

**Revised Proposed Amendment**

**1. Add the following to Sec. 3 Definitions of the Champaign County Storm Water Management and Erosion Control Ordinance:**

DEMOLITION PERMIT: A permit for DEMOLITION activities that are planned for areas outside of the MS4 JURISDICTIONAL AREA.

GRADING PERMIT: A permit for GRADING activities that are planned for areas outside of the MS4 JURISDICTIONAL AREA.

**2. Add the following to Sec. 4. of the Champaign County Storm Water Management and Erosion Control Ordinance:**

**4.5 GRADING and DEMOLITION PERMIT Exemptions**

All GRADING and DEMOLITION meeting the following conditions are exempt from the requirement for a GRADING PERMIT and/or a DEMOLITION PERMIT:

- A. Any GRADING or DEMOLITION pursuant to any of the exempted activities listed in Section 4.2.
- B. GRADING and/or DEMOLITION that is not part of or related to other CONSTRUCTION and that will result in less than one acre of LAND DISTURBANCE and that is not part of a larger COMMON PLAN OF DEVELOPMENT OR SALE OF RECORD.
- C. GRADING and/or DEMOLITION that is related to and authorized in a ZONING USE PERMIT or a Floodplain Development Permit or a LDEC PERMIT.

**3. Add the following to 5.2 of the Champaign County Storm Water Management and Erosion Control Ordinance:**

5G. Approval of any required GRADING PERMIT or DEMOLITION PERMIT outside of the MS4 JURISDICTIONAL AREA.

**4. Add the following to Sec. 6 of the Champaign County Storm Water Management and Erosion Control Ordinance:**

**6.6 DEMOLITION PERMIT and GRADING PERMIT**

- A. DEMOLITION or GRADING that will result in one acre or more of LAND DISTURBANCE or that is part of a larger COMMON PLAN OF DEVELOPMENT OR SALE OF RECORD which will disturb one acre or more of land, and that is not part of or related to other CONSTRUCTION and that is not located in the Champaign County MS4 JURISDICTIONAL AREA shall be subject to the requirement for either a DEMOLITION PERMIT or a GRADING PERMIT, whichever is applicable.
- B. Paragraph 6.6A. notwithstanding, the requirements of paragraph 6.1F., Section 6.4, Section 6.5, and paragraph 6.6 J. shall apply to any GRADING or DEMOLITION even though no DEMOLITION PERMIT or GRADING PERMIT may be required based on the amount of LAND DISTURBANCE.

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- C. GRADING that is related to DEMOLITION shall be authorized as part of a DEMOLITION PERMIT.
- D. Application for a DEMOLITION PERMIT or a GRADING PERMIT shall be filed in written form with the ZONING ADMINISTRATOR on such forms as the ZONING ADMINISTRATOR prescribes and shall include the following information:
1. Name and address of the OWNER, the APPLICANT, contractor, engineer and architect when applicable;
  2. Location, including township and section, street number, lot block and or tract comprising the legal description of the site;
  3. Permanent Index Number (PIN);
  4. LOT Area;
  5. ZONING DISTRICT;
  6. Special Flood Hazard Area, if applicable;
  7. USE of existing property and structures;
  8. Proposed USE and any proposed structures;
  9. Estimated cost of proposed construction, GRADING, and/or DEMOLITION;
  10. SITE PLAN indicating all existing and proposed USES and structures, water well, septic tank, septic tank leach field;
  11. Extent and nature of proposed LAND DISTURBANCE including a description of any proposed FILL and indication of the general location of any proposed FILL on the SITE PLAN.
- E. Any abandonment of a water well and/or septic tank (or anything similar to a septic tank) shall be in compliance with the Champaign County Health Ordinance and the Illinois Water Well Construction Code (415 ILCS 30) and/or the Illinois Private Sewage Disposal Code (77 ILCS 905.40).
- F. Any abandonment of an underground storage tank shall be in accordance with all applicable laws. This requirement shall not apply to any septic tank.
- G. Any permit for DEMOLITION of a PRINCIPAL BUILDING (as defined in the Champaign County Zoning Ordinance) not related to other CONSTRUCTION shall document the following:
1. Whichever of the following is applicable regarding the presence of a water well on the LOT:
    - a. a written statement that no water well exists on the LOT; or
    - b. a written statement that no water well on the LOT will be abandoned as defined in the Illinois Water Well Construction Code (415 ILCS 30) and the Champaign County Health Ordinance; or
    - c. in the event that a water well on the LOT will be abandoned, a copy of the Water Well Sealing Form pursuant to Public Act 85-0863.

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2. Whichever of the following is applicable regarding the presence of a septic tank or other similar thing on the LOT:
  - a. a written statement that no septic tank, cesspool, pit privy, aerobic treatment unit, or seepage pit exists on the LOT; or
  - b. a written statement certifying that a septic tank or aerobic treatment unit (or both) or a cesspool or pit privy or seepage pit exists on the LOT and will remain in use; or
  - c. a written statement certifying that a septic tank or aerobic treatment unit (or both), or a cesspool or pit privy or seepage pit exists on the LOT and will no longer be in use and shall be made to comply with the Illinois Private Sewage Disposal Code (77 ILCS 905.40) and the Champaign County Health Ordinance.
  
