



CITY OF MILWAUKIE

City of Milwaukie
Public Works Department

CONSTRUCTION SITE INSPECTIONS

Standard Operating Procedure #10.04

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Approved:

Public Works Director

Date

Climate and Natural Resources Supervisor

Date

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1.0 PURPOSE & APPLICABILITY

The purpose of this Standard Operating Procedure (SOP) is to establish uniform procedures pertaining to the practices, enforcement and reporting of Construction Site Inspections as performed by the City of Milwaukie Public Works department. This procedure is written and implemented to comply with the Schedule A.4.c requirements of NPDES permit #101348 issued to the City of Milwaukie by Oregon Department of Environmental Quality.

The policies and procedures of this SOP are applicable to all City of Milwaukie personnel involved in the planning, conducting and reporting of construction site inspections within the City of Milwaukie city boundaries.

The inspector may deviate from these procedures when necessary due to unexpected or unique circumstances that may occur in the field. Any deviation must be explained in the reports or notices resulting from these inspections.

2.0 METHOD SUMMARY

The City of Milwaukie continues to implement a program to reduce pollutants in stormwater runoff to the MS4 from construction activities. Building sites that disturb more than 500 square feet are required to obtain and comply with an erosion control permit issued by the City of Milwaukie Building Department. Before the permit is issued, the applicant must submit and obtain approval of an erosion control plan specific to the project. Once the EC (erosion control) measures shown on the approved plan are installed at the site, an initial inspection will take place. Once the initial inspection is approved, work at the site may commence. Unannounced monitoring inspections will take place during the life of the project for compliance along with routine inspections at 14-calendar day intervals. A passing final EC inspection is required for the project to pass a building final inspection and the owner to take occupancy. Construction sites that are not in compliance with Milwaukie MMC 16.28 may be subject to: notices of violations, inspection holds, penalties, or stop work orders.

3.0 EROSION CONTROL PERMIT REQUIREMENTS

Projects may require a local City of Milwaukie erosion control permit (here after referred to as 'local permit'), a 1200-CN permit, or a 1200-C permit depending on the area of site disturbance (Table 1). For local permits and 1200-CN permits, applications are submitted to the city for approval and the city performs the entirety of the required steps detailed in section 7.

For sites requiring a 1200-C permit, permit applications must be completed with DEQ following agency requirements and approved by DEQ. Final approved 1200-C permits and plans are to be submitted to city staff, and only mid-construction inspections (Sections 7.2.5 and 7.2.6) are required to be completed. Any associated documentation from DEQ to site managers or contractors for a 1200-C permit, including site plans, plan modifications, inspection reports, etc. are to be submitted to the city.

Table 1: Erosion control permit requirements by site disturbance area

AMOUNT OF DISTURBANCE	LOCAL MILWAUKIE EC	1200-CN	DEQ 1200-C
>500ft ² but < 1 acre	X		
>1 acre but < 5 acres	X	X	
>5 acres			X

4.0 HEALTH & SAFETY CONCERNS

Inspections of construction sites take place on construction sites and the inspector must be aware of multiple hazards inherent with the building trade. The inspector must be able to view the entire project and the surrounding area. Sites may feature steep grades, loose soils, mud, dust, and slippery footings. Heavy equipment is commonly in use and caution must be exercised around these large vehicles when in operation. Construction sites should be treated as “hard hat” areas with the proper PPE worn when on the jobsite. On large projects, the contractor may require special training and unique PPE be worn. Projects that feature exposure to railroad rights-of-way may require training or permission to be present at the project. Inspections are performed year-round in all types of weather.

5.0 PERSONNEL QUALIFICATIONS

Construction site inspections are typically performed by the Environmental Services Coordinator but may be conducted by other staff having had sufficient training to effectively perform the inspections. Staff must have knowledge of the causes of soil erosion and should know how to communicate preventive remedies at project sites. Inspectors should know the difference between erosion prevention and sediment control and the appropriate measures to apply for the myriad situations they will face at each individual project site. Inspectors need to have excellent communication skills as there may be language barriers with workers on the job site to overcome.

6.0 EQUIPMENT & SUPPLIES

Inspectors will need appropriate footwear and PPE to be safe at the jobsite. A digital camera or cell phone with camera will be valuable for documenting conditions found on the jobsite and should always be carried. Inspection Report Forms will need to be carried by the inspector to document any possible deficiencies found on the site and will act as written notice to the contractor to remedy problems discovered.

7.0 PROCEDURAL STEPS

See section 3.0 for process discrepancies between local, 1200-CN and 1200-C permits.

7.1 Erosion Prevention and Sediment Control Plan Review:

Staff will engage with developers before permit application through pre-design and development meetings initiated by the developer and facilitated by planning department and engineering department staff. Standard development notes regarding erosion control and applicable stormwater requirements will be provided at that time and with any formal meeting notes to the developer.

7.1.1 The building department will notify staff when an erosion control plan of any type has been submitted for review through the permitting so

7.1.2 Staff will review submitted site plan to completeness and appropriate measures that address the construction activities proposed.

7.1.3 Staff can approve a plan outright, approve as noted with comments requiring additional measures, or reject the plan and request the applicant make changes and re-submit the plan.

