

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 649

AN ORDINANCE, relating to construction and land use; establishing regulations for clearing, excavation, filling and grading within the City of Redmond; providing for the issuance of permits and collection of fees therefor; and providing penalties for violations.

THE CITY COUNCIL OF THE CITY OF REDMOND DO ORDAIN AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to safeguard life, limb, property and the public welfare by regulating changes in both the elevation and the character of the ground surface that may have an adverse effect upon the public, surrounding property, or the quality and quantity of the ground and surface waters that flow from the site.

Section 2. Scope. This ordinance sets forth rules and regulations to control clearing, excavation, grading and earthwork construction, including fills and embankments; establishes the administrative procedures for issuing a permit; provides for approval of plans and inspection of clearing and grading construction, and provides for penalties for the violation of the provisions of this ordinance.

Section 3. Definitions. Unless the context clearly indicates otherwise, the following words, phrases and terms used in this ordinance shall be defined and have the meanings indicated below.

- (a) "As graded" is the surface condition extent on completion of grading.
- (b) "Bedrock" is in-place solid rock.
- (c) "Bench" is a relatively level step excavated into earth material on which fill is to be placed.
- (d) "Borrow" is earth material acquired from an off-site location for use in grading on a site.
- (e) "Certification" shall mean a written engineering or geological opinion concerning the progress and completion of the work.
- (f) "Engineer" shall mean a professional engineer registered in the state to practice and who is qualified to practice in the work.
- (g) "Engineering" shall mean the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design and construction of civil works for the beneficial uses of mankind.
- (h) "Clearing" shall mean the act of destroying or seriously injuring grasses, plants, shrubs or trees either by mechanical or chemical means.
- (i) "Compaction" is the densification of a fill by mechanical means.

- (j) "Director" shall mean the Director or the authorized agent of the Building and/or Public Works Department.
- (k) "Floodway" is the path of storm water runoff from two or more sites. The drainage way shall be deemed to be of such lateral and vertical dimensions normal to the direction of flow, which will contain the anticipated flow computed by using the 100 year frequency storm and the runoff characteristics of the tributary area based upon a fully developed condition under present zoning.
- (l) "Earth material" is any rock, natural soil or fill and/or any combination thereof.
- (m) "Engineering geologist" shall mean a geologist experienced and knowledgeable in engineering geology.
- (n) "Engineering geology" shall mean the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.
- (o) "Erosion" is the wearing away of the ground surface as a result of the movement of wind, water and/or ice.
- (p) "Excavation" is the mechanical removal of earth material.
- (q) "Fill" is a deposit of earth material placed by artificial means.
- (r) "Grade" shall mean the vertical location of the ground surface.
- (s) "Existing grade" is the grade prior to grading.
- (t) "Rough grade" is the stage at which the grade approximately conforms to the approved plan.
- (u) "Finish grade" is the final grade of the site which conforms to the approved plan.
- (v) "Grading" is any excavating or filling or combination thereof.
- (w) "Key" is a designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.
- (x) "Site" is any lot or parcel of land or contiguous combination thereof, under the same ownership, where clearing and/or grading is performed or permitted.
- (y) "Slope" is an inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.
- (z) "Soil" is naturally occurring surficial deposits overlying bed rock.
- (aa) "Soil engineer" shall mean a civil engineer experienced and knowledgeable in the practice of soil engineering.
- (bb) "Soil engineering" shall mean the application of the principles of soil mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection and testing of the construction thereof.

- (cc) "Terrace" is a relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.

