

CITY OF LADUE
STREAM BUFFER PERMIT APPLICATION

The owner is responsible for insuring that the information on the Application is true and complete. The City Staff will assist you in meeting the requirements of this application.

Requirements for Applications:

Any permit applications for property requiring buffers and setbacks hereunder must include the following:

- (1) A site plan showing:
 - a. The location of all streams on the property;
 - b. Limits of required stream buffers and setbacks on the property;
 - c. Buffer zone topography with contour lines at no greater than five (5)-foot contour intervals;
 - d. Delineation of forested and open areas in the buffer zone; and,
 - e. Detailed plans of all proposed land development in the buffer and of all proposed impervious cover within the setback;
- (1) A description of all proposed land development within the buffer and setback; and,
- (2) Any other documentation that the (review and permitting authority) may reasonably deem necessary for review of the application and to insure that the buffer zone ordinance is addressed in the approval process.

All buffer and setback areas must be recorded on the final plat of the property following plan approval. A note to reference the vegetated buffer shall state: "There shall be no clearing, grading, construction or disturbance of vegetation except as permitted by Stream Buffer Protection Ordinance 1951".

These requirements are in addition to, and do not replace or supersede, any other applicable buffer or flood plain requirements established under state law and approval or exemption from these requirements do not constitute approval or exemption from buffer requirements established under state law or from other applicable local, state or federal regulations.

All land development activity subject to this ordinance shall meet the following requirements:

- (1) For streams depicted as a solid blue line on the U.S.G.S. map, an undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank. For all other streams subject to this ordinance, an undisturbed natural vegetative buffer shall be maintained for 25 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.
- (2) An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.
- (3) No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback.

Inspection:

The Building Commissioner may cause inspections of the work in the buffer or setback to be made periodically during the course thereof and shall make a final inspection following completion of the work. The permittee shall assist the Building Commissioner in making such inspections. The City of Ladue shall have the authority to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this ordinance, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area.

No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

Penalties:

In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the Building Commissioner shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the Building Commissioner may take any one or more of the following actions or impose any one or more of the following penalties.

- (1) **Stop Work Order** - The Building Commissioner may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take necessary remedial measures to cure such violation or violations.
- (2) **Withhold Certificate of Occupancy** - The Building Commissioner may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- (3) **Suspension, Revocation or Modification of Permit** - The Building Commissioner may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the Building Commissioner may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
- (4) **Penalties** - For violations of this ordinance, the applicant or other responsible person(s), shall be guilty of a misdemeanor punishable by a fine of not less than ten dollars and not more than one-hundred dollars for each and every day that such violation continues, but if the offense be willful, on conviction thereof the punishment shall be a fine of not less than one-hundred

dollars nor more than two-hundred-fifty dollars for each and every day that such violation shall continue, or by imprisonment for ten days for each and every day such violation shall continue or by both such fine and imprisonment, in the discretion of the Court. Any such person, having been served with an order to remove any such violation, failing to comply with said order within ten days after such notice or continuing to violate any provision of the regulations made under authority of this ordinance in the respect named in such order, shall also be subject to a civil penalty of two-hundred and fifty dollars.

Ordinances:

Additional information regarding Stream Buffer Protection regulations may be found at the City's website, www.cityofladue-mo.gov under Ordinance 1951.

**City of Ladue
Stream Buffer Protection Application Form**

Part I: Applicant Information:

Date: _____ Address for which application is submitted: _____

Being lot(s) no.* _____ of _____ subdivision.*

*Is any part of the subject property in the Flood Plain? Yes No

Owner of property: _____

Owner's Address (if different): _____

Owner's Telephone: _____ (day) _____ (evening)

Application is hereby made to the Building Commissioner of the City of Ladue for a permit to:

_____ at/on the above listed property, such construction being in accordance with the drawings and specifications presented herewith and in conformity with the provisions of Ordinance 1951, the estimated cost of which is \$ _____ to be completed on or about _____ of 20_____.

Contractor: _____

Consulting Firm: _____

Address: _____

Address: _____

Telephone: _____ Fax: _____

Telephone: _____ Fax: _____

Contact: _____

E-Mail: _____

Owner's and Owner's Agent Statement:

The undersigned owner of the building or ground above described has authorized _____ to act as the agent for the purpose of procuring the permit herein applied for, and states that all of the above information is true to the best of their knowledge and belief. The undersigned further state that they have read and are entirely familiar with, Ordinance 1951 as they apply for the proposed Stream Buffer Protection Plan for which the permit is requested. I/we understand that incomplete applications will not be processed.

Agent's Signature

Owner's Signature

For Office Use Only:

Comment/Approval Record:

Date: _____ Reviewed By: _____

Comments: _____

Date: _____ Reviewed By: _____

Comments: _____

Date: _____ Reviewed By: _____

Comments: _____

Date: _____ Reviewed By: _____

Comments: _____

Date: _____ Reviewed By: _____

Comments: _____
