



**TOWN OF MCCANDLESS
MEETING OF TOWN COUNCIL
AGENDA
January 13, 2025**

1. Call to Order at 7:30 p.m.

2. Pledge of Allegiance led by Town Councilmembers

3. Announcements

- a) Join us on Saturday, January 18 and Saturday, February 8 for cookie decorating classes lead by Jamie Wadowsky, the Call Me Crazy Cookie Lady herself. The registration link is on the Town website if you are interested.
- b) The Heritage and Cultural Center is closed until February 14, 2025 while it receives some extra cleaning, organizing and a display refresh.
- c) Christmas tree pickup began on January 6 in the Town and will run through January 31, 2025.
- d) The Town would like to congratulate Chief Ryan Hawk as he was one of 257 law enforcement officials (and one of only two from the Pittsburgh region) to graduate from the Federal Bureau of Investigation's National Academy earlier in December.
- e) The Town of McCandless is seeking applicants for personnel, zoning and industrial development boards. To apply, fill out an application on our website or mail/hand-deliver it to the Town of McCandless. The deadline to apply is Thursday, January 30 at 5:00 p.m.
- f) On April 26, 2025 The Northland Public Library will host their 2025 Garden Gala- Down the Rabbit Hole. Tickets will be available on their website beginning February 1.

4. Public Comment on Agenda Items Only

5. Approval of Minutes:

- a) Meeting of Town Council, December 16, 2024

6. Public Safety Reports:

- a) Police Report for the Month of December 2024
- b) Fire Marshal's Report for the Month of November 2024
- c) Building Permit Report for the Month of December 2024
- d) Liaison Reports
 - i) Personnel Board – Mr. Wall
 - ii) Volunteer Firefighters Steering Committee – Mr. Hart
- e) Public Comment on Public Safety

7. Facility Management Reports

- a) Public Works Report for the Month of December 2024
- b) Liaison Reports
 - i) Environmental Advisory Committee – Mr. Giorgetti
 - ii) Ad Hoc Technology Committee – Mr. Wall
 - iii) Ad Hoc Stormwater Management Committee – Mr. Singer
- c) Public Comment on Facilities Management

8. Service Committee Reports

- a) Liaison Reports
 - i) McCandless Township Sanitary Authority – Mr. Casey
 - ii) McCandless Franklin Park Ambulance Authority – Mr. Casey
 - iii) Northland Public Library Authority – Mr. Giorgetti
- b) Public Comment on Services

9. Old Business

10.New Business

a) Action Concerning Purchase of 2025 Leaf Vacuum Truck

- i) Motion to (approve/reject) Purchase Order 621 in the amount of \$340,260.90 for the Purchase of a 2025 Freightliner ODB Leaf Vacuum Truck from Stephenson Equipment Inc. under COSTARS Contract #4400028339

b) Action Concerning Purchase of 2025 Ford F-250 Service Truck

- i) Motion to (approve/reject) Purchase Order 622 in the amount of \$88,066.00 for the Purchase of a 2025 Ford F-250 Service Body Truck from Woltz and Wind Ford under COSTARS Contract #25-E22-401

c) Discussion Regarding Proposed Grading Ordinance

11.Public Comment on Non – Agenda Items

12.Executive session

a) Legal Matter

13.Adjournment

Respectfully submitted,

John F. Schwend
Town Manager
/dmr



McCandless Police Department

Memorandum

TO: Town Council

FROM: Ryan P. Hawk, Chief of Police

DATE: January 13, 2025

RE: Monthly Police Activity Report – December 2024

The Town of McCandless Police Department responded to 946 calls in the month of December.

Despite the last month of December being busy, our officers continued taking training courses. Our new lieutenant and one of our administrative assistants attended a training session offered by Allegheny County relating to the new Records Management System that McCandless Police may transition to in 2025.

Another officer attended an Internal Affairs Investigations class which emphasized best practices when conducting this type of investigation. One of the newer officers completed his ICS 100 and 700 training which is required by FEMA. These courses guide government and private agencies to work together to prevent, protect, respond and recover from incidents.