7.2 Field Inspections:

Field inspections will consist of at minimum one (1) initial inspection, (1) final inspection, and for sites that have visible sediment and/or turbidity in stormwater discharges, or have received complaints or reports. Mid-construction inspections may be randomized or scheduled as defined in 7.2.5 and 7.2.6.

7.2.1 Initial EC inspections will be scheduled by the contractor calling in to the building department and scheduling an inspection.

7.2.2 The inspector will visit the site and inspect each EC measure installed at the site, measures should be located and installed per plan. What is installed at the site should *at a minimum*, be what was proposed on the approved EC plan. Inspectors should examine the following areas: limits of disturbance, material, or waste storage locations, construction site entrances and exits, sensitive or natural areas, and discharge locations to MS4 or receiving waters, if applicable.

7.2.3 If the installed measures are complete and installed correctly, the inspector may approve the initial inspection. The inspector may also approve the initial inspection with conditions for minor improvements needed to pass the inspection; this is the inspector's option.

7.2.4 If the site fails the initial inspection, the inspector must notify the contractor and explain why the inspection failed and what the contractor must do to rectify the situation. The contractor must call for a re-inspection of the site to meet the initial inspection requirements and receive an approved initial inspection.

7.2.5 Mid-construction inspections will occur throughout the duration of the project at pre-scheduled and/or random times. Mid-construction random inspections may occur with no notice to the site manager or contractor, and at any time or day. The contractor or site manager is expected to maintain working EC measures at all times throughout the project. If corrections are needed, a written notice will be left at the jobsite with a deadline identifying improvements required. Code enforcement will be

notified of violations requiring enforcement as defined by MMC 16.28, and enforcement proceedings may occur.

- 7.2.6 Mid-construction inspections may occur at any time, but at minimum will occur once every 14 calendar days unless noted by the Environmental Services Coordinator on inspection records for the site and approved by the Climate and Natural Resource Manager. If a project is completed or is expected to be completed after the initial inspection but before 14-day mid-inspection deadline, the final inspection may be completed, and no routine mid-inspections will occur. Random inspections may still occur during this time.
- 7.2.7 Final inspections are conducted upon completion of the project. Temporary measures should be removed and permanent stabilization or covering of disturbed areas are necessary to obtain final approval. Final inspections are generally not approved with conditions.

7.3 Enforcement

- 7.3.1 A construction project's site is out of compliance by allowing sediment laden runoff to leave the site or otherwise allowing sediment to escape the confines of the containment area shown on the approved EC plan or by exhibiting deficiencies of any areas listed in step 7.2.2.
- 7.3.2 The contractor or owner of site property will be issued a Notice of Violation (NOV) by the inspector if sediment or sediment laden runoff is witnessed to be leaving the site or has left the site. The NOV will detail the deficiency and identify what needs to be remedied at the site. The inspector will give a reasonable timeline for the contractor to address the issue.
- 7.3.3 If the contractor has egregiously violated either the City's Erosion Control or Stormwater Regulations, the inspector may issue a Stop Work Order at the site if the degree of violation warrants one. This may be levied by the inspector if an obvious lack of compliance has been occurring historically at the site or if the measures originally implemented are not working to contain sediment onsite. If a Stop Work Order is issued, all project construction shall stop, and the only work allowed will be the corrections to EC measures. Violating a stop work order will be considered a separate violation.
- 7.3.4 The inspector may also place holds on other inspections performed by the building department so that the project will not advance until corrections are made at the site.
- 7.3.5 The City of Milwaukie's Code Compliance division has the authority to issue citations for violations of the Erosion Control ordinance and may subpoena alleged violators into Municipal Court for trial proceedings. Inspectors should be aware that any of their decisions, notices, or actions must be defensible in court and fully documented.

8.0 RECORDS MANAGEMENT

Initiation of the plan review process starts with a notification from the City of Milwaukie Building Department that an erosion control plan is available for review and waiting for approval. Staff will review the plan for erosion control measures that are appropriate for the geographical features at the site and ensure control of stormwater runoff from the site. If approved, the plan will be noted as such and stored electronically in the Accela program. An electronic copy will be saved to the Environmental Services Coordinator's computer.

Copies of inspection reports are given to contractors or site managers, Milwaukie Building Dept. and stored in the Stormwater Department's compliance binder for the year reported. Work orders for inspections will be completed in the Hansen database.

9.0 REFERENCE MATERIALS

- 9.1 [City of Milwaukie Municipal Code 13.14 Stormwater Management](#)
- 9.2 [City of Milwaukie Municipal Code 16.28 Erosion Control](#)
- 9.3 [City website on Erosion and Sediment Control](#)
 - Permit application
 - Standard development notes
 - Erosion control manual
 - Application requirements and instructions

REVISION RECORD

REVISION DATE	AUTHOR	DESCRIPTION OF REVISION
Drafted 8/14/13	Rob Livingston	
Revised 9/27/22	Galen Hoshovsky and Natalie Rogers	Revision of EC inspection timelines to meet MS4 Permit update requirements. New inclusion of specific mid-construction inspection timeline beyond initial and final inspection. Incorporation and reference of 1200-C permits. Addressed for Stormwater Management Plan reporting in CY 2022.