Section 4. Clearing permit required. No person shall do any clearing without first having obtained a clearing permit from the Director except for the following:

- (a) Pruning in accordance with accepted horticultural practices where the pruning is for the purpose of controlling or shaping the growth of shrubs or trees.
- (b) The removing of obnoxious weeds or objectionable plants such as blackberries, thistles, weeds, etc.
- (c) Removal of trees which are less than 6 inches in diameter or removal of any tree or shrub which is dead, badly diseased or in an imminent danger of toppling.
- (d) Thinning of trees in the normal practice of forestry.
- (e) Planting, cultivation or harvesting of any vegetable or grain crop.
- (f) Clearing for the construction of a single family house providing each of the following conditions are met:
 - (1) The start of clearing is no more than 30 days before the completion of earthwork, which prepared the site for building.
 - (2) The clearing is limited to the area which is within 5 feet of the top or toe of any permanent cut or fill, utility or driveway.
 - (3) The clearing is limited to the area which will be within 10 feet of any building foundation, porch or patio.
 - (4) No portion of the clearing occurs on slopes steeper than 25%. (The yard clear area exemption following may be applied in addition to the clearing under (b) & (c) above)
- (g) A yard clear area of up to 3,000 sq. ft. per parcel in any three-year period providing no part of the clearing occurs on slopes steeper than 25%.
- (h) The clearing by a public agency or a franchised utility within a public right of way or upon an easement, for the purpose of installing water, storm, sewer, power, gas or communication lines.

Exemption from obtaining clearing permit does not exempt any person from the other provisions of this Ordinance.

Section 5. Grading permit required. No person shall do any grading without first having obtained a grading permit from the Director except for the following:

- (a) An excavation below finish grade for basement and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than 5 feet after the completion of such structure.
- (b) Cemetery graves.

- (c) Refuse disposal sites controlled by other regulations.
- (d) Mining, quarrying, excavating, processing, stockpiling of rock, sand, gravel, aggregate or topsoil where established and provided for by law provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
- (e) An excavation which (a) is less than 2 feet in depth, or (b) which does not create a cut slope greater than 5 feet in height and steeper than 67%.
- (f) A fill less than 1 foot in depth, and placed on natural terrain with a slope flatter than 20%, or less than 3 feet in depth, not intended to support structures, which does not exceed 50 cubic yards on any one lot and does not obstruct a drainage way.
- (g) Any grading or installation of utilities within a publicly owned and maintained right-of-way, or an easement.
- (h) Maintenance or reconstruction of the facilities or a common carrier by rail and interstate commerce within its existing right-of-way providing restoration is consistent with the requirements of this ordinance.

Exemption from requiring a permit does not exempt the person from the other provisions of this Ordinance.

Section 6. Application for permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished for that purpose. The applicant may secure a single permit to cover separate sites under his control that will be cleared and/or graded in accordance with a common development plan.

Every such application shall:

- (a) Fully identify and describe the work to be covered by the permit for which application is made.
- (b) Accurately describe the land on which the proposed work is to be done.
- (c) Indicate the estimated quantity of work involved.
- (d) Be accompanied by plans and specifications as required in Section 8.
- (e) Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.
- (f) Give such other information as may be reasonably required by the Director in order to enable him to decide if the proposed action is in conformance with the provisions of this ordinance.

Section 7. Granting of permits. After an application has been filed and reviewed, the Director shall ascertain whether such clearing and/or grading work complies with the provisions of this ordinance. If the application and plans so comply, or if they are corrected or amended so as to comply, the Director shall issue to said applicant a clearing and/or grading permit. Such permits shall be valid for the number of days stated in the permit, but in no case shall the period be more than one year. Upon approval of the application and issuance of the grading and/or clearing permit, no work shall be done that is not provided for in the permit. The Director is authorized to inspect the site at any reasonable time to determine if the work is in accordance with the permit application and plans.

The clearing and/or grading permit shall be required regardless of any permit issued by any other department or agency who may be interested in certain aspects of the proposed work. Where work for which a permit is obtained by this ordinance is started or proceeding prior to obtaining such permit, the violator shall be subject to such penalties as herein provided in this ordinance. However, the payment of such penalties shall not relieve any person from fully complying with the requirements of this ordinance in the execution of the work nor any other penalties prescribed thereon.

