

# **Soil Fill/Removal Permit Applications**

## **Review Policies & Procedures**

### **Work Not Requiring A Permit**

1. The property owner will submit written confirmation with property information agreeing to all of the following conditions:
  - i) Fill is less than 20 cyd's. Quantities to be defined as "cumulative" over a 24-month period, but not to exceed a change in 4" of existing elevation. (This 4" depth is the standard for topsoil necessary to establish lawn growth.)
  - ii) Change in elevation must be set back from property lines a minimum of 5 feet to accommodate adequate drainage. Any elevation changes within this area will require a permit.
  - iii) Surface runoff will not adversely impact adjacent properties.
  - iv) Fill must be established with vegetation during the eminent growing season. (April 20 to May 20 and August 10 to October 1 w/o irrigation)
  - v) An earth berm will be designed to have less than a 4:1 slope and will not exceed 3' in height at any point from original grade.

### **Work Requiring A Permit:**

As specified in Ordinance 42-5.5, Fill/Removal Permits are required in the following scenarios:

1. When the fill is part of a residential or approved commercial development site plan, where the grade will require fill dirt to be brought in from an "Off-site" location to fill and balance the lot. Note: The fill may be permitted as part of the site development approval process, provided that the fill is inclusive with the mass-grading plan approved with the engineering plans in accordance to the Codes of Ordinance Article IV Sec. 18-298.
2. Any proposed change to property from fill that does not meet items specified above under "Work not requiring a permit".
3. Any proposed fill located in a wetland, floodplain or within the 25 feet natural features setback requires multiple approvals such as Zoning Board of Appeals, Tree Preservation & Protection permit, wetland permit, the MDEQ permits, or any other enforcing agency's jurisdiction. Copies of all required permits shall be provided to the Township.

## **Procedure:**

1. The property owner must contact the Building Official if proposing any fill in excess of 20 cyd's prior to applying for permits. Quantities to be defined as "cumulative" over a 24-month period.
2. Submit the completed application to the Building Division for a Soil Filling/Removal permit.
3. Provide three sets of plans, sealed and signed by a registered engineer or surveyor, indicating:
  - a. The type of soil material specified for the fill.
  - b. The existing and proposed elevations.
  - c. The amount of fill.
  - d. A cross-section of the fill indicating a slope of not more than 4:1.
  - e. The direction of the storm water runoff and drainage system.
  - f. Purpose of the fill.
  - g. Soil erosion and sedimentation control measures and county permits as may be required.
  - h. A proposed schedule for filling operations.
4. Township personnel in the Building Division and Engineering & Environmental Services Department shall review the plans. Engineering consultants may be retained to check the filling operations and approve as needed. The permit holder will be responsible to pay all associated fees including a deposit to be held in escrow to cover the consultant review fees.
5. Plans will be presented to the Township Supervisor for review as needed.
6. The plans and application will then be returned to the Building Division for issuance of a Soil Fill Permit if minor in scope or forwarded to the Township Board for consideration of approval.

## **Fill Permit Notes**

1. Permit holder shall notify Building Division 24 hours prior to starting operations.
2. Normal projects require 2 inspections; a pre-site and a finished grade inspection, from the Building Division. Additional inspections may be required based on each project.
3. Permit violations are required to be resolved in a timely manner.
4. Upon completion of the project, an As-Built plan prepared and sealed by a design professional shall be submitted for review certifying compliance with the approved plans.

