has been determined that it is too wet. All rained out inspections must be recalled. No concrete inspections will be made unless the temperature is 38 degrees or above and rising. Any inspection canceled because it does not meet this requirement must be recalled.
  - a. Post Tension:
    1. Everything must conform with the engineered plans with no additions or subtractions to the approved plans.
    2. All cables must be straight.
    3. All water lines must be sleeved or taped, painting will not be accepted.
    4. Cable ends must be a minimum of six (6") inches below the top of the forms
    5. Cable ends must be a minimum of six (6") inches from the corners.
    6. Cable insulation must cover the cable to within three (3") inches of the cable ends.
    7. The post tension drawing must be on the job with the detail sheet and the plot plan.
    8. Cable that must be re-routed to miss plumbing fixtures must be done with long sweeping curves of the cable.
    9. Electrical conduit located in the foundation must be installed.
    10. Jenn-Air ducts must be installed.
    11. All gas sleeves must be installed.
    12. No changes can be made to the foundation after inspection approval without requesting another foundation inspection.
    13. Poly must cover all pad areas only. Poly is be cut or not installed in beams.
    14. A water test with city pressure or a minimum of fifty (50) psi air pressure must be maintained on the water supply lines.
    15. All tub boxes must be installed.
    16. Sewer lines must run at 90 degree angles to grade beams.
  - b. Rebar:

1. Work must conform to plans approved by structural engineer.
2. Poly must cover all pad areas only. Poly is not to be cut or installed in beams.
3. Chairs must be in place.
4. Electrical conduit located in the foundation must be installed.
5. Jenn-Air ducts must be installed.
6. All gas line sleeves must be installed.
7. No changes can be made to the foundation after inspection approval without requesting another foundation inspection.
8. All tub boxes must be installed.
9. Sewer lines must run at 90 degrees angles to grade beams.
10. All water lines must be sleeved or taped, painting will not be accepted.
11. Concrete encased electrodes must meet NEC 2009 250.52 (A) (3)

## 2. Top-Out/Frame:

### a. Plumbing top-out

#### Water

1. Pop-off lines can not be PVC and cannot be installed in slab.
2. Frost proof hose bibs with integral vacuum breakers must be installed.
3. Lead solder and fluxes containing lead are prohibited materials to be used in potable water pipes.
4. Notching, cutting or boring must not seriously weaken structural members.
5. T & P (pop-off) lines for water heaters must terminate outside the building with a 90 degree fitting at least six (6") inches and not more than twenty-four (24") inches above the ground. Each water must have its own line. T & P lines from separate water heaters can not be tied together.
6. All lines within one inch (1") of the edge of a stud or plate must be strapped with a 1/8" inch thick by 1-1/2 "inch wide strap. The strap must be nailed to the stud or plate.

#### Sewer

1. A top-out water test is required for all plumbing located above the first floor.
2. Maximum of seventy-two (72") inches on a one and one-half (1-1/2) arm.
3. Maximum of ninety-six (96") inches on a two inch (2") arm.
4. No vents may be less than 45 degrees from the horizontal until they are at least (6") six inches above the flood rim of the fixture.
5. Plumbing vents must terminate at least ten (10') feet from or two (2') feet above any window that can be opened.
6. All hot water heaters must have a drip pan.
7. All lines within one (1") inch of the edge of a stud or plate must be strapped with a 1/8 inch thick by 1-1/2 inch wide strap. The strap must be nailed to the stud or plate.
8. Vents must terminate at least 10 feet from and/or at least 3 feet above any operable window, opening or air intake.

#### Gas line:

1. Gas appliance vents must be at least four feet (4') away from or two (2') above windows that can be opened.
2. Black Pipe Gas lines: An air test of at least ten (10 psi) pounds per square inch is required. The test must be performed with a calibrated city approved gage. A one-

hundred (100) pound gauge will not be accepted for the test. The gauge must be located outside of the house at the gas meter connection.