- H. Any permit for DEMOLITION of anything other than a privately owned home or ACCESSORY BUILDING or related STRUCTURE or a multi-family DWELLING with four or less dwelling units and/or any ACCESSORY BUILDING shall provide the following to document compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAP):
  1. a written statement by a qualified inspector that regulated removal of asbestos containing material is not necessary; or
  2. if a qualified inspector has determined that regulated removal of asbestos containing material is necessary, a copy of the completed State of Illinois Demolition/Renovation/Asbestos Project Notification Form. All DEMOLITION authorized under a DEMOLITION PERMIT or pursuant to a LDEC PERMIT shall comply with the Illinois Environmental Protection Agency's regulations enforcing the National Emission Standard for Hazardous Air Pollutants for regulated asbestos.
  
- I. The Applicant for any DEMOLITION is responsible for ending and turning off any relevant utility service prior to DEMOLITION.
  
- J. Any Zoning Use Permit or Floodplain Development Permit or LDEC PERMIT and all GRADING or DEMOLITION shall comply with the following:
  1. All DEMOLITION debris shall be disposed of lawfully and no CONSTRUCTION or DEMOLITION debris may be buried on the LOT other than as follows:
    - a. Clean CONSTRUCTION or DEMOLITION debris consisting of uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed or other asphalt pavement, or soil generated from construction or DEMOLITION activities may be used as a FILL material provided as follows:
      - (a) FILL that includes clean CONSTRUCTION or DEMOLITION debris shall not be placed within any well setback zone established under the Illinois Groundwater Protection Act (415 ILCS 55/1).

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- (b) FILL that includes clean CONSTRUCTION or DEMOLITION debris shall be placed no higher than the adjacent ground elevation that existed prior to the DEMOLITION.
  - (c) The Zoning Administrator may inspect any FILL prior to final grading and must inspect all FILL that is placed inside the MS4 JURISDICTIONAL AREA pursuant to a LDEC PERMIT.
  - (d) FILL that includes clean CONSTRUCTION or DEMOLITION debris shall be covered by sufficient uncontaminated soil to support vegetation within 30 days of the completion of placing the FILL.
  - (e) FILL that includes clean CONSTRUCTION or DEMOLITION debris shall be in compliance with all other requirements of 415 ILCS 5/3.160 and 415 ILCS 5/22.51 or as authorized by the IEPA.
- 2. All other general CONSTRUCTION or DEMOLITION debris shall be removed from the LOT and taken to a duly approved disposal facility or reused in conformance with 415 ILCS 5/3.160 and 415 ILCS 5/22.51 or as otherwise authorized by the IEPA.
- 3. The requirements of paragraph 6.6 G.1. and 6.6 G.2. notwithstanding, uncontaminated broken concrete without protruding metal bars may be used for erosion control consistent with all other standards of this Ordinance.
- 4. No DEMOLITION debris shall be burned on the LOT unless all necessary approvals are received from the IEPA in which case a copy of said approval shall be provided with the application.
- 5. Fugitive dust shall be minimized during GRADING or DEMOLITION activities.
- 6. No open excavation or open basement or foundation more than four feet deep shall be left unfenced at any time and within 90 days shall be removed or filled in conformance with the requirements of this Ordinance so as to be less than four feet deep.
- K. At the time the application is filed for a DEMOLITION PERMIT or a GRADING PERMIT a fee of \$50 shall be paid except that this fee shall be waived provided that a Notice of Intent shall have been submitted to the IEPA and a copy of the Notice of Intent is submitted with the application.
- L. The Applicant for any DEMOLITION PERMIT or any LDEC PERMIT for DEMOLITION not related to other CONSTRUCTION shall notify the Zoning Administrator when the DEMOLITION has been completed and the Zoning Administrator shall inspect the DEMOLITION for compliance with this Ordinance.

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- M. EROSION and SEDIMENT controls required by the ZONING ADMINISTRATOR pursuant to an enforcement action shall remain in place and shall be properly maintained in conformance with Section 12.8 until the DEMOLITION or GRADING has achieved FINAL STABILIZATION or until the EROSION and SEDIMENT controls are no longer needed. The ZONING ADMINISTRATOR shall then provide a letter documenting the achievement of FINAL STABILIZATION or that the EROSION and SEDIMENT control are no longer needed. EROSION and SEDIMENT controls required pursuant to the ILR10 shall remain in place until a NOTICE OF TERMINATION has been submitted to the IEPA and the County.
- N. In the event that DEMOLITION or GRADING occurs with no application having been made for a DEMOLITION PERMIT or a GRADING PERMIT, no DEMOLITION PERMIT or GRADING PERMIT shall be required after FINAL STABILIZATION.