- 6. Fire and explosive hazards.
  - A. The storage, utilization or manufacture of materials or products ranging from incombustible to moderate burning, as determined by the Township fire chief, is permitted, subject to compliance with all other performance standards in this Section.
  - B. The storage, utilization or manufacture of materials, goods, or products ranging from free or active burning to intense burning, as determined by the fire chief is permitted subject to compliance with all other yard requirements and performance standards in this Section, and providing that the following conditions are met:
    - i. Said materials or products shall be stored, utilized or produced within completely enclosed buildings or structures having incombustible exterior walls, which meet the requirements of the building code of the Township.
    - ii. All such buildings or structures shall be set back at least forty (40) feet from lot lines and all such buildings or structures shall be protected throughout by an automatic sprinkler system complying with installation standards prescribed by the National Fire Association.
    - iii. The storage and handling of flammable liquids, liquefied petroleum, gases, and explosives shall comply with the state rules and regulations as established by Public Act No. 207 of 1941 (MCL 29.1 et seq.).
- 7. Noise; methods of measurement.
  - A. The intensity level of sounds being emitted from any operation within a B-1, B-2, B-3, O -1, OR-1, RP or ML district, shall not exceed the decibel level emitted by their adjacent use. Objectionable noises due to intermittence, high frequency, or shrillness shall be muffled so as not to become a nuisance to adjacent uses.
  - B. The sound level, in decibels, measured at the points adjacent to the various use districts shall meet the levels emitted by the adjacent use districts ninety (90) percent of the time, and shall at no time exceed this sound level by more than ten (10) percent. The sound levels shall be measured by a standard approved by the U.S. Bureau of Standards.
- 8. Application required for stripping soil, sand, clay, gravel or similar materials; filling.
  - A. Application required for stripping topsoil, sand, clay, gravel or similar material. From and after the effective date of the ordinance from which this Chapter is derived, it shall be unlawful for any person to strip any top soil, sand, clay, gravel or similar material, or to use lands for filling within the unincorporated area of the Township without first submitting an application as prescribed to the Township Board, and procuring a permit therefore from the building inspector.
  - B. Exceptions. No permits will be required for the following: excavations for building construction purposes pursuant to a duly issued building permit under the state construction code.
  - C. Application. Before approving and authorizing a permit, the Township Board may conduct a public hearing concerning such application. A separate permit shall be required for each separate site. Each application for a permit shall be made in writing to the Township Clerk and shall contain the following information as a condition precedent to the obligation to consider such request:
    - i. Names and addresses of parties of interest in said premises setting forth their legal interest in said premises.
    - ii. Full legal description of the premises wherein operations are proposed.
    - iii. Detailed proposal as to method of operation, what type of machinery or equipment will be used and estimated period of time that such operation will cover.
    - iv. Detailed statement as to exactly what type of deposit is proposed to be extracted or deposited.
    - v. Proposed method of filling excavation.

Adjacent Use	Where Measured
Abutting street or thoroughfare	Right-of-way line
Residential district	Common property line
Other uses	Common property line



- vi. Topographical survey map showing existing grades and final grades after material removal, to be prepared by a registered civil engineer, and drawing shall be submitted for review by the Township Board.
  - vii. Such other information as may be reasonably required by the Township Board to base an opinion as to whether a permit should be issued or not.
- D. Permits. After reviewing all of the information submitted by the applicant and such other information as may be in the hands of the Township Board, said Board shall determine whether or not a permit shall be issued. The permit shall be issued in the event the Township Board shall determine that the requirements under subsection 8.F of this Section can be met.
- E. Fees. In removal or filling operations, a fee to cover building department review and inspection shall be paid to the Township Clerk at the time of filing any application according to the schedule as established from time to time by resolution of the Township Board. Where engineering review is required, a fee to cover review of plans and inspection of the site by the engineer shall be paid to the Township Clerk prior to the issuance of a permit. Said fee shall be established by resolution of the Township Board. A receipt shall be issued to the applicant showing the payment of said fee. Upon the issuance of any permit, the fee, therefore, shall be paid into the general fund of the Township, said sum is to be used to defray the administrative expenses occasioned by processing such application.
- F. Requirements. The following requirements and regulations for stripping and removal operations shall be met:
- i. No soil, sand, gravel, clay or similar materials shall be removed below a point twelve (12) inches above the mean elevation of the centerline of the nearest existing or proposed street or road established or approved by the county road commission, except as required for the installation of utilities and pavements, provided further that where approved county drain ditches exist and/or are adjacent to the property under permit, that the grade and slope of removal will meet all requirements and approval of the county drain commission.
  - ii. Any roads used for the purpose of ingress or egress to said excavation site which are located within three hundred (300) feet of occupied residences shall be kept dust free by hardtopping with cement, bituminous substance or chemical treatment.
  - iii. No soil, sand, clay, gravel or similar materials shall be removed in such manner as to cause water to collect or to result in a place of danger or a menace to the public health or safety. The premises shall at all times be graded so that surface water drainage is not interfered with.
  - iv. Wherever top soil exists, suitable for growing turf or for other land use, at the time of the operations if there is a sufficient quantity of top soil it shall be stockpiled on said site so that the entire site, when stripping or removal operations are completed, may be recovered with a minimum of four (4) inches of top soil and the replacement of such top soil shall be made immediately following the termination of the stripping or removal operation. In the event, however, that such stripping or removal operations continue over a period of time greater than thirty (30) days, the operator shall replace the stored top soil over the stripped areas as he or she progresses. Such replacement shall be in a manner suitable for growing turf or for other land uses.
  - v. The Township Board may require further requirements as is deemed necessary in the interest of the public health, safety, morals and general welfare of the citizens of the Township.
- G. Regulations for special conditions filling operations.
- i. The filling of land with garbage or any other burnable waste matter shall be prohibited in the Township.
  - ii. The filling of land with unburnable rubbish or wastes may be permitted by the Township Board, provided that in no case shall any said permit be issued for filling within any residential district or within five hundred (500)