Section 8. Plans and specifications. Will be required where, in the opinion of the Director, the proposed clearing and/or grading constitutes a major action where significant effects might be realized on adjoining surrounded people and property. Application for a clearing and/or grading permit shall then be accomplished by two sets of plans and specifications and, on grading projects, supporting data consisting of soils engineering reports and an engineering geology report, sa may also be required by the Director. The plans and specifications shall be prepared and signed by an Engineer when required by the Director.

Plans shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this ordinance and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the location of the work and the name and address of the owner and the person by whom they were prepared.

(a) The plans for a Clearing Permit shall include the following information in sufficient detail to enable the Director to satisfactorily evaluate the applicant's plans:

- (1) General vicinity of the proposed site.
- (2) Site plan or aerial photograph marked to show the property limits and the area to be cleared.
- (3) A description of both short and long term measures to be followed which will prevent inordinate amounts of eroded soil from leaving the site.
- (4) Other ordinances or permits such as burning permits, cover the disposal of the cleared materials.

(b) The plans for a Grading Permit shall include the following information in sufficient detail to enable the Director to satisfactorily evaluate the applicant's plans:

- (1) General vicinity of the proposed site.
- (2) Property limits and accurate contours of the existing ground and details of terrain and area drainage.
- (3) Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed flood ways and related construction.
- (4) Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work together with a map showing the drainage area and the estimated runoff of the area served by any drains.
- (5) A description of both short and long term measures to be followed which will prevent inordinate amounts of eroded soil from leaving the site.

- (6) Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners which are within 15 feet of the property or which may be affected by the proposed grading operations.
- (7) Specifications shall contain information covering construction and material requirements.
- (8) Approximate boundaries of the areas whose runoff characteristics will be materially altered by the grading.
- (9) Methods to be used to insure that the naturally occurring direction, location, and velocity of the storm water discharge off site will remain unchanged and, if changed, what steps are to be taken to handle such changed conditions.
- (10) Location and capacity of all natural, artificial or potential areas which might temporarily detain storm waters.
- (11) Calculation of the peak storm water runoff rate in all on-site drainage courses which might be affected by the proposed grading together with the delineation of the resulting floodway.

Section 8. Director may establish guidelines. In order to reduce the time needed to process plans for a permit and to permit a more uniform understanding of the above requirements, the Director may from time to time establish guidelines which more precisely define the minimal required information set forth above. Such guidelines may allow for variations in the amount and detail of the required information to reflect the complexity of the proposed grading as well as its estimated impact upon the public and adjacent property.

Section 9. Soil engineering report. The soil engineering report required by Section 8 shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures when necessary, and opinions and recommendations covering adequacy of sites to be developed by the proposed grading.

Recommendations included in the report and approved by the Director shall be incorporated in the grading plans or specifications.

Section 10. Engineering geology report. The engineering geology report required by Section 8 shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinions and recommendations covering the adequacy of sites to be developed by the proposed grading.

Recommendations included in the report and approved by the Director shall be incorporated in the grading plans or specifications.

Section 11. Changed conditions. The Director may require that clearing and/or grading operations and project designs be modified if delays occur which incur weather-generated problems not apparent at the time the permit was issued.

Section 12. Plan-checking fee. For clearing, the fee shall be based on the area to be cleared, except no plan-check fee for clearing will be charged where the area is to be graded under a grading permit. For excavation and fill on the same site, the fee shall be based on the volume of the excavation or fill whichever is greater. Before

accepting a set of plans and specifications for checking, the Director shall collect a plan-checking fee. Separate permits and fees shall apply to retaining walls or major drainage structures as indicated in the Uniform Building Code. There shall be no separate charge for standard terrace drains and similar facilities. The amount of the plan-checking fee for clearing and/or grading plans shall be as set forth in Tables A and B.

The plan-checking fee for a clearing and/or grading permit authorizing additional work to that under a valid permit shall be the difference between such fee paid for the original permit and the fee shown for the entire project.