3. CSST Gas Lines: An air test of a least sixty pounds per square (60 psi) is required for all lines prior to the regulate (piping at 2 psi working pressure). The gauge for the 60 psi test must be located outside of the house at the gas meter connection. All lines after the regulator must have an air test of at least ten pounds per square inch (10 psi). The test must be performed on a thirty (30) pound gauge. A one-hundred (100) pound gauge will not be accepted for the test. The gauge must be located at the fireplace.
4. Holes cut for gas lines may only be large enough for the line to penetrate.
5. Gas lines must be properly supported.
6. Gas lines located between bricks and studs must be factory mill wrapped.
7. All gas outlets must have approved gas stops installed along with caps.
8. No water, soil, or waste pipe can be installed or located outside of a building or in an exterior wall unless, adequate provisions are made to protect such lines from freezing.

b. Electrical Rough:

1. Romex must be stapled every four and one-half (4'-6") feet
2. Romex must be stapled within eight (8") inches of non-metallic and within twelve (12") inches of metallic boxes.
3. Romex extending through masonry must be protected by plastic or sealtite conduit.
4. Sheathing on romex must extend a minimum of one-fourth (1/4") inch into the box.
5. Wire must be clamped to metal boxes. Two (2) separate 20 amp circuits must be run for kitchen use. No fixed appliances other than a refrigerator may be put on these circuits.
6. If note 3 of Table 310-16 is used, the neutral is permitted to be two wire sizes smaller than the service conductors provided the requirements of Section 230-42 are met.
7. A ground must be connected to the cold water piping. A supplemental grounding rod must also be supplied.
8. A separate 20 amp laundry circuit must be supplied. No other outlets will be allowed off of this circuit.
9. All receptacles located outside the building, in a garage, in a bathroom, and kitchen counter top receptacles must be protected by a ground fault circuit interrupter.
10. Where a panel or disconnect device is tapped more than one time, approved lugs shall be provided.
11. Aluminum or copper-clad aluminum conductors shall not be used or installed as a wiring method.
12. Armored cable (bx) shall not be used or installed as a wiring method unless it has full size grounding conductors.
13. If service entrance conductors are more than three feet (3') in length, a disconnect must be provided at the outside of the structure and next to the electrical meter.
14. All 230 Volt appliances must be wired with a four (4) wire system that includes a neutral and a separate ground.

c. Mechanical Rough:

1. Metal ducts shall be screwed and taped.
2. Flexible ducts shall be supported with material at least one and one-half (1-1/2" inches wide. Maximum spacing for supports is four (4) feet. Some manufacturers require supports every two (2) feet. Turns must be made in such a way that the air flow is not deterred.
3. A minimum one (1") inch clearance must be maintained around gas appliance vents.
4. Where air-conditioning condensate drains must be tied into a wet trap.

5. Where air-conditioning condensate drain pans are located in an attic, a secondary drain must be installed with the condensate line discharging over a window, door, patio or other approved location.
6. Condensate drain lines must be a minimum of three-fourth (3/4") inch in diameter.
7. Bath exhaust fan ducts must extend at least twelve (12") above the joist and insulation and must be supported. Two (2) exhaust fans are required in bathrooms where the toilet area is separated from the shower area by a door,
8. Horizontal runs on gravity type water heater and furnace flue vents not exceed seventy-five (75%) percent of the height of the vent.
9. Dryer vents are limited to a maximum length of twenty-five (25') feet. The twenty-five (25') feet length includes two (2) ninety degree (90°) fittings. Additional fittings over and above the two (2) allowed will reduce the maximum length of the vent in accordance with Table m.1502.4.4.1.
10. Dryer vents extending through a roof must include a tight fitting collar to keep lint from falling back into the attic.
11. Attic access to a gas appliance (water heater or furnace) can not be made from a sleeping area.

d. Framing:

1. Rafter spans must conform with the International Building Code (see attached span chart for specific wood species allowances).
2. Exterior bottom plates must be secured to the foundation by L-Bolts (washer and nuts must be tight) of I.C.C. approved ramsets. Ramsets must be shot every (18") and within six inches (6") of every end of each exterior plate. Ramsets must include a metal washer.
3. Top plat splices must be offset a minimum of forty-eight inches (48").
4. Rafters must be framed directly opposite each other at the ridge. The size of the ridge must be so that it is not less in depth than the cut end of the rafter.
5. Valleys and hip rafters must not be less than two (2") inches nominal thickness and not less in depth than the cut end of the rafter.
6. Purlins must be the same size as the rafter that it supports. Braces must be installed every six (6') feet from the purlin to the wall or beam.
7. Joists over four (4') feet in length must be pressure blocked on one side only with nails driven from the joist into the pressure block-or a joist hanger must be used.
8. Fur downs, chimneys, ceiling and/or different heights, and vertical wall spaces over ten (10) feet must be fire blocked. Poly sealing small holes and gaps in fire-blocks will be acceptable.
9. Load bearing studs must be sixteen inches (16") on center or the rafter must be within five (5") inches of the stud. Studs with masonry veneer wall ties attached can not exceed spacing of sixteen (16") inches on center.
10. See attached header chart for maximum header spans.
11. All lumber must be grade stamped. Unstamped lumber is unacceptable as a framing structural framing member.
12. Where air handling units and water heaters are supported by ceiling joists, those joists will be calculated as floor joists. Where air-handling units and water heaters are supported by rafter; those rafters will be calculated as rafters supporting a drywall ceiling.
13. There will be a two (2) inch gap between fireplace material and wood studs of any other combustible material as required by the I.B.C.
14. Stairway treads are to be at least six (6") inches at the inside of each winder. Twelve (12") inches out from the inside winder a full run equal to the step run of the straight stairs is required.
15. Masonry fireplace must be completed to a point one (1') foot above the damper.

