

## ARTICLE V. CLEARING, EXCAVATION AND FILLING OF LAND

### DIVISION 1. GENERALLY

#### Sec. 67-96. Applicability of article.

The clearing, excavation or filling of real property within the town shall be known as site work, and shall require a permit issued by the town manager or his designee where:

- (1) The required soil bearing tests disclose that soil bearing capacity is insufficient to construct a structure and the existing soil is to be excavated, and compacted fill is to replace the soil removed; or
- (2) The property is to be cleared or filled for any other reason permitted by law.

The requirements in this article shall apply for the clearing, excavation or filling of real property.

(Code 1993, § 14-96)

Secs. 67-97--67-115. Reserved.

### DIVISION 2. PERMIT

#### Sec. 67-116. Required.

The clearing of lots or portions thereof within the town as described in this article shall require a permit. No lot clearing, grubbing, disking or blading shall be done without an application, permit and inspection.

(Code 1993, § 14-116)

**Cross references:** Land development code, ch. 63 et seq.

#### Sec. 67-117. Exemption.

No permit shall be required under this division for the placement of top dress material such as sand or topsoil on sod or grass lawns or within horticultural areas or gardens, where the material does not exceed three inches in depth when spread on the area to be top dressed. All top dress material as provided for in this section shall comply with the standards and testing set forth in this article for fill material.

(Ord. No. 540, 3-13-2003)

#### Sec. 67-118. Expiration.

For each permit issued under this division, work shall commence within 60 days and shall be completed within 180 days of the date of issue. If work is commenced and not completed within the

time permitted, but site work is actively being performed, an extension of not more than 30 days shall be granted.

(Code 1993, § 14-118)

Secs. 67-119--67-135. Reserved.

## **DIVISION 3. STANDARDS**

### **Sec. 67-136. Site work incidental to construction.**

(a) *General standards; removal of rock.* The requirements of this section shall apply when site work is incidental to a construction permit. Clearing shall be required as described in this section. After all clearing operations have been completed, the existing ground within the area of construction or compacted fill shall be thoroughly disked or bladed until it is uniform and free from large clods of material. If rock is encountered during the clearing operations, it shall be allowed to remain in place, with the following exceptions:

(1) Loose rock that will not pass a 3 1/2-inch ring shall be removed from the site if it is within two feet of the compacted fill grade.

(2) Loose rock that will not pass a 12-inch ring shall be removed from the site if it is within five feet of the compacted fill grade.

(3) All remaining loose rock shall be scattered and buried on the site to ensure that all voids will be filled during compaction.

(b) *Clearing.* Clearing shall consist of the complete removal and disposal of all timber, brush, stumps, roots, grass, weeds, sawdust, rock or concrete rubble, rubbish, trash and all other obstructions.

(c) *Spreading of fill.* Fill material placed on a site shall be spread within ten days after the date of delivery to the site, and shall be seeded, sodded or planted with appropriate grass or ground cover. If construction is to occur within 30 days of placing the fill material, seeding, sodding and planting may be postponed until the appropriate stage of construction for the area affected. No fill shall be placed on a lot in advance of 30 days prior to commencement of construction.

(d) *Compacting.* When the operations described in subsections (a) through (c) of this section have been satisfactorily completed, the existing soil shall be compacted to 95 percent of maximum dry density, as determined by the modified AASHTO density test T-99-49.

(e) *Fill material; contours.*

(1) Fill material shall consist of clean sand and soil free of organic deposits, construction debris, rubble or rock; except that rock shall be permitted as provided in this section. Fill material containing asphalt and/or hazardous waste as defined by F.S. § 403.703(21) is prohibited as fill material. The building official may require professional analysis or testing of any or all fill material to ascertain compliance with this section. The cost of such analysis shall be paid by the permittee, and the town may charge a reasonable administrative fee, not to exceed \$25.00 per test, in addition to the cost of analysis.

(2) Finished contours for spreading of fill shall include landscape berms, drainage retention areas and slopes, so long as such contours do not impede the natural flow of drainage from the lot, other than as required by law, or cause such drainage to adversely impact adjacent lots and shall otherwise comply with the drainage provisions of this land

development code.

(f) *Hydraulic fill operations.* When hydraulic fill is to be used for filling all or a portion of the site, the source of fill material shall be free of peat or organic deposits. All peat or organic material pumped onto the site to reach acceptable material shall be washed or removed from the site prior to placing acceptable material. Proper drainage shall be provided for the operation. A collection pump or outlet to receiving waters shall be provided and maintained. Filling shall proceed from the furthest point on the site to be filled to the drainage outlet point. Filling shall be done under the continued monitoring of an engineer. At such times as the engineer detects peat, organic material or other objectionable material in the fill material, all operations shall be stopped and such adjustments made as are necessary to achieve acceptable material. After all material has been placed, the material shall be left undisturbed for at least 24 hours or until the soil mass ceases to drain. The material shall then be tested for density. Should the material not meet minimum soil bearing requirements, the soil mass shall be compacted with vibratory compactors to produce the minimum compaction density as required in this section.

(g) *Engineer's certification.* Upon completion, the landowner's engineer shall provide the town engineer with an as-built topographic survey of the site and shall certify under seal that the operations were conducted in accordance with the stormwater requirements of section 67-157 and acceptable standards and law.

(Ord. No. 540, 3-13-2003)

### **Sec. 67-137. Site work not incidental to construction.**

When site work is not incidental to a construction permit, clearing shall be required as described in section 67-136. In addition, the following requirements shall apply:

(1) *Blading.* After all clearing operations have been completed, the existing ground shall be thoroughly disked or bladed until it is uniform and free from large clods of material and water-holding pockets.

(2) *Fill.* Fill material, if placed upon the site, shall comply with the provisions of section 67-136 (e), (f), (g).

(Ord. No. 540, 3-13-2003)

### **Sec. 67-138. Drainage.**

In addition to meeting the requirements of this land development code, the design and performance of all stormwater management systems shall comply with applicable federal and state regulations and requirements of the South Florida Water Management District. In all cases, the strictest of the applicable standards shall apply.

(Ord. No. 540, 3-13-2003)

**Cross references:** Flood damage prevention, § 66-16 et seq.

Secs. 67-139--67-149. Reserved.