

A.1.d. Erosion and Sediment Control escalating and response procedures

17.47.100 – Correction of ineffective measures and enforcement

- A. If the owner or his/her designated representative fails to follow the plan as approved by the manager or fails to submit a plan when one is required, the manager may, after inspecting the property, issue a stop work order halting all work on the development site until the requirements of the plan are met or implemented as applicable.

Accompanying the stop work order shall be a written statement or list from the manager specifying what is wrong and what steps the owner must take to bring the development into compliance. The stop work order shall not be lifted until mitigation measures are implemented that comply with Oregon City performance standards for erosion and sediment control and are approved by the manager.

- B. If the facilities and techniques in the approved plans are not effective or sufficient to meet the purposes of this chapter, based on an on-site inspection, the Manager may require a revision to the plan. Such requirement shall be in writing and shall explain the problem and suggested measures to remedy the problem. The notice shall be presented to the owner and any other responsible parties.
 1. The revised plan shall be provided within three business days of when written notification by the manager is received. Receipt of such notice shall be deemed complete three days after simultaneous regular mail and certified mail is deposited in the mail.
 2. The owner or his/her designated representative shall implement fully the revised plan within three business days of receipt of the revised plan as provided in the previous subdivision, or within such other time frame as the manager may specify.
 3. In cases where significant erosion is occurring, the manager may require the owner or his/her designated representative to install immediately interim control measures before submittal of revised plan.
 4. If there is a confirmed or imminent threat of significant off-site erosion, the manager shall issue a stop work order, upon issuance of which work on the development site shall halt. The stop work order shall not be lifted until mitigation measures are implemented that comply with Oregon City performance standards for erosion and sediment control and are approved by the manager.
- C. Enforcement. Erosion that mitigates off of a development site is considered to be a nuisance that threatens the health, safety and welfare of the citizens of Oregon City and is a violation of this chapter. Any owner who violates, or is responsible for a violation or this chapter or an approved plan, shall be subject to the enforcement procedures of this Code including by the code enforcement officer.