

SECTION 205 EXCAVATIONS

205.01 PERMIT REQUIRED.

It is unlawful to excavate, dig or grade the surface of the earth or open any pits or excavated areas in the earth, if the same has an area of more than 100 square feet and a depth of more than one foot, without a permit therefor as provided in this Section. A permit is not required for excavating incident to the construction of a building for which a permit has been issued under Section 200 of this Code.

205.03 APPLICATION PROCEDURE.

- Subd. 1. Contents. Application for an excavation permit is made in writing to the Council, setting out the name of the applicant, the general description of the excavating or grading to be covered by the permit, the location of the proposed excavating or grading, the estimated quantity of materials to be removed from the premises, the route of travel in the City upon which the hauling will take place, the time that work will begin and the time of anticipated completion, and such other information as the Council may require. The application shall be accompanied by the permit fee specified in Chapter VIII of this Code.
- Subd. 2. Conditions. The Council may impose such conditions on the permit as it deems reasonably necessary for the protection of the health, safety or general welfare of the public or for the protection of property.
- Subd. 3. Bond Required. The Council shall require the applicant to file a reasonable surety bond or cash deposit with the City, or certification of insurance, conditioned upon the compliance with the provisions of this Section and the conditions set forth in the permit.

205.05 COMPLIANCE WITH PERMIT; PENALTY.

- Subd. 1. Compliance. Any person who fails to comply with any of the conditions of a permit issued under this Section or who fails to complete the excavating or grading in the time prescribed in the application or permit, or who fails to act in accordance with the requirements authorized by the permit, is guilty of a misdemeanor.
- Subd 2. Discontinuance; Suspension. The Council reserves the right to revoke any excavation permit. If the Council orders the excavating or grading to be discontinued, the continuance of such work is unlawful. If the Council orders any act to be done to conform the work being done to that authorized by the permit, the same shall be completed within 10 days after mailed notice thereof. No further

excavation work shall be performed within the ten day notice period.

Subd. 3. Revocation. The Council may revoke an excavation permit at any time when in its judgement the public welfare and safety will be thereby protected. Violation of this Section is grounds for revocatio