16. Masonry may not be supported by wood. If a steel angle is used to eliminate a brick on wood situation, the angle may not be supported by wood and an engineered (sealed) detail must be submitted.
17. Brick wall ties must be installed.
18. All penetrations in top plates must be sealed. Small penetrations may be poly-sealed.
19. Holes in exterior sheathing must be sealed.
20. Covered porches and patios must be inspected to verify proper structural framing prior to installing fascia material.

### 3. Utility Final:

- a. All wires must be capped or fixtures installed.
- b. Cover must be off of breaker box and C.E.E. connection
- c. Both grounds installed, cold water and ground rod clamps are to be tight.
- d. Neutral and ground conductors must be properly coded and identified.
- e. The meter base must be bonded to the main panel box.
- f. Required receptacles installed.
- g. Bare bulb incandescent lights must not be installed in closet storage areas.
- h. Black Pipe Gas Lines: A gas test of at least ten (10) pounds per square inch (10psi) is required. The test must be performed with a calibrated city approved gage. A one-hundred (100) pound gauge will not be accepted for the test. The gauge must be located outside of the house at the gas meter connection.
- i. CSST Gas Lines: An air test of at least sixty (60 psi) pounds per square inch is required for all lines prior to the regulator (piping at 2 psi working pressure) The gauge for the 60 psi test must be located outside of the house at the gas meter connection. After lines after the regular must have an air test of at least ten (10 psi) pounds per square inch. The test must be performed on a thirty (30) pound gauge. A one-hundred (100) pound gauge will not be accepted for the test. The gauge secured for all types of piping including CSST systems.
- j. All open gas lines must be capped. A shut-off valve does not eliminate the requirement to cap the line.
- k. All light fixtures located within thirty-six inches (36") horizontally and less than eight (8') feet of the lip of a bathtub or shower must be water-proof.
- i. If galvanized nipples are used between the meter base and the main electrical panel, grounding bushings must be installed.

### 7. Building Final:

#### General

1. Electrical and gas meters must be installed. If the building final is requested and the inspection conducted prior to the installation of the electrical or gas service meter, a re-inspection fee will be assessed.
2. Lawn irrigation inspection must be made and the backflow device and have been tested by a registered backflow device tester.

#### Plumbing

1. All gas lines must be connected. Gas stops and caps must be installed on any gas line installed for future use.
2. All plumbing fixtures must be installed. Any drain or water line that is installed for future use or expansion must have permanent caps.
3. Frost proof hose bibs with integral vacuum breakers must be installed.

4. Sewer cleanouts must be cut to grade.
5. Hot water must correspond to the left side of fittings on plumbing fixtures.
6. Unions must be installed within twelve (12") inches of regulation equipment, water heaters, conditioning tanks, or other similar equipment.
7. PVC vent stacks must be painted.
8. All toilets must be caulked at the floor.

#### Electrical

1. All receptacles must be wired properly. All light fixtures must be installed.
2. All G.F.C.I. and arc-fault breakers must be installed and working properly.
3. A permanent address must be installed on the front of the house with numbers of contrasting color to background.
4. A permanent electrical outlet and light fixture controlled by a switch located at the required attic opening must be provided at or near air-conditioning and water heater equipment.
5. All light fixtures or a switched receptacle must be installed.
6. Circuits must be labeled in breaker box.
7. The Jacuzzi access panel must be removed for inspection.
8. Sprinkler wires located in garages must be strapped.
9. Electrical outlets located in garages that are not G.F.C.I. protected must be single receptacles and labeled.