The officers assigned to the North Hills SRT attended their monthly training.

Lt. Egli accepted the AAA 2024 Community Traffic Safety Platinum Award at a luncheon held December 4, 2024. The award is for outstanding service, dedication and the significant impact made by improving the quality of life through traffic safety programming.

On December 9, our new social worker, Jennifer Frye, started with McCandless Police Department. In the two-week time period, she successfully referred 6 individuals to our social work services. Here are some key highlights:

1. **Engagement:** **2 individuals** have come to the station to receive social work services directly, showing positive engagement and a willingness to benefit from the support available. **4 individuals** received information via email/phone.
2. **Community Collaboration:** Additionally, we referred **1 individual** to the social worker at the Cranberry/Butler Police Department, reinforcing our commitment to a collaborative approach in serving the community.

Lt. Egli conducted an active shooter response presentation at the McCandless Endoscopy Center on December 11.

Chief Hawk completed and graduated from the FBI National Academy on December 12 from Quantico, Virginia. This was a 10-week training in Quantico, Virginia at the FBI headquarters.

With the help of residents of McCandless, we were able to collect toys for the Presents From Police Program. The toys were donated to Children's Hospital on December 20. Thank you to everyone that helped with this endeavor.

On December 21, K9 Siraly passed away after battling a serious health condition over the past few months, which had significantly worsened the latter part of the month. Officer Davis handled this extraordinarily difficult situation with the utmost professionalism and compassion, and our condolences are with him and his family.

Calls for Service - by Keyword

All Municipalities

Incidents Reported Between 12/01/2024 and 12/31/2024

Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
ALARM					
2626	ALL OTHER OFFENSES - FALSE FIRE ALARM	1			
ASSAULT					
0830	SEXUAL ASSAULT	3			
BLDG CHECK					
7004	BUILDING CHECKS - VACATION,VACANT HOME	1			
BURGLARY					
0501	BURGLARY-FALSE ALARM-RESIDENCE-NIGHT	1			
0504	BURGLARY-FALSE ALARM-NONRESIDENCE-NIGHT	1			
0505	BURGLARY-FALSE ALARM-NONRESIDENCE-DAY	1			
		3			
CRIM MISCH					
1420	CRIMINAL MISCHIEF BUILDINGS	1			
1440	CRIMINAL MISCHIEF ANY OTHER	1			
		2			
DEATH					
4510	DEATH INVESTIGATION	3			
DISORDERLY					
2400	DISORDERLY CONDUCT	3			
2480	DISORDERLY CONDUCT-ALL OTHERS	2			
		5			
DUI					
2111	DRIVING UNDER THE INFLUENCE - ALCOHOL	1			
2121	DRIVE UNDER INFLUENCE - DRUGS	1			
		2			
FOUND ANIM					
5002	ANIMAL - FOUND	3			
FRAUD					
1100	FRAUD	8			
HARASSMENT					
2410	HARASSMENT BY COMMUNICATION	1			
2450	HARASSMENT	6			
		7			
INFORMATIO					
7016	FOLLOW UP INFORMATION	4			
LOST ANIMA					
5006	ANIMAL - LOST	1			
PROPERTY					