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Purpose and  
Introduction

**2**  
Definitions

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Zoning  
Districts

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Use  
Standards

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Site  
Standards

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Development  
Procedures

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Admin and  
Enforcement



feet of any residence unless written consent is obtained from all landowners and residents to waive this prohibition, and provided further that the following conditions shall be met:

- a. Only natural low spots, not located in floodplain areas, shall be brought to a grade established by the Township engineer.
- b. New excavations shall not be filled with any form of unburnable rubbish or waste.
- iii. No rubbish shall be burned, permitted to burn or smolder as a result of voluntary igniting of said material or as a result of involuntary internal combustion of said rubbish or fill material deposited at the site of the permitted operation.
- iv. The Township Board may require a temporary fence to be erected to prevent the scattering of rubbish, and other waste material.
- v. All rubbish fill when deposited must be thoroughly compacted with heavy equipment weighing not less than ten (10) tons.
- vi. All rubbish fill, within twenty four (24) hours of depositing in the place or places authorized in the permit, shall be covered by a layer of soil matter eighteen (18) inches thick of a kind and texture that will be suitable for growing of turf or for other land uses permitted within the district: provided that under certain acceptable circumstances applying the standards of public health, sanitation and welfare of the Township and the county, the Township Board may extend the above twenty four (24) hour period to a longer period that is satisfactory under the circumstances.
- vii. Any rubbish that is dropped in transit shall be recovered by the carrier operator and the affected area restored to its prior condition. Further, any undue collection of soil matter deposited on the street or public highways by the trucking of the vehicles shall be immediately removed by the carrier operator and the affected area restored to its prior condition.

H. Regulations for filling with soil, sand, gravel, clay or similar material. The filling of land with soil, sand, gravel, clay or similar material shall only be permitted when all of the following conditions are met:

- i. The request for permission to fill shall only be considered at such time as the owner submits a site plan for an improvement to the Township and such plan is reviewed and recommended for approval by the Planning Commission, or at such time as a building permit is applied for in the instance of a one-family residence and the plan for off-site fill is approved by the Township Board.
- ii. Only natural low spots, not located in any watercourse or wetland as defined in Section 42-5.13, or any floodplain, as defined in Section 42-5.12, or any floodplain established by the plat of any land may be filled to a grade established by the Township Board.
- iii. The fill shall not in any way affect abutting or adjacent properties in terms of surface runoff.
- iv. Where the grade on a site is in any way proposed to be increased above the existing grade, the owner of the property shall, upon application for a building permit in the instance of a one-family residence, or upon application for a site plan approval for all other uses permitted under this Chapter, submit a certification signed and sealed by a registered civil engineer licensed to practice in the state, setting forth the existing and proposed grades, and further stating that the conditions established in subsection 8.H.ii and 8.H.iii of this Section are met.
- v. Following an approval from the Township Board and prior to moving any fill onto the site, the landowner shall submit a schedule for the intended filling operation so as to permit inspection by the Township.
- I. Surety bond requirement. The Township Board shall, to ensure strict compliance with any regulation contained herein or required as a condition of the issuance of a permit either for top soil and any other material stripping and removal or filling operations, require the permittee to furnish