#### Mechanical

1. Combustion air vents must be installed in the upper twelve (12") inches of closets enclosing gas appliances. Each vent must total 100 square inches.
2. A mechanical heating system must be operational that is capable of maintaining a temperature of 70 degrees Fahrenheit at a point that is two feet above floor level.
3. Vent fans must be operational in bath and utility rooms. Where a water closet is separated from the shower area by a door; a separate bath fan is required in the water closet area and the shower area.

#### Building

1. A solid walkway at least twenty-four (24") inches wide must be installed from attic openings to furnaces and water heaters. The distance from the opening to the equipment can not be any further than twenty (20) feet. A thirty (30") inch working platform is also required directly in front of the equipment.
2. Chimneys must extend at least two (2) feet above any point within ten (10) feet of the chimney.
3. Street, alley, and all flatwork must be clean and clear of mud and debris.
4. Yard must be clear of debris and final grade completed.
5. A certificate from a licensed Termite Company stating that the soil has been treated for termites.
6. The energy compliance form from a certified energy inspector.
7. A final drainage plan survey from a State-of-Texas licensed surveyor.
8. A solid core door must be installed between the garage and living area.

#### FLATWORK (city sidewalks and drive approaches only)

- a. The City does inspect flatwork, including but not limited to sidewalks and driveways.

- b. All flatwork must be reinforced with steel. City walks are required to have a minimum of three-eighths (3/8") inch rebar at eighteen (18") inches on center transversely and eighteen (18") inches on center longitudinally with expansion joists at twenty (20') on center.
- c. Approaches off of alleys must have a depth of six (6") inches and be reinforced with #3 bars eighteen (18") inches on center to the property line. Alley approaches must have a turn radius of six (6) feet. The alley must be doweled eighteen (18") inches on center with #3 bars that extends at least six (6") inches into the alley. DO NOT install an expansion joint at the alley. An expansion joint will be required at the property line.
- d. Approaches off of a street must have a depth of six (6") inches and be reinforced with #3 bars eighteen (18") inches on center to the property line. A turn radius of five (5') feet is required. The street must be doweled eighteen (18") inches on center with #3 bars that extend at least six (6") inches into the street-or existing street steel may be used. An expansion joint will be required at the sidewalk. DO NOT install an expansion joint at the street.
- e. Expansion joints must be installed at all existing concrete (except streets and alleys).
- f. Decorative concrete may be installed only on private property. Any concrete work done within a street or alley easement must be completed with a brush finish.
- g. Engineering must be contacted to inspect and obtain information regarding culvert pipes that are required when a driveway extends over a drainage ditch.

This packet is only intended to be a helpful reference. Therefore, the above requirements are only a general list of building, electrical, plumbing and mechanical code regulations. The list does not subject the City of Corinth to the inspection of only these items and the building must comply completely with the building requirements referred to:

2009 International Building Code  
 2009 International Plumbing Code  
 2009 International Mechanical Code  
 2008 National Electrical Code  
 2009 International Fire Code

#### Permit Validity

Any person, persons, firm, association, contractor, company, corporation or any other entity desiring to make additions to and/or to erect, construct, repair, remodel, alter, demolish, convert or otherwise change the character and/or configuration of improvements of property shall obtain a permit before work is undertaken:

Permit becomes null and void if work authorized by said permit is not commenced within one hundred and eighty (180) days from the date issuance, or if work is suspended at any time for a period of more that one hundred and eighty (180) days. For residential construction, all work authorized by a permit shall be completed within twelve (12) months after the day of issuance of permit. A new permit must be obtained for any construction which is not completed in the allowable time period. The new permit must be obtained for any construction which has been suspended or abandoned for a period of more than one hundred and eighty (180) days. A new application, plans, and new full permit fee must be submitted to resume work.

#### Sanitation

During construction, all projects covered by a building permit shall have sanitation facilities located either in a building or in the rear yard. Also, all debris, including concrete, brick, lumber, building materials, paper, cups and sacks shall be properly disposed of on a daily basis, on major remodels and on new construction must be

disposed of in the commercial trash container and/or a box constructed on the property provided that the contractors empties the box on a regular basis. Large Pieces of lumber building material shall be stacked neatly where not obtrusive to the neighbors.

All violations as to the starting of construction, duration of construction, littering, dirty job site, failure to provide and maintain proper construction fence or sanitation requirements can be prosecuted by stoppage of all work on the building site and/or cancellation of the building permit and/or declaring the same a nuisance and abatement thereof, either singly or as a group.