Calls for Service - by Keyword

All Municipalities

Incidents Reported Between 12/01/2024 and 12/31/2024

Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
PROPERTY					
2910	LOST/MISSING PROPERTY	2			
PUBL NUISA					
2650	ALL OTHERS - PUBLIC NUISANCE	1			
RECOV PROP					
3000	FOUND/RECOVERED PROPERTY	2			
SCHOOL					
3950	SCHOOL POST	39			
SVC CALL					
2800	SOLICITING W/O PERMIT	3			
3400	MENTAL HEALTH COMMITMENT	2			
3500	SUSPICIOUS PERSONS OR CIRCUMSTANCES	43			
3600	DOMESTIC DISPUTE	16			
3610	JUVENILE DISTURBANCE	2			
3700	PROTECTION FROM ABUSE ORDER/SERVICE	5			
3800	MISCELLANEOUS SERVICE CALL	16			
3810	RESIDENTIAL BURGLAR ALARM	14			
3811	COMMERCIAL BURGLAR ALARM	15			
3812	DURESS ALARM	1			
3815	WELFARE CHECK	23			
3820	ASSIST MOTORIST/DISABLED VEHICLE	18			
3830	ASSIST OTHER POLICE AGENCY	11	1		
3840	ASSIST FIRE DEPARTMENT	41			
3850	HAZARDOUS CONDITIONS	15			
3860	LOCKOUTS (VEHICLE/BLDG)	5			
3870	ASSIST AMBULANCE	348			
3880	OPEN DOORS/WINDOWS - DISCOVERED	2			
3900	TRAFFIC AND PARKING RELATED ACTIVITY	57			
4020	SUSPICIOUS VEHICLE	2			
4024	UTILITY TROUBLE	17			
4028	CIVIL DISPUTES	7			
5008	LOST ARTICLES	3			
5012	MISSING JUVENILE	2			
5014	MISSING ADULT	2			
5502	ANIMAL COMPLAINTS - BARKING DOGS	5			
5504	ANIMAL COMPLAINTS - WILD ANIMALS	6			
5506	ANIMAL COMPLAINTS - DOGS/CATS AT LARGE	3			
5510	ANIMAL COMPLAINTS - DEER HIT	40			
6610	MOTORIST AID	3			
7017	DRUG RECOGNITION EVALUATION	1			
		728			
T ACCIDENT					
3100	MINOR VEHICLE ACCIDENT NO REPORT	35			
6002	TRAFFIC ACCIDENT INVOLVING DEATH	3			
6004	TRAFFIC ACCIDENT W/ PROPERTY DAMAGE	4			
6006	TRAFFIC ACCIDENT WITH INJURY	6			
6008	TRAFFIC ACCIDENT NO INJURY	24			

Calls for Service - by Keyword

All Municipalities

Incidents Reported Between 12/01/2024 and 12/31/2024

Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
		72			
THEFT					
0611	THEFT-\$200 & OVER-POCKET PICKING	1			
0613	THEFT-\$200 & OVER-RETAIL THEFT	1			
0614	THEFT-\$200 & OVER-FROM AUTO (EXCPT 0615)	3			
0617	THEFT-\$200 & OVER-FROM BUILDINGS	4			
0619	THEFT-\$200 & OVER-ALL OTHER	2			
0623	THEFT-\$50 TO \$200-RETAIL THEFT	3			
0629	THEFT-\$50 TO \$200-ALL OTHER	1			
0633	THEFT-UNDER \$50-RETAIL THEFT	2			
0637	THEFT - UNDER \$50 - FROM BUILDINGS	1			
0639	THEFT-UNDER \$50-ALL OTHER	1			
		19			
THEFT MV					
0710	MOTOR VEHICLE THEFT-AUTO	1			
TRAF CIT					
CITT	TRAFFIC CITATION	28			
TRAFFIC					
6312	TRAFFIC ENFORCEMENT - WARNINGS	2			
6602	TRAFFIC RELATED - IMPOUNDED,ABANDON M.V.	7			
		9			
TRESPASS					
2660	DEFIANT/CRIMINAL TRESPASS	1			
WARRANT					
3720	WARRANTS-OUTSIDE AGENCY-ASSIST	0	1		
WARR	WARRANT	1			
		1			
Total Calls		946			

FALSE ALARMS - November 2024

DATE	CALL #	CALL_TYPE	LOCATION_ADDRESS	DISTRICT	FALSE Y or N?	REASON	Billed
11/12/24	F240102994	FIRE ALARM - COMMERCIAL CLASS	8701 PERRY HWY, MCC	186	Y	testing alarm	
11/12/24	F240103018	FIRE ALARM - COMMERCIAL CLASS	9576 PERRY HWY, MCC	187	Y	working on system	
11/19/24	F240105146	FIRE ALARM - COMMERCIAL	9930 GRUBBS RD, MCC	187	Y	construction	
11/19/24	F240105253	FIRE ALARM - COMMERCIAL	111 PERRYMONT RD #137, MCC	186	Y	pull station	

