

ORDINANCE NO. 2384

AN ORDINANCE to amend and reordain Section 10A-12 and to add a new section numbered 10A-12.1, all of Chapter 10A of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 10A relates to EROSION AND SEDIMENT CONTROL, which Section 10A-12 relates to GUARANTEE OF PERFORMANCE OF PLANS and which new section numbered 10A-12.1 relates to ACCEPTANCE OF PERFORMANCE.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 10A-12, Chapter 10A of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 10A-12. Guarantee of performance of plans.

A corporate surety bond, conditioned upon carrying out all and every part of an approved erosion and sedimentation control plan and upon satisfaction of the guarantee required by section 10A-12.1 of this chapter for at least the sum estimated to be the full costs of carrying out such plan, or a cash escrow, upon the same conditions and in the same amount, shall be furnished the city whenever such costs exceed five hundred dollars (\$500.00). ~~The bond or~~ escrow shall be released upon proper completion of ~~all of the~~ requirements of such an approved plan.

Section 2. That Chapter 10A of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new section numbered 10A-12.1 to read as follows:

Sec. 10A-12.1. Acceptance of performance.

Upon completion of performance of an approved erosion and sedimentation control plan, the permittee shall notify the director of such completion. The director or his duly authorized agent shall then inspect the work and plantings and upon his determination that they are in compliance with the approved plan he shall issue a letter of preliminary acceptance. A condition of any such preliminary acceptance shall be that the applicant or permittee guarantee all erosion and sedimentation control work for a period of one (1) year from the date of its preliminary acceptance, or for a period of one (1) year from repair or replanting ordered by the director herein until such time that all control structures and a minimum of ninety percent (90%) of all plantings shall have survived for a year without need of further replanting or repair. The director or his agent may order in writing such replanting or repair work as shall be deemed necessary to enforce compliance with the approved plan and guarantee at any time during the one- (1) year period. Such an order shall serve to revoke the preliminary acceptance and shall cause the applicant to renew the guarantee for an additional one (1) year from the date of replanting or repair. Final acceptance shall occur when preliminary acceptance has remained unrevoked for a period of one (1) year, or when all control structures and a minimum of ninety percent (90%) of all plants have survived for a period of one (1) year without need of further replanting or repair. For the purposes of this section normal cleaning of silt basins alone shall not be construed to be repair work.

Section 3. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

FRANK E. MANN  
Mayor

Introduction:	5/22/79	Public Hearing:	6/16/79
First Reading:	5/22/79	Second Reading:	6/26/79
Publication:	5/25/79	Final Passage:	6/26/79

\* \* \* \* \*