Table A - Clearing Plan-Checking Fees

3,000 sq. ft. to 1 acre	\$10.00
1 acre or more.	10.00 + \$1/acre

Table B - Grading Plan-Checking Fees

50 cubic yards or less.	No Fee
51 to 100 cubic yards	\$10.00
101 to 1000 cubic yards	15.00
1001 to 10,000 cubic yards.	20.00
10,001 to 100,000 cubic yards - \$20.00 for the first 10,000 cubic yards plus \$10.00 for each additional 10,000 cubic yards or fraction thereof.	
100,001 to 200,000 cubic yards - \$110.00 for the 100,000 cubic yards plus \$6.00 for each additional 10,000 cubic yards or fraction thereof.	
200,001 cubic yards or more - \$170.00 for the first 200,000 cubic yards, plus \$3.00 for each additional 10,000 cubic yards or fraction thereof.	

Section 13. Clearing and/or grading permit fees. A fee for each clearing and/or grading permit shall be paid to the Director as set forth in Tables C and D.

The fee for a grading and/or clearing permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

Table C - Clearing Permit Fees

3,000 sq. ft. to 1 acre	\$10.00
1 acre or more.	10.00 + \$2/acre

Table D - Grading Permit Fees

50 cubic yards or less.	\$10.00
51 to 100 cubic yards	15.00
101 to 1000 cubic yards - \$15.00 for the first 100 cubic yards, plus \$7.00 for each additional 100 cubic yards or fraction thereof.	
1001 to 10,000 cubic yards - \$78.00 for the first 1000 cubic yards, plus \$6.00 for each additional 1000 yards or fraction thereof.	
10,001 to 100,000 cubic yards - \$132.00 for the first 10,000 cubic yards, plus \$27.00 for each additional 10,000 cubic yards or fraction thereof.	
100,001 cubic yards or more - \$375.00 for the first 100,000 cubic yards, plus \$15.00 for each additional 10,000 cubic yards or fraction thereof.	

Section 14. Performance bond. The Director may require performance bonds in such form and amounts as may be deemed necessary to assure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions.

In lieu of a surety bond the applicant may file a cash bond or instrument of credit with the Director in an amount equal to that which would be required in the surety bond.

Section 15. Clearing requirements. Unless otherwise recommended by the engineer or specifically authorized in writing by the Director, clearing shall conform to the provisions of this section.

- (a) Portions of sites which have a slope in excess of 40% shall not be cleared except for:
 - (1) Pruning or the removal of objectionable plants, shrubs or trees, Provided, the entire area is immediately replanted; or
 - (2) Where slides or erosion from such slopes will not endanger adjacent public or private property or be deposited in drainage ways.
- (b) Portions of sites with slopes between 40% and 25% may be cleared provided immediate means are taken to prevent undue quantities of eroded soil from leaving the site.
- (c) Portions of sites which slope less than 25% shall be restored after the cessation of clearing and/or construction operations so that undue quantities of eroded soil will not leave the site.

Section 16. Requirements for cuts. Unless otherwise recommended in the approved soil engineering and/or engineering geology report, cuts shall conform to the provisions of this section.

- (a) Slope. The slope of cut surfaces shall be no steeper than is safe for the intended use. Cut slopes shall be no steeper than 50% except where such slopes are acceptable to and will be maintained by a public agency.
- (b) Drainage and terracing. Drainage and terracing shall be provided as required by Section 19.

Section 17. Requirements for fills. Unless otherwise recommended in the approved soil engineering report, fills shall conform to the provisions of this section. In the absence of an approved soil engineering report, these provisions may be waived for minor fills not intended to support structures.

