

**GRADING**  
**Ordinance No. 662**  
**Adopted: July 10, 2006**

**SECTION 1. Purpose.**

It is the intent of this ordinance to ensure property in the Township is graded in the proper manner and storm water is managed in compliance with the Township's Storm Water Management Ordinance.

**SECTION 2. Requirements**

Detailed grading plans, as required in this ordinance, shall be submitted to and approved by the Township engineer prior to the issuance of a permit for any construction, grading or other earth moving activity, unless a waiver is granted, for the following improvements:

- A. New single-family construction or modifications of an existing structure of more than one (1) room on the grade floor.
- B. Multiple, commercial or condominium construction.
- C. Private road construction.
- D. Grading or filling, i.e., alteration of existing topography.
- E. Clearing and/or grubbing.
- F. Construction of berms.

All property disturbances regulated under this section shall be in conformance with the approved grading plan.

**SECTION 3. General Grading Requirements**

The following general grading requirements shall be applied in the design of the site grading plan:

- A. Drainage shall be managed in compliance with the Township Storm Water Management Ordinance.
- B. Elevations representing the finished grade and the first floor grade, if applicable, shall be indicated.
- C. Proposed grading shall meet abutting property line elevations. A waiver may be granted by the Township engineer in cases of unique characteristics on the site which would require special treatment. Any approval of a waiver by the Township engineer shall also state the special treatment to be applied.
- D. Side yard swales are required. A waiver may be granted by the Township engineer in cases of unique characteristics on the site which would require special treatment. Any approval of a waiver by the Township engineer shall also state the special treatment to be applied.
- E. Any storm water drainage, from existing or new construction, shall not be allowed to flow onto adjacent properties.

**SECTION 4. Specifications of Grading Plans.**

A grading plan shall be prepared by a licensed civil engineer or surveyor, signed and sealed, and shall comply with the following minimum requirements:

- A. A scale of not less than one (1) inch equals fifty (50) feet (1" = 50'). Scales of one (1) inch equals twenty (20) feet (1" = 20') are preferred.
- B. Date, north arrow and scale.
- C. The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.

- D. The location of all existing and proposed structures on the subject property and all existing structures on either side of the subject property.
- E. The location of all existing and proposed drives, parking areas and easements on the property.
- F. The location and widths of right-of-way of all abutting streets.
- G. The proposed location and dimensions of any pedestrian sidewalks.
- H. Existing ground elevations on the site will be shown with (two) 2 foot contours.
- I. The name, address and telephone number of the engineer/surveyor responsible for preparing the grading plan.
- J. Bench mark description and location used, based on United States Geological Survey datum (USGS).
- K. All required setbacks shall be shown and properly labeled.
- L. All wetlands, floodplains and floodplain elevation.
- M. The proposed method of drainage.
- N. General direction of the rear yard drainage and swales indicated with arrows.
- O. Additional grades shown under special conditions as required by the Township engineer.
- P. Such other information concerning the lot or adjoining lots as may be required by the Township engineer.
- Q. The location of all utility leads (water, sanitary, sump pump, gas, electric, etc.).

#### **SECTION 5. Foundation Certificate.**

After placement of the foundation and before the backfill inspection, a written certification from a licensed surveyor or engineer shall be submitted to the Township engineer. This certification shall state that the proposed finished floor elevations and horizontal placement of the foundation are properly set and conform to the approved grading plan. This certification shall also state that the surveyor or engineer has properly staked all foundations in accordance with the approved grading plan. Failure to comply with this provision may result in removal or modification of the structure as determined by the Township.

#### **SECTION 6. Final Grading Approval.**

- A. As-built plans shall be submitted to the Township prior to request for a final grading inspection. These plans shall be marked "AS-BUILT."
- B. Upon completion of the work in accordance with the approved grading plan, the owner or builder shall request a final approval of the site. The Township engineer shall perform a final grading inspection. If all work has been completed in accordance with the approved grading plan, the Township engineer shall notify the building department in writing. A certificate of occupancy shall not be issued without this written approval, unless final grading cannot be done due to seasonal weather conditions. In such cases, a temporary certificate of occupancy may be issued, if determined appropriate by the Township. If all work has not been completed in accordance with the approved plan, the Township engineer shall notify the applicant that the site grading must be brought into compliance with the approved grading plan within the time frame required by the building inspector.

#### **SECTION 7. Fees.**

A nonrefundable grading plan review fee, the amount of which shall be established from time to time by resolution of the Township Board, shall be submitted with three (3) sets of grading plans when applying for a zoning permit and for each revision. One (1) final grade inspection shall be made at no additional charge to the applicant. However, if

more than one (1) plan review of final grade inspection is required, due to insufficient information or due to inappropriate grading, an additional fee will be charged.

**SECTION 8. Penalty.**

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

**SECTION 9. Severability.**

This ordinance and the various parts, sections, subsections, provisions, sentences and clauses are severable. If any part of this ordinance is found to be unconstitutional or invalid it is declared the remainder of this ordinance shall not be affected hereby.

**Section 10. Effective Date**

This ordinance shall be published as required by law and shall take effect 30 days after adoption and publication.

Enacted at a regular meeting of the Fenton Township Board held on the 10th day of July 2006.

**Bonnie K. Mathis, Supervisor**

**Robert E. Krug, Clerk**