#### Sidewalk Requirements

The only material allowed for pedestrian sidewalks on city right-of-way shall be brush-finished concrete without any coloring, paint, or similar material. Specifically excluded are exposed aggregate concrete, brick and aggregate filled epoxy. An expansion joint shall be provided between the public sidewalk and the private driveway. In replacement work, the existing curb return and gutter shall be saw cut at the tangent point of the return.

#### Removal of Construction Debris

Immediately upon completion of the work involved, the contractor shall remove all unused materials, dirt, and debris. He shall see that the street and sidewalk are broom clean and usable by the public.

#### Property Owners Duty to Keep Sidewalk in Safe Condition

It shall be the duty of any property owner or person making special use of any sidewalk or curb for purposes of ingress and egress, for loading elevators, downspout drains, or any other special use of what so ever kind or character, to keep such sidewalk, parkway, curb, or driveway abutting his property in a good and safe condition and free from any defect and hazard of what so ever kind and character.

**ORDINANCE NO. 10-08-05-24**

**AN ORDINANCE OF THE CITY OF CORINTH PROVIDING REGULATIONS FOR LAND DISTURBING ACTIVITY; ESTABLISHING EROSION AND SEDIMENT CONTROL REQUIREMENTS; PROVIDING FOR DEFINITIONS; REQUIRING A PERMIT AND AN EROSION AND SEDIMENT CONTROL PLAN FOR LAND DISTURBING ACTIVITY; PROVIDING FOR DESIGN REQUIREMENTS; PROVIDING FOR INSPECTIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR A PENALTY OF \$500 FOR VIOLATIONS THEREOF; PROVIDING FOR PUBLICATION; PROVIDING A SAVINGS CLAUSE; PRVOVIDING A SEVERABILITY CLAUSE; PROVIDING A CUMULATIVE CLUASE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth, Texas, (the City) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the development of land causes large quantities of soil to be displaced and transported to downstream locations which can create significant soil erosion and sedimentation problems and may result in potentially destructive consequences; and

**WHEREAS**, a buildup of sediment degrades water quality, destroys valuable environmental resources and obstructs watercourses and storm drains which can cause flooding, thereby damaging public and private lands and property; and

**WHEREAS**, the City finds it necessary to adopt the regulations set forth below to govern erosion control to provide and maintain a safe, efficient and effective drainage system within the City of Corinth and to establish the various public and private responsibilities for the provision thereof and to reserve the natural beauty and aesthetics of the community; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY OF CORINTH, TEXAS:**

**SECTION 1 INTRODUCTION; PURPOSE.**

(A) The findings set forth in the preamble above are adopted in their entirety.

(B) During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat. The purpose of this ordinance is to safeguard persons, protect property, and prevent damage to the environment. This ordinance also promotes the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil or results in the movement of earth on land.

**SECTION 2 DEFINITIONS.**

**CITY MANAGER.** The City Manager of the City of Corinth or the Manager's authorized representative.

**CLEARING.** Any activity that removes the vegetative surface cover.

**DEVELOPMENT OR DEVELOPMENT ACTIVITY.** Any manmade change to an improved or unimproved site, including, but not limited to, construction of or adding buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, grading or clearing.

**DIRECTOR OF PLANNING.** The Director of Planning of the City of Corinth or the Director's authorized representative.

**DIRECTOR OF PUBLIC WORKS.** The Director of Public Works of the City of Corinth or the Director's authorized representative.

**DRAINAGE WAY.** Any channel that conveys surface runoff throughout the site.

**EROSION CONTROL.** A measure that prevents erosion.

**EROSION AND SEDIMENT CONTROL PLAN.** A set of plans indicating the specific measures and sequencing to be used to control sediment and erosion on a development site during and after construction activity.

**GRADING.** Any stripping, cutting, filling, stockpiling or combination thereof which modifies the existing land surface contour.

**LAND DISTURBING ACTIVITY.** Any activity which may result in soil erosion from water or wind and the movement of sediments into public waters or onto public lands or adjacent property, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land. The term does not include home gardening activity and individual home landscaping repairs, fences, and other related activities which result in minor soil erosion.

**SEDIMENT CONTROL.** Measures that prevent eroded sediment from leaving the site.

**SITE.** A parcel of land or a contiguous combination thereof.

**SITE DEVELOPMENT PERMIT.** A permit for the construction or alteration of ground improvements and structures for the control of erosion, runoff, and grading on a site.