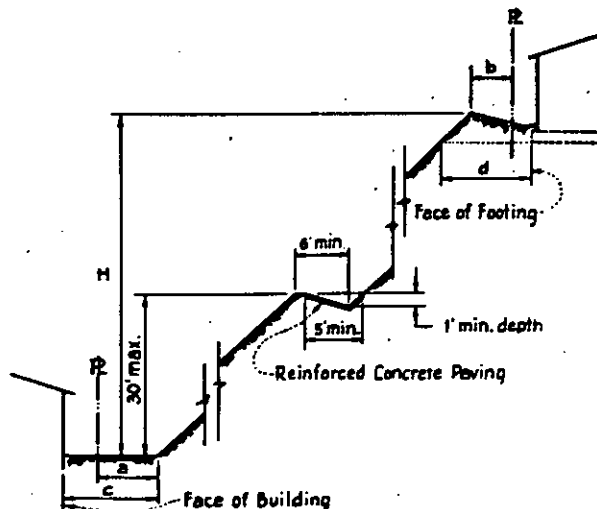
- (a) Fill location. Fill slopes shall not be constructed on natural slopes steeper than two to one. The toe of all new fills shall be set back far enough from the top of the existing or planned cut slope so that the slopes are stable.
- (b) Preparation of ground. The ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, topsoil and other unsuitable materials as determined by the soil engineer, and, where the slopes are five to one or steeper, by benching into nonyielding soil.
- (c) Fill material. Earth materials which have no more than minor amounts of organic substances and have no rock or similar irreducible material with a maximum dimension greater than 8 inches shall be used.
- (d) Compaction. All fills shall be compacted to a minimum of 90 percent of maximum density as determined by UBC Standard No. 70-1. Field density shall be determined in accordance with UBC Standard No. 70-2 or equivalent as approved by the Director.

- (e) Slope. The slope of fill surfaces shall be no steeper than 50% unless retained, except where such slopes are acceptable to and will be maintained by a public agency.
- (f) Drainage and terracing. Drainage and terracing shall be provided and the area above fill slopes and the surfaces of terraces shall be graded and treated as required by Section 19.

Section 18. Setback requirements. The tops and the toes of cut and fill slopes shall be set back from property boundaries as far as necessary for safety of the adjacent properties and to prevent damage resulting from water runoff or erosion of the slopes. The tops and the toes of cut and fill slopes shall be set back from structures as far as is necessary for adequacy of foundation support and to prevent damage as a result of water runoff or erosion of the slopes. Unless otherwise recommended in the approved soil engineering and/or engineering geology report and shown on the approved grading plan, setbacks shall be no less than shown in Table E.

Table E - Setbacks

<u>H in Feet</u>	<u>a</u>	<u>b</u>	<u>c</u>	<u>d</u>
0 - 10	3'	2'	3'	5'
11 - 30	(H/2)'	3'	(H/2)'	7'
31 and Over	15'	3'	15'	10'



Section 19. Drainage and terracing requirements. Unless otherwise indicated on the approved grading plan, drainage facilities and terracing shall conform to the provision of this section.

- (a) Terrace. Terraces at least 6 feet in width shall be established at not more than 30 foot vertical intervals to control surface drainage and debris. Suitable access shall be provided to permit proper cleaning and maintenance.

Swales or ditches on terraces shall have a minimum gradient of 5 percent and must be paved or otherwise treated so excessive amounts of water will not enter the soil on the hillside and create a slide. They shall have a minimum depth at the deepest point of 1 foot and a minimum treated width of 5 feet.

A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (projected) without discharging into a down drain.

- (b) Subsurface drainage. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.
- (c) Disposal. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the Director and/or other appropriate jurisdiction as a safe place to deposit such waters. If drainage facilities discharge onto natural ground, velocity dissipating devices may be required.

At least 2 percent gradient toward approved drainage facilities from building pads will be required unless waived by the Director for nonhilly terrain.

Section 20. Erosion control. The faces of cut and fill slopes shall be prepared and maintained to control against erosion. This control may consist of effective planting. The protection for the slopes shall be installed as soon as practicable and prior to calling for final approval. All water tributary to the top of all slopes steeper than 40% shall be intercepted and not permitted to drain across and jeopardize the stability of such slopes, where the slope is under a common ownership or where the permission of the downhill owner can reasonably be obtained. Where necessary, check dams, cribbing, riprap or other devices or methods shall be employed to control erosion and provide safety.

