



GRADING & LANDSCAPING ESCROW

8188 199TH AVENUE NW, NOWTHEN, MN 55330
(763) 441-1347

RETURN TO: PERMITS@NOWTHENMN.NET

APPLICATION

- All building permits for new single-family residential construction (\$200 fee/\$2,000 escrow per lot)
- All grading permits, building additions, or any other land disturbing activities which, in whole or in part, encompass 10,000 SF or more but do not exceed one (1) acre (43,560 SF) for single family alterations (\$200 fee/\$1,000 escrow per project)
- All new construction and building additions for non-residential uses and all land disturbing activities exceeding one (1) acre (\$2,000 lot minimum or as required by the City Engineer)

Property Address: _____

PID or Legal Description: _____

Fee Amount Paid: [] \$200 (Residential Projects Only)

Escrow Amount Paid: [] \$1,000 [] \$2,000 [] Other: _____ CC/Check#: _____

TERMS

The City of Nowthen requires an NPDES escrow account be created for the purpose of protecting the land, water, air and other natural resources through effective compliance with the requirements of the approved permit plans and/or other measures as specified by City, County and/or State regulations. The escrow serves as performance security as required under Sections 9-4-3 and 11-4-20 of the Nowthen City Code for all land disturbing projects involving building, grading or landscaping for which compliance with the MPCA NPDES (National Pollutant Discharge Elimination System) is required.

- Any one of a number of City employees or consultants will regularly inspect the property to verify compliance with approved site, grading, drainage and erosion control plans and will notify the property owner or contractor when work fails to comply and when site corrections are needed.

NPDES ESCROW AMOUNTS

- Escrow amounts will be in accordance with the City's fee schedule contained in Section 1-2-2 of the City Code or as otherwise determined by the City Engineer:
 - Single Family New Construction: NPDES Inspection Escrow for new homes **\$2,000/lot**
 - Single Family Alterations: NPDES Inspection Escrow for separate grading permits, building additions, or any other land disturbing activities which, in whole or in part, disturb 10,000 SF or more but do not exceed one (1) acre (43,560 SF). **\$1,000/project**
 - All Other Uses: NPDES Inspection Escrow for all new principal or accessory buildings, building additions, platted subdivisions, grading permits, mining permits and all land disturbing activities. **\$2,000/lot minimum or as required by the City Engineer**
- The NPDES Escrow can be waived for deck permits, above-ground pools, driveway grading, small accessory buildings or other projects with minimal land disturbance of less than 10,000 SF.

- A NPDES escrow is not required for ISTS (Individual Sewage Treatment System) permits.
- This escrow is for the implementation of the Erosion and Sediment Control (ESC), Grading and Landscaping requirements for individual lots and does not include any provisions for ornamental tree planting, screening or other site amenities as may be required by any Homeowner Associations, Developers Agreements, Anoka County or others.

USE OF NPDES/GRADING/LANDSCAPING ESCROW ACCOUNT

- The escrow account shall be billed to cover the costs incurred by the City that are directly related to the administration, site inspections and enforcement of the issued permit. Costs include, but are not limited to, staff time charged by City employees or hired consultants. If the initial escrow is determined to have insufficient funds to cover costs incurred by the City, the applicant shall pay, and will be responsible for any additional costs incurred by the City above and beyond the initial escrow amount.
- A statement of escrow account billings shall be made available upon written request. The City of Nowthen shall make every attempt to minimize applicant costs.
- **The escrow account shall remain in effect until permanent site stabilization is achieved** regardless of a transfer of property ownership, the issuance of a Certificate of Occupancy, or any other circumstances where site stabilization has been delayed.
- Upon request by the applicant and subsequent review and approval by the City or its designee, the remaining escrow balance shall be released when permanent site stabilization has been achieved by completing all soil disturbing activities and establishing a uniform perennial vegetation with a density of 70% on all exposed soils.
- The applicant must request the return of the escrow funds within one (1) year of final stabilization or from the date that construction activity ceases. If the applicant does not request the escrow funds within one (1) year the funds will be forfeited.
- Following written notice of its intent to do so, this agreement grants the City and its agents the right to enter upon the subject property and to construct such measures or do such other work as may be necessary to protect public health, safety or welfare and to prevent damages and/or to remedy any NPDES compliance violations. These actions may be taken by City personnel or the City may elect to hire an independent contractor to bring the property into compliance. All costs incurred, including re-inspections and legal actions, will be deducted from the NPDES escrow account.

AGREEMENT

I have read and understand the above statements and terms. I understand the City may use the escrow funds for site inspections, on-site or off-site clean-up and repair of damages and/or at its option to pursue legal actions to enforce all applicable regulations. I accept full responsibility to provide effective Erosion and Sediment Control (ESC) measures and further agree the escrow shall not be deemed to create or assign any liability to the City for any failure, lack of installation or damages alleged to result from or be caused by lack of ESC measures or failure of ESC measures, or by erosion or sedimentation associated with the construction activity authorized by the permit.

Signature of Property Owner: _____ Date: _____

Signature of Property Owner: _____ Date: _____

Signature of Applicant/Contractor: _____ Date: _____