

City of Excelsior
Hennepin County, Minnesota

Ordinance No. 582

An Ordinance to Amend Appendix E, Article 10, Section 10-6 as it Relates to Requirements for the Construction Management Ordinance Provisions on Escrow Accounts, Public Notification and Construction Signs.

THE COUNCIL OF THE CITY OF EXCELSIOR HEREBY ORDAINS:

SECTION 1. Amendment. That Article 10, Section 10-6 of the Excelsior City Code of Ordinances pertaining to the requirements for a Construction Management Plan be amended to add the following:

Article 10, Sec. 10-6. Construction Management Plan

A construction management plan shall be required for all unoccupied new single- or two-family construction or major remodeling projects.

- (a) *Purpose.* Both the demolition of single- or two-family dwelling units and the construction of new dwelling units and major remodeling projects can disrupt the quietude of the neighborhood, damage adjacent public and private property, create stormwater and erosion problems, and result in littering and other nuisances. The purpose of this article is to prevent problems associated with the demolition of single- and two-family dwelling units and the construction of new buildings or major remodels.
- (b) *Escrow.* The applicant must furnish the City a cash escrow of \$2,000 prior to issuance of a building permit. The City may draw on the cash escrow to pay the costs it incurs in connection with the project (e.g. repair of damage to public property or to remedy permit violations). The City shall determine all of its costs, including both administrative and consulting services, at the rates normally charged by the City or its consultants determined according to City standards. ~~reimburse the City for the repair of damage to public property or to remedy permit violations.~~ If the City draws on the cash escrow, upon the City's demand the permit holder must deposit in escrow additional funds to restore the escrowed amount to \$2,000. The cash escrow must remain in place until the work under the permit for which the escrow was made has been completed.
- (c) *Neighbor Notification and Contact Information.* Prior to issuance of a building permit, ~~staff will notify the permit holder must provide written notification to~~ all property owners within ~~350~~ 200 feet of the project site ~~notifying the property owners~~ of the proposed project, building time frame, building plans, and if applicable, demolition. A sign must also be posted on the project site at least 5 days prior to issuance of a building permit identifying the permit holder, a contact name and phone number, ~~and the site address, and construction hours.~~ The dimension of the sign must be between 5 and 6 square feet. The sign and the content of the

sign must be visible from the street. The sign must be kept in place until the completion of the project.

- (d) *Stormwater and Erosion Control.* The applicant must submit stormwater and erosion control plans prepared and signed by a professional engineer licensed by the State of Minnesota. The plans must be approved by the City Engineer and the permit holder must adhere to the approved plans. The stormwater management plan must detail how stormwater will be controlled to prevent damage to adjacent property and adverse impacts to the public stormwater drainage system. The erosion control plan must document how proper erosion and sediment control will be maintained on a continual basis to contain on-site erosion and protect on and off-site vegetation. Permit holder must protect all downstream storm drain inlets with sediment capture devices and have properly installed and maintained perimeter sediment protection devices entirely encompassing construction areas at all times during the project when soil disturbing activities may result in sediment laden storm water runoff entering the inlet or otherwise leaving the site.
- (e) *Deliveries and Idling of Vehicles, Generators and Other Equipment.* Deliveries of equipment and material to site and the operation of equipment, construction vehicles, or construction crew vehicles are allowed only during approved hours of operations (Sec 16-102).
- (f) *Damage to Public Property.* The permit holder must repair any damage to public streets, sidewalks, boulevards (including trees), curbs, water shutoff valves, utility services, gutters, catch basins, manholes or sewers to the satisfaction of the Department of Public Works. If damage occurs to the foregoing, it must be repaired within 3 working days after the damage occurs, unless the permit holder has received written permission from the Zoning Administrator to delay repairs to a later specified date.
- (g) *Parking.* The permit holder must maintain a 5-foot parking setback from driveways and a 30-foot parking setback from intersections. When parking on a street, a vehicle must be completely located on a street surface. On street parking of equipment other than licensed motor vehicles is prohibited.
- (h) *Tracking Dirt.* The permit holder must install and maintain a rock entrance conforming to City standards at locations approved by the Zoning Administrator. Tracking of dirt onto public roads during hauling and general day-to-day construction operations will require periodic sweeping of these roadways by the permit holder. Soil and sediment deposited onto public and/or private pavement areas shall be removed at the end of each work day. Sweeping maybe ordered at any time if conditions warrant.
- (i) *Site Maintenance.* The site must be maintained in a neat and orderly condition. Prior to leaving the construction site at the end of each day, the permit holder must remove all litter that is not needed for construction from the site or deposit them in a dumpster. The permit holder must keep streets, sidewalks, boulevard areas and adjacent

properties clean from waste, materials or refuse resulting from operations on the site.

- (j) *Restrooms and Building Materials.* No building material, temporary sanitary facilities or equipment may be placed within 10 feet from the edge of the street. Public sidewalks must be left open and unobstructed at all times. Long-term (over 5 days) stockpiles of building supplies are prohibited.
- (k) *Tree Protection.* When reasonable, protective fencing shall be installed around all boulevard trees and/or trees along lot line that are to be saved prior to commencing demolition fencing shall be placed around the drip line to protect the soils over the root zone from compaction, when reasonable.
- (l) *Dumpsters.* Dumpsters shall be located on site. If not possible, dumpsters on street must be approved by Public Works and pay the established fee. Dumpsters shall be removed only during approved hours of operation.
- (m) *Dust Control.* Permit holder must eliminate dust problems immediately upon receiving notice from City that there is a dust problem.

SECTION 2. EFFECTIVE DATE. This ordinance shall take effect 30 days after its passage and publication.

Adopted by the Council of the City of Excelsior, Minnesota this 5th day of November 2018.

Mark W. Gaylord, Mayor

ATTEST:

Ann Orlofsky, City Clerk

Kristi Luger, City Manager

First Reading:	October 15, 2018
Second Reading and Adoption:	November 5, 2018
Publication of Ordinance:	_____, 2018
Effective Date:	_____, 2018