a surety bond executed by a reputable surety company authorized to do business in the state in an amount determined by the Township Board to be reasonably necessary to ensure compliance hereunder: provided, however, that in no case will the sum of the surety bond be less than five hundred (500.00) dollars for each acre or fraction thereof of land as shown on original application. In fixing the amount of such surety bond the Township Board shall take into account the size and scope of the proposed operation, current prevailing cost of rehabilitating the premises upon default of the operator, estimated expenses to compel operator to comply by court decree, and such other factors and conditions as might be relevant in determining the sum reasonable in the light of all facts and circumstances surrounding each application.

9. Lighting.

- A. All outdoor lighting in all use districts shall be shielded to reduce glare and shall be so arranged as to reflect lights away from all adjacent residential districts and/or adjacent residences. The light and supporting standards shall not exceed a height of twenty (20) feet measured from grade.
- B. All outdoor lighting in all use districts shall be directed toward and confined to the ground areas of lawns and parking lots.
- C. All lighting in nonresidential districts used for the external illumination of buildings, so as to feature said buildings, shall be so placed and shielded so as not to interfere with the vision of persons on the adjacent highway or adjacent property owners.
- D. Illumination of signs shall be directed or shaded downward so as not to interfere with the vision of persons on the adjacent highway or adjacent property owners.
- E. All illumination of signs and any other outdoor feature shall not be a flashing, moving or intermittent type. Artificial light shall be maintained stationary and constant in intensity and color at all times when in use.

10. Residential waterfront use.

- A. The use of waters shall be restricted to that right of user enjoyed by virtue of riparian rights and shall be confined to reasonable use by the owner or occupant of a riparian

parcel which is contiguous to the water as of the effective date of the ordinance from which this Chapter is derived; provided, however, that if a riparian parcel is proposed to be used by persons other than the owner residing thereon or occupant residing thereon, for a park, beach, picnic area or similar area for outdoor recreation, then in such event said use may be made of said riparian parcel only when permitted by the Zoning Board of Appeals; provided such use does not impair the natural appearance of said land or overcrowd the parcel or lake surface or tend to produce unreasonable noise or annoyance to surrounding properties; and provided that no use shall be made of any land or water for boat liveries or public or commercial beaches or recreational use operated for profit.

- B. Where a plan for subdividing a parcel of land contiguous to a body of water is granted tentative approval by the Township, a recreational park bordering on said body of water may be dedicated for such purpose, the privileges of which and riparian rights of user incident thereto, are to be reasonably enjoyed by the owners and occupants of lots included in any plat or plats recorded within said parcel and only such owners and occupants, provided that said recreational park is dedicated at the time of recording the first plat in said parcel; and provided that where such a recreational park is dedicated for the use of owners and occupants of lots contained in such a recorded plat or plats, at least twenty (20) linear feet of water frontage and fifty (50) feet in depth to waters edge as platted shall be reserved in upland for the rights of each lot of the size required by this Chapter and which it is intended shall enjoy water rights; and provided further that in no event shall any plat not in conformity with the provisions of this Chapter create any riparian rights in parcels of land so platted and such a nonconforming plat will not be approved for recording.

42-5.6 PLANT MATERIALS

Wherever in this Chapter a greenbelt or planting is required, it shall be planted within six (6) months from the date of issuance of a certificate of occupancy and shall thereafter be reasonably



Application # \_\_\_\_\_

Application Date \_\_\_\_\_



Bloomfield Township  
P.O. Box 489  
4200 Telegraph  
Bloomfield Township, MI 48303-0489  
Phone (248) 433-7715 Fax: 433-7729  
Inspection Line (248) 594-2818  
Website: <http://www.bloomfieldtp.org>

Permit # \_\_\_\_\_

Issue Date \_\_\_\_\_

### SOIL FILLING/REMOVAL PERMIT APPLICATION

Please print or type

Property Owner \_\_\_\_\_ Phone (    ) \_\_\_\_\_

Fax (    ) \_\_\_\_\_ E-mail \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

\*Pursuant to ORDINANCE 42-7.2, Provide certified site plan indicating all existing and proposed grade changes.