TOTAL: \$ -

TOTAL FALSE ALARMS: 4
TOTAL BILLED: 0

FIRE MARSHAL - ANNUAL 2024

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
FIRE CODE INSPECTIONS	15	6	12	39	30	27	23	23	11	2	18	8	214
FIRE CODE CITATIONS	0	0	0	0	0	0	0	0	0	0	0	0	0
BURNING ORDINANCE VIOLATIONS	0	0	0	0	0	1	2	0	2	1	0	0	6
BURNING ORDINANCE CITATIONS	0	0	0	0	0	0	0	0	0	0	0	0	0
OPEN BURNING PERMITS	0	0	0	0	0	0	1	0	0	1	2	1	5
OPEN BURNING PERMIT FEES	\$ -	\$ -	0	\$ -	\$ -	\$ -	\$ 25	\$ -	\$ -	\$ 25	\$ 25	\$ 25	\$ 100
FIREWORKS PERMITS	0	0	0	3	2	1	1	0	1	1	0	0	9
FIREWORKS PERMIT FEES	\$ -	\$ -	\$ -	\$ 300	\$ 200	\$ 100	\$ -	\$ -	\$ -	\$ 100	\$ -	\$ -	\$ 700
OCCUPANCY INSPECTIONS	2	2	2	1	1	2	3	5	0	2	0	1	21
HYDRANT APPLICATIONS	0	0	0	0	0	0	0	1	2	0	2	1	6
FIRE MARSHAL CALLS	20	24	32	29	27	31	29	25	27	28	22	12	306
FIRE INVESTIGATIONS	1	1	0	0	1	2	0	1	1	1	1	1	10
TRAINING SESSIONS ATTENDED	2	0	3	7	3	0	0	0	1	0	0	2	18
TRAINING HOURS	3	0	5	28	8	0	0	0	2	0	0	3.5	49.5
FIRE PREVENTION PROGRAMS	1	0	2	0	0	0	0	0	4	33	0	0	40
# OF PEOPLE PRESENTED TO	85	0	75	0	0	0	0	0	167	2134	0	0	2461
SAFETY TRAINING PROGRAMS	0	1	0	0	1	0	0	2	1	1	1	0	7
# OF PEOPLE PRESENTED TO	0	21	0	0	24	0	0	58	15	10	24	0	152
FALSE ALARMS	5	11	18	12	7	5	9	11	7	7	4	4	100
FALSE ALARMS BILLED	0	2	1	2	2	0	3	1	1	1	0	1	14
FALSE ALARMS BILLED (Amount)	\$ -	\$ 400	\$ 300	\$ 700	\$ 800	\$ -	\$ 1,000	\$ 400	\$ 200	\$ 300	\$ -	\$ 400	\$ 4,500
FALSE ALARM FEES COLLECTED	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,800	\$400	\$ 200	\$ 1,000	\$ -	\$ 600	\$ 4,000

FIRE CALLS - ANNUAL 2024

FIRE CALLS IN TOWN:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Yearly Total
AUTOMATIC FIRE ALARM - COMMERCIAL	15	17	30	21	22	24	20	26	15	24	14	18	246
AUTOMATIC FIRE ALARM - RESIDENTIAL	1	3	6	5	6	12	3	5	11	8	6	10	76
CO ALARMS	5	5	2	5	2	2	5	4	9	5	1	2	47
FIRE – BRUSH	0	4	0	1	0	3	2	3	1	2	1	0	17
FIRE – STRUCTURE (CONFIRMED)	1	1	0	0	1	2	0	2	0	0	1	3	11
FIRE – STRUCTURE (REPORTED)	4	3	3	2	3	3	1	0	2	6	2	2	31
FIRE – VEHICLE	2	0	0	1	1	0	0	0	2	1	2	1	10
FIRE – OTHER	3	0	0	0	7	6	3	1	1	1	0	5	27
HAZMAT	4	4	3	2	1	1	0	3	1	4	4	5	32
MOTOR VEHICLE ACCIDENTS	10	16	12	18	12	11	16	14	15	23	24	28	199
MEDICAL – QRS	82	63	59	45	48	52	57	52	46	53	51	73	681
RESCUE	1	2	2	1	2	2	2	2	1	0	0	0	15
SERVICE CALLS/OTHER	6	7	3	10	20	29	11	12	13	9	7	9	136
TOTAL CALLS IN TOWN:	134	125	120	111	125	147	120	124	117	136	113	156	1528