Section 21. Inspection. The Director is hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this ordinance, wherever necessary to make an inspection to enforce any of the provisions of this ordinance or whenever the Director has reasonable cause that any land is being used in violation of this ordinance. The Director may enter such land at all reasonable times to inspect the same or to perform any duty imposed upon him by this ordinance. If the land is occupied, he shall first present proper credentials and demand entry. If the land is unoccupied, he shall make a reasonable effort to locate the owner or other persons in apparent charge or control of the land and demand entry.

No owner, occupant or other person having charge, care or control of any land shall fail or neglect after proper demand to promptly permit entry thereon by the Director for the purpose of inspection and examination pursuant to this ordinance. Any person violating this section shall be guilty of a misdemeanor.

Section 22. Grading designation. All grading in excess of 5000 cubic yards shall be performed in accordance with the approved grading plan prepared by an Engineer, and shall be designated as "engineered grading". Grading involving less than 5000 cubic yards shall be designated "regular grading" unless the permittee, with the approval of the Director chooses to have the grading performed as "engineered grading".

Section 23. Engineered grading requirements. For engineered grading it shall be the responsibility of the Engineer who prepares the approved grading plan to incorporate all recommendations from the soil engineering and engineering geology reports into the grading plan. He shall also be responsible for the professional inspection and certification of the grading within his area of technical specialty. This responsibility shall include, but need not be limited to, inspection and certification as to the establishment of line, grade and drainage of the development area. The Engineer shall act as the coordinating agent in the event the need arises for liaison between the other professionals, the contractor and the Director. The Engineer shall also be responsible for the preparation of revised plans and the submission of as-graded grading plans upon completion of the work.

Soil engineering and engineering geology reports shall be required as specified in Section 8. During grading all necessary reports, compaction data and soil engineering and engineering geology recommendations shall be submitted to the Engineer and the Director by the soil engineer and the engineering geologist.

The soil engineer's area of responsibility shall include, but need not be limited to, the professional inspection and certification concerning the preparation of ground to receive fills, testing for required compaction, stability of all finish slopes and the design of buttress fills, where required, incorporating data supplied by the engineering geologist.

The engineering geologist's area of responsibility shall include, but need not be limited to, professional inspection and certification of the adequacy of natural ground for receiving fills and the stability of cut slopes with respect to geological matters, and the need for sub-drains or other ground water drainage devices. He shall report his findings to the soil engineer and the Engineer for engineering analysis.

The Director shall inspect the project at the various stages of the work requiring certification and at any more frequent intervals necessary to determine that adequate control is being exercised by the professional consultants.

Section 24. Regular grading requirements. The Director may require inspection and testing by an approved testing agency.

The testing agency's responsibility shall include, but need not be limited to, certification concerning the inspection of cleared areas and benches to receive fill, and the compaction of fills.

When the Director has cause to believe that geologic factors may be involved the grading operation will be required to conform to "engineered grading" requirements.

Section 25. Notification of noncompliance. If, in the course of fulfilling their responsibility under this Chapter, the Engineer, the soil engineer, the engineering geologist or the testing agency finds that the work is not being done in conformance with this ordinance or the approved grading plans, the discrepancies shall be reported immediately in writing to the person in charge of the grading work and to the Director. Recommendations for corrective measures, if necessary, shall be submitted.

Section 26. Completion of the work. Upon completion of the rough grading work and at the final completion of the work the Director may require the following reports, and drawings and supplements thereto:

- (a) An as-graded grading plan prepared by the Engineer including original ground surface elevations, as-graded ground surface elevations, lot drainage patterns and locations and elevations of all surface and subsurface drainage facilities. He shall provide certification that the work was done in accordance with the final approved grading plan.
- (b) A soil grading report prepared by the soil engineer including locations and elevations of field density tests, summaries of field and laboratory tests and other substantiating data and comments on any changes made during grading and their effect on the recommendations made in the soil engineering investigation report. He shall provide certification as to the adequacy of the site for the intended use.
- (c) A geologic grading report prepared by the engineering geologist including a final description of the geology of the site including any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. He shall provide certification as to the adequacy of the site for the intended use as affected by geologic factors.