**WATERCOURSE.** Any body of water, including, but not limited to lakes, ponds, rivers, streams, and bodies of water.

**WATERWAY.** A channel that directs surface runoff to a watercourse or to the public storm drain.

### **SECTION 3 PERMIT REQUIRED.**

(A) A person commits an offense if the person performs or causes to be performed any land-disturbing activity without an approved site development permit from the City.

(B) It is an affirmative defense to prosecution of a violation of subsection (A) that the land-disturbing activity consists of one of the following activities:

(1) An emergency activity that is immediately necessary for the protection of life, property, or natural resources; or

(2) A nursery and/or agricultural operation existing as of the date of adoption of this ordinance and conducted as a permitted main or accessory use on the site; or

(3) Gardening or yard work for a residential dwelling disturbing less than 7,500 square feet of

vegetation.

(C) Each application shall be submitted to the Planning Department on a form maintained by the City and shall contain the name(s) and address(es), email addresses and phone numbers of the owner, and if different, the developer of the site, and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm.

(D) A person shall submit with his application an Erosion and Sediment Control Plan for the property for which the land disturbing activity is proposed. Additionally, if applicable, off-site borrow areas, spoil areas and construction staging areas shall be considered as part of the development site and shall be included in the Plan. The Erosion and Sediment Control Plan shall meet the requirements of Section 5 hereof.

(E) Each application shall include a signed statement by the applicant affirming that any land clearing, grading, construction, or development involving the movement of earth shall be conducted in accordance with the Erosion and Sediment Control Plan approved with the site development permit.

#### **SECTION 4 REVIEW AND APPROVAL.**

(A) The City Planning Department staff or Public Works Department staff, as appropriate, will review each application for a site development permit to determine its conformance with the provisions of this ordinance.

(B) After receiving an application, the City shall review the application and:

(1) Approve the permit application;

(2) Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this ordinance, and issue the permit subject to these conditions; or

(3) Disapprove the permit application, indicating the reason(s) and procedure for submitting a revised application.

#### **SECTION 5 EROSION AND SEDIMENT CONTROL PLAN.**

(A) The Erosion and Sediment Control Plan shall include the following:

(1) A site plan or plot plan at a scale of no smaller than 1"=40'.

(2) A sequence of construction at the site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of erosion and sediment control measures, and establishment of permanent vegetation.

(3) A description of all erosion and sediment control measures to be installed and maintained throughout all phases of construction and throughout the duration of the development for which the Plan is submitted. The erosion and sediment control measures shall comply with the requirements of Section 6 (B) hereof.

(4) Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching for both temporary and permanent vegetative control measures.

(B) The City may approve modifications to the approved plan using the procedure set forth in

Section 4 hereof.

## **SECTION 6 DESIGN AND CONSTRUCTION REQUIREMENTS.**

(A) A person who engages in land disturbing activity shall comply with the Erosion Control and Sediment Plan approved by the City. The person who owns the land for which the Plan is submitted shall install or cause to be installed and maintained the erosion control devices in accordance with the Plan.

(B) A person who engages in land disturbing activity shall comply with the grading and erosion control practices, sediment control practices, and waterway crossings contained in the standards set forth in the 2004 edition of the North Central Texas Council of Governments Public Works Construction Standards, or if a later edition is in effect at the time the application for a site development permit is submitted, the later edition.

(C) The Erosion Control and Sediment Plan shall provide for those practices and erosion control devices that prevent runoff of soil from the site onto public streets, drainage easements, drainage facilities, storm drains, alleys, sidewalks or other property.

(D) The owner of the site, and if applicable, the site developer, shall implement and maintain the erosion control measures shown on its approved Erosion Control and Sediment Plan in order to minimize the erosion and the transport of silt, earth, topsoil, etc., by water runoff or construction activities, beyond the limits of the site prior to beginning any land disturbing activity.

(E) A person commits an offense if the person performs any clearing, except that necessary to establish sediment control devices, before all sediment control devices described in the approved Erosion Control and Sediment Plan have been installed and have been stabilized.

## **SECTION 7 INSPECTION.**

(A) The City staff shall make regular inspections of the site for which the permit was granted to inspect all control measures outlined on the approved Erosion and Sediment Control Plan(s). The purpose of such inspections will be to determine the overall effectiveness of the control plan and the need for additional control measures or maintenance to the control measures. The staff either shall approve that portion of the work completed or shall notify the permit holder wherein the work fails to comply with the approved Erosion and Sediment Control Plan.

