

Erosion and Sediment Control Measures

Inspection Guidelines

Erosion and Sediment Control Measures (ESCM) must be properly installed on a construction site in accordance with Chapter 24, Section 6 of the City of Bloomington Codes. This document is meant to serve as a set of guidelines for the inspection of the ESCMs and the procedures which shall be followed to obtain compliance with the requirements set forth in Chapter 24, Section 6 of the City of Bloomington Codes.

A. Inspection Priorities

Inspections shall be scheduled and conducted with the following priorities in mind and are listed in order of precedence:

1. Complaints regarding lack of ESCMs or lack of ESCM maintenance.
2. Initial site inspections shall take precedence over re-inspections.
3. Inspections of disturbed areas near waterways, creeks, streams, detention basins or detention ponds.
4. After stripping and clearing.
5. After final grading.
6. After seeding and landscaping.
7. After final stabilization and landscaping, prior to removal of sediment control measures.
8. ESCM inspection prior to any earth disturbance or grading.

B. Inspection Requests

1. No inspection will be conducted nor scheduled if the appropriate permits have not been obtained prior to requesting the inspection.
2. All inspections will be scheduled on a first-come, first served basis without exception.
3. Inspections or re-inspections must be scheduled a minimum of one business day in advance of the date on which the inspection is to be conducted. This excludes weekends.

4. Inspection requests must include the Applicant's name, Subdivision Name, Lot number, street address and a contact phone number.
5. Initial inspections will take precedence over re-inspections.
6. The Inspector may reschedule an inspection or fail a site if the site is not properly prepared for the inspection at the time the Inspector arrives on-site to perform the inspection.
7. Random inspections shall be conducted by the Inspector after each rain occurrence of at least one-half (0.5) inches of rain in a 24 hour period of time. The random inspections shall be conducted at the earliest possible time, weather conditions permitting. Sites near waterways, creeks, streams, detention ponds, or detention basins may be given priority during the random inspection process.
8. Unannounced inspections may occur at any time and are at the discretion of the Inspector. The Director of Engineering reserves the right to mandate the inspection of certain properties at his/her discretion.
9. Inspections may occur as a result of complaints received by the Engineering Department from the public at large. Every attempt will be made to ensure the Complainant's information is kept confidential. Inspections resulting from incoming complaints will be properly documented with the Complainant being notified of the inspection results, if so requested.

C. Inspection Results

1. Applicants will receive written notification of inspection results. This notice will include a listing of any discrepancies which must be corrected prior to requesting a re-inspection.
2. Sites which pass inspection will be clearly marked in the general vicinity of the stabilized construction entrance.
3. Sites which fail inspection will have problem areas clearly marked at the location where the problem exists, weather conditions permitting. Sites with more than 5 violation areas will not be marked on-site, but written notification will be provided to the Applicant as to the nature and location of the violations.
4. On-site meetings to discuss the inspection results may be scheduled at the Inspector's discretion.

D. Inspection Criteria

The inspection of ESCMs will, at a minimum, include the following items:

1. All ESCMs must be properly installed in accordance with the Erosion and Sediment Control Plan on file at the City of Bloomington's Engineering Department's Office and designed to comply with the provisions stated in Chapter 24, Section 6 of the Bloomington City Codes.

2. All ESCMs must be properly maintained to allow them to function as designed. Maintenance measures include, but are not limited to:
 - A. Removal of all sediment buildup from behind the ESCM prior to the buildup reaching 50% of the height of the ESCM.
 - B. Repair of any defects in the ESCM including rips, tears, or other forms of deterioration to the ESCM.
 - C. Repair of any supporting or staking materials used to hold the ESCM in place, upright or in any other manner which assist the ESCM in functioning properly.
 - D. Removal of any debris which may have accumulated in inlet structures which may have been protected by ESCMs. This includes routine cleaning of inlet structures which use ESCMs to prevent sediment from entering the Municipal Storm Sewer System or the removal of sediment that may have entered the Municipal Storm Sewer System as a result of failure of the ESCM or lack of ESCM.
 - E. Temporary or permanent seeding must be properly maintained in accordance with Property Maintenance Code, Chapter 45 of the Bloomington City Codes.
 - F. Removal of any construction debris on the site that is not properly contained in a controlled manner. Any dumpsters located on a job-site must be properly covered when not in use or during inclement weather.
 - G. Removal of any sediment, mud, dirt, etc. on the roadway, street, or sidewalk.
 - H. Proper placement of concrete washout areas and maintenance of said washout areas to prevent filling of these areas beyond their functional level.

E. Ticketing Procedures

The Inspector will notify the Erosion and Sediment Control Permit Applicant regarding any deficiencies found on a site. This notice shall include the nature of the discrepancy and measures needed to correct the deficiency. The following conditions shall result in the issuance of a ticket:

1. A failure of the Applicant to correct the deficiencies within a reasonable time frame as determined by the Inspector;
2. Deficiencies which create an immediate public hazard;
3. Deficiencies which contribute to the infiltration of sediment or pollutants of any kind into the Municipal Storm Sewer System or any form of water way, creek, stream, detention basin or detention pond;
4. Documented repeat offenses either by the same applicant or at the same site.

Payment of the ticket shall not alleviate the Applicant's responsibility for correcting the deficiency. The Inspector issuing the ticket may revoke the ticket once the deficiencies have been corrected or may allow the ticket to be processed by the Finance or Legal Department as necessary.

The ultimate responsibility for compliance with the provisions of Chapter 24, Section 6 rests with the owner of the property. Failure to comply with the provisions of this ordinance may result in the issuance of tickets to both the owner and any other individual found to be responsible for noncompliance with this ordinance.

The City of Bloomington reserves the right to contact any local, state or federal agency regarding any deficiency they may find as the result of an inspection. The issuance of any tickets by the City of Bloomington shall not prohibit other local, state or federal agencies from taking further action as allowed by ordinance, regulation or law.

F. Appeal Procedures

All appeals for ESCMs or tickets shall be handled by the Construction Board of Appeals in accordance with Chapter 24, Section 6.3.9 of the City of Bloomington Codes and Ordinances.