Section 27. Notification of completion. The permittee or his agent shall notify the Director when the grading operation is ready for final inspection. Final approval shall not be given until all work including installation of all drainage facilities and their protective devices and all erosion control measures have been completed in accordance with the final approved grading plan and the required reports have been submitted.

Section 28. Enforcement. The Director is hereby authorized and directed to enforce all of the provisions of this ordinance. For such purpose he shall have the powers of a police officer and may appoint such officers, inspectors, assistants and other employees as shall be authorized from time to time. He may deputize such employees as may be necessary to carry out the duties and functions of his office.

- (a) Suspension or revocation. The Director may suspend or revoke a clearing and/or grading permit whenever the permit is issued on the basis of incorrect information supplied, or the work is being done contrary to or in violation of any pertinent ordinance or regulation.
- (b) Stop work orders. Whenever any clearing and/or grading work is being done contrary to the provisions of this ordinance, the Director may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such person shall forthwith stop such work until authorized by the Director to proceed with the work.
- (c) Violations declared public nuisance. All violations of this ordinance, including hazards and failure to comply with terms of the clearing and/or grading permit and conditions are determined to be detrimental to the public health, safety, and welfare and are hereby declared to be public nuisances. All conditions, which after inspection, have been determined by the Director to render any site or portion thereof to be used or maintained in violation of this ordinance, shall be abated.
- (d) Abatement defined. For purposes of this ordinance, abatement of a clearing and/or grading violation is defined as determination of any clearing and/or grading violation by reasonable and lawful means determined by the Director and provided for in this ordinance in order that the site or portions thereof shall be made to comply with this ordinance.

Section 29. Penalties. It shall be unlawful for any person, firm, corporation or other organization to allow, use or maintain any site or portions thereof, contrary to or in violation of any of the provisions of this ordinance or any order issued by the Director. Any persons violating the provisions of this ordinance shall be guilty of a misdemeanor for each day such violation continues and shall be punished as provided in Section 1.01.110 of the Redmond Municipal Code.

Section 30. Civil penalties. In addition to or as an alternate to any penalty provided herein or by law, any person, firm, corporation or other organization which violates any of the provisions of this ordinance or by each act of commission or omission procures, aids or abets such violations, shall incur a cumulative civil penalty in the amount of \$10.00 per day per each violation, plus billable costs of the City of Redmond, from the date set for compliance until such violation is corrected or such notice of violation or order is complied with.

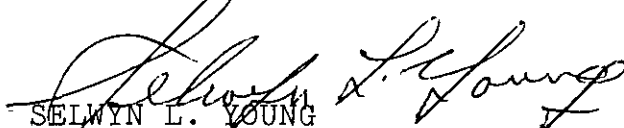
Section 31. Severability clause. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance, it being herein expressly declared that this

ordinance in each section, subsection, paragraph, sentence, clause and phrase thereof would have been adopted irrespective of the fact that any one or more other sections, subsections, paragraphs, sentences, clauses or phrases be declared invalid or unconstitutional.

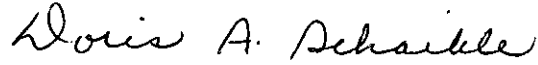
Section 32. Effective date. This ordinance shall take effect and be in force five (5) days after the date of its publication in the manner provided by law.

PASSED by the Council of the City of Redmond, Washington, at a regular meeting thereof, and APPROVED by the Mayor this 2nd day of July, 1974.


CITY OF REDMOND


SELWYN L. YOUNG
MAYOR

ATTEST:


DORIS A. SCHAIBLE
DEPUTY CITY CLERK

APPROVED AS TO FORM:


JOHN D. LAWSON
CITY ATTORNEY

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