(B) Plans for grading, stripping, excavating, and filling work bearing the stamp of approval of the Director of Planning or Director of Public Works shall be maintained at the site during the progress of the work.

(C) To obtain an inspection, the permit holder shall notify the City Permitting Department at least two working days before the following:

- (1) Installation of sediment and erosion measures.
- (2) Completion of site clearing.
- (3) Completion of final landscaping.

(D) The site development permit shall, whether or not expressly stated therein, authorize the Director of Planning or the Director of Public Works to enter the property of the applicant as deemed necessary to make regular inspections to ensure the effectiveness of the erosion control measures.

## **SECTION 8 STOP WORK ORDER; SUSPENSION; APPEAL.**

(A) In the event that a person holding a site development permit violates the terms of the site development permit or engages in development activity in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the neighborhood or the site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the Director of Planning may issue a stop work order and suspend the site development permit. Any suspension shall state the reasons for which the permit is being suspended and shall advise the permit holder of his right to appeal.

(B) Any person whose site development permit has been suspended may, at any time, make written application for a re-inspection for the purpose of reinstating the permit. If upon re-inspection, the facility is found to be in compliance with the requirements of this Article, then the permit shall be reinstated.

(C) A permit holder may appeal the stop work order or suspension to the City Manager by submitting a request in writing to the City Secretary, who shall set a time for the appellant to have a hearing before the City Manager. The appeal shall state the grounds for the appeal and notice of the meeting shall be sent to the permit holder at the address shown on the application. At the hearing, the permit holder may present any evidence and the City Manager shall determine, based on a preponderance of the evidence, whether the suspension shall be sustained, modified or rescinded. The decision of the City Manager shall be final.

## **SECTION 9 PENALTY.**

(A) A person commits an offense if the person conducts a land disturbing activity and:

1. fails to install erosion control devices or to maintain erosion control devices throughout the duration of land disturbing activities, in compliance with the approved storm water pollution prevention plan for the location where the violation occurred;

2. fails to remove off-site sedimentation that is a direct result of land disturbing activities where such off-site sedimentation results from the failure to implement or maintain erosion control devices as specified in an approved storm water pollution prevention plan for the location where the violation occurred;

3. fails to repair damage to existing erosion control devices, including replacement of existing grass or sod; or

4. constructs, enlarges, alters, repairs, or maintains any grading, excavation, or fill, or cause the same to be done, contrary to or in violation of any terms of this ordinance.

(B) A person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and each day during which any violation of any of the provisions of this ordinance is committed, continued, or permitted, shall constitute a separate offense. Conviction of any such violation shall be punished by a fine of not more than \$500 for each offense.

(C) Any person convicted of violating any of the provisions of this ordinance shall be required to bear the expense of restoration of any property damaged as a proximate result of the violation. The City shall send the person an invoice for the costs incurred to repair or remediate the property and the person shall pay the invoice within 30 days of receipt of the invoice.

(D) Nothing contained herein shall prevent the City of Corinth from taking such other lawful action as is necessary to prevent or remedy any violation, including seeking injunctive relief.

(E) No building permit or Certificate of Occupancy or other use permit may be issued for any construction, reconstruction or development upon any land where such construction, reconstruction or development is not in conformity with the requirements of this Ordinance. This shall include payment for the actual costs incurred by the City to restore or remediate any damages to property resulting from a violation of the Ordinance.

**SECTION 10 MISCELLANEOUS PROVISIONS.**

(A) The provisions and sections of this ordinance shall be deemed to be severable, and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

(B) This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Corinth, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

(C) The City Secretary of the City of Corinth is directed to publish the caption, penalty clause, publication clause and effective date of this Ordinance to the extent required by law.

(D) The erosion protection measures required by this Ordinance are considered reasonable for regulatory purposes and are based on scientific and engineering considerations. This Ordinance does not imply that erosion controls will survive inundation by runoff from storms greater than the design flood for erosion controls. This Ordinance shall not create liability on the part of the City of Corinth, any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

**SECTION 11 EFFECTIVE DATE.**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.**

\_\_\_\_\_  
The Honorable Paul Ruggiere, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Pence, City Secretary

APPROVED AS TO FORM:

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Debra A. Drayovitch, City Attorney