



## Land Disturbance Permit (LDP) FAQ's

### ***Why does the City require a LDP?***

The City of Fairmont is required to have an Erosion and Sediment Control (ESC) Ordinance by Federal (US-EPA) and State (MPCA) Law.

### ***Who is required to obtain a LDP?***

All land disturbing activities are subject to the ordinance. The following are required to obtain a Land Disturbance Permit (LDP) from the City.

- a) All new single family home lots.
- b) Land disturbing activities that disturb land of greater than or equal to five thousand (5,000) square feet.
- c) Any disturbance located in Tier A of the City Shoreland District.

The entire ordinance can be found in the City's Code of Ordinances in Chapter 25-Utilities, Article IX. Stormwater Management ([https://library.municode.com/mn/fairmont/codes/code\\_of\\_ordinances](https://library.municode.com/mn/fairmont/codes/code_of_ordinances)).

## **Application Process**

### ***How does the process work?***

1) Submit a completed application and required submittals. 2) City will review the application and submittals and contact you with questions. 3) Application gets approved, possibly with special conditions. 4) Notice of coverage is picked up by the permittee, at this time the permit fee is paid.

### ***Where do I submit a LDP?***

Submit a completed application with submittals to City Hall.

### ***What do I need to submit for a LDP?***

Completed application, Storm Water Pollution Prevention Plan (SWPPP) or equivalent, and all plan sheets involving stormwater BMPs, drainage maps and calculations

### ***What is the LDP permit fee?***

The application fee is to be submitted upon permit approval to City Hall. Fees are based on area of disturbance.

\$50 – 5,000 S.F. – 0.49 Acres                      \$75 - 0.5 Acres – 0.99 Acres                      \$200 – 1 acre or greater

### ***How long is the approval process?***

After the City has received a completed application, the failure of the City to act on an original or revised Land Disturbance Permit application within seven (7) calendar days for permits under 0.5 acres and thirty (30) calendar days for all other permits, shall authorize the applicant to proceed in accordance with the plans as filed, unless such time is extended by agreement between the applicant and the City, or the City notifies the applicant of errors and/or omissions in the application requiring corrective action on the part of the applicant. The City will work towards approving permits as quickly as possible.

### ***Do I get a notice of coverage?***

Yes, once the application is approved it is picked up by the permittee at City Hall. This is when the permit fee is paid.

## **Inspections & Violations**

***How often will the City inspect my site?*** This will vary depending on project size, rainfall, construction season, compliance and complaints.

***How will the City notify me of violations?***

After each City inspection an inspection report will be issued to the permittee describing corrections needed and when they need to occur. If noncompliance continues a notice of violation will be issued.

***What types of fines/penalties can incur?***

City inspections due to noncompliance will be billed at 2.5 times the base hourly salary of the Inspector. If a notice of violation is issued, the City may abate the violation(s) at the expense of the owner, issue administrative fines up to \$1,000 per violation per day, or criminal penalties. More details can be found in the Stormwater Management City Ordinance, Section 25-1005 Violations and Enforcement.

***How often do I need to inspect my site?***

At least once every 7 days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in 24 hours (same as NPDES Permit). Inspection records must be documented and available to the City.

***How do I document self inspections?***

Use the inspection log given to you with your notice of coverage or create your own.

## **Termination/Transfer of Coverage**

***How do I terminate my permit coverage?***

Submit a completed Notice of Termination form (form is attached to your permit and available on the City website) to City Hall.

***How do I know if my permit is eligible for termination?***

Meet all requirements on the Notice of Termination/Permit Modification form attached to your permit or found on the City website.

***How do I transfer permit coverage?***

Transferring permit coverage is done by filling out the change of coverage section on the Notice of Termination/Permit Modification form attached to your permit or found on the City website. The original and new applicant must work together to submit one completed and signed form. A fact sheet must be read by the new permittee. This process must be completed within 7 days of the new applicant assuming control of the site. No fee is required to transfer coverage. Please see section 25-1003(l)(3) of the ordinance for more details.

***How long is my permit effective for?***

The Land Disturbance permit becomes void if work does not begin within 180 days of permit approval or is suspended anytime for over 180 days. Extensions may be granted upon request. If a permit becomes void, the application process will begin new.

### ***Land Disturbance Permit Contact Information***

For any Land Disturbance Permit questions contact City Hall. (507-238-9461)

*Land Disturbance Permit forms and other informational materials can be found at:*

<http://fairmont.org/stormwater-management/>