Building site address: \_\_\_\_\_

Lot # \_\_\_\_\_ Subdivision: \_\_\_\_\_

Reason for fill or removal: \_\_\_\_\_

Cubic yards of fill or removal: \_\_\_\_\_

Builder/Contractor: \_\_\_\_\_ Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone (    ) \_\_\_\_\_ Fax (    ) \_\_\_\_\_

Date work begins: \_\_\_\_\_ Date work will be completed: \_\_\_\_\_

#### CONDITIONS OF PERMIT: STRICT COMPLIANCE WITH ORDINANCE 42-5.5 REQUIRED.

- Only clean earth shall be used for fill.
- All fill shall be graded to drain properly. Drainage shall not be changed to the detriment of adjacent properties.
- Soil Erosion control must be maintained at all times.



Bloomfield Township  
 P.O. Box 489  
 Bloomfield Township, MI 48303-0489  
 Phone (248) 433-7715 Fax: 433-7729  
**Inspection Line (248) 594-2818**  
**Website: <http://www.bloomfieldtwp.org>**

**SOIL FILLING-REMOVAL PERMIT APPLICATION - 2**

Checklists for fill permit application review:

- Yes \_\_\_ No \_\_\_ Association Comments?
- Yes \_\_\_ No \_\_\_ Fill proposed in a wetland or 25-foot natural features buffer zone?
- Yes \_\_\_ No \_\_\_ Fill proposed in a floodplain?
- Yes \_\_\_ No \_\_\_ Fill proposed adjacent to underground water main, sewer, or ditch?
- Yes \_\_\_ No \_\_\_ Fill proposed in a private or public easement?
- Yes \_\_\_ No \_\_\_ Fill proposed near a roadway intersection and is obstructing any view?

If owner fails to comply with the drainage requirement and/or the soil erosion control requirement, the Township is hereby authorized to enter the property covered by this permit and correct the drainage and/or the soil erosion control at the expense of the owner.

Owner agrees to indemnify and hold harmless the Township, its agents and employees, from and against all losses or expenses (including costs and attorney's fees) by reason of liability imposed by law upon the Township, its agents and employees for damages because of bodily injury, including death at any time resulting there from, account of damage to property, including loss of use thereof, arising out of or in consequence of the performance of this work, provided such injury to persons or damage to property is due, or claimed to be due, to negligence of the owner, his contractor, or sub-contractor, employees or agents.

Special conditions: \_\_\_\_\_

\_\_\_\_\_

I have read the conditions of this permit and agree to abide by them and all the requirements.

Signature of owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of builder/contractor: \_\_\_\_\_ Date: \_\_\_\_\_

<b>Office Use Only</b>	
Registration Fees: _____	Engineering Fee: _____
Plan Review Fee: _____	Permit Fee: _____
Issued/Approved by: _____	Date: _____





## **Bloomfield Township**

### **Building Department Schedule of Building Permit Fees**

4200 Telegraph Road P.O. Box 489 Bloomfield Township, MI 48303-0489

(248) 433-7715

#### **Building Permit**

**Effective date: July 1, 2021**

#### **Residential:**

New, Addition, Alterations	\$0.90 sq. ft.
Demolition	\$300.00
Soil Fill, Removal (includes \$140 Engineering fee)	\$245.00
Paving, Driveway	\$120.00
Temporary or Full certificate of occupancy	\$25.00

#### **Commercial:**

New, Addition, Alterations	\$0.75 sq. ft.
Shell only	\$0.45 sq. ft.
Interior "build-out"	\$0.30 sq. ft.
Demolition	\$500.00
Soil Fill, Removal (includes \$210 Engineering fee)	\$780.00
Certificate of Occupancy (includes \$50 Fire fee)	\$100.00
Change of Occupancy (includes \$150 Fire fee)	\$500.00

Sign – wall or ground each	\$100.00
Foundation only	\$200.00
Accessory Building, Swimming pools, decks	\$0.40 sq. ft.
Minimum permit fee	\$120.00

Partial inspection	\$50.00
Re-inspection fee	\$75.00

Builders Registration & Administration fee (annual)	\$30.00
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Plus consultant review fee pursuant to Code of Ordinances Section 2-111 to 117 (if applicable)