MUTUAL AID CALLS:													
RESPONSES OUT OF TOWN:	29	37	30	28	32	43	36	34	41	39	23	41	413
MUTUAL AID REQUESTS:	5	16	5	9	9	15	16	10	8	15	12	11	131

TOTAL CALLS DISPATCHED FOR:	163	162	150	139	157	190	156	158	158	175	136	197	1941
-----------------------------	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	------

* data provided for report is issued by Allegheny County Emergency Services



Bureau of Fire Prevention

Town of McCandless
9955 Grubbs Road Wexford, PA 15090
Office: 412-364-0616

December 2024 Monthly Report

FIRE MARSHAL REPORT:

FIRE CODE INSPECTIONS	8
FIRE CODE CITATIONS	0
BURNING ORDINANCE VIOLATIONS	0
BURNING ORDINANCE CITATIONS	0
OPEN BURNING PERMITS	1
OPEN BURNING PERMIT FEES	\$ 25
FIREWORKS PERMITS	0
FIREWORKS PERMIT FEES	\$ -
OCCUPANCY INSPECTIONS	1
HYDRANT APPLICATIONS	1
FIRE MARSHAL CALLS	12
FIRE INVESTIGATIONS	1
TRAINING SESSIONS ATTENDED	2
TRAINING HOURS	3.5
FIRE PREVENTION PROGRAMS	0
# OF PEOPLE PRESENTED TO	0
SAFETY TRAINING PROGRAMS	0
# OF PEOPLE PRESENTED TO	0
* NOVEMBER FALSE ALARMS	4
* NOVEMBER FALSE ALARMS BILLED	0
* NOVEMBER FALSE ALARMS BILLED (Amount)	\$ -
FALSE ALARM FEES COLLECTED	\$ 600

* False alarms are from the month of NOVEMBER.

ADDITIONAL INFORMATION:

- Working on our Emergency Operations Center (EOC), which is Council Chambers. Almost completed.
- Working on other Emergency Management Agency (EMA) items as required by County and PEMA.
- Held year end emergency management meeting with town staff.
- Acquired new enclosed trailer for EMA. To house traffic control devices. Working with DPW to get the trailer in service.
- Wrote article for “On the Fire Side” for December
- Coordinated safety plan for Winterfest held on 12/7/24.
- Toured several elementary schools with other first responders.
- Attended ADP user training

FIRE COMPANIES REPORT:

1. FIRE CALL SUMMARY: (DECEMBER)

FIRE CALLS IN TOWN:	
AUTOMATIC FIRE ALARM - COMMERCIAL	18
AUTOMATIC FIRE ALARM - RESIDENTIAL	10
CO ALARMS	2
FIRE – BRUSH	0
FIRE – STRUCTURE (CONFIRMED)	3
FIRE – STRUCTURE (REPORTED)	2
FIRE – VEHICLE	1
FIRE – OTHER	5
HAZMAT	5
MOTOR VEHICLE ACCIDENTS	28
MEDICAL – QRS	73
RESCUE	0
SERVICE CALL/OTHER	9
TOTAL CALLS IN TOWN:	156

MUTUAL AID CALLS:	
RESPONSES OUT OF TOWN:	41
MUTUAL AID REQUESTS:	11

TOTAL CALLS DISPATCHED FOR:	197
------------------------------------	------------

2. Additional Information:

None

Submitted by: Jeff Wissner (Fire Marshal)

PERMITS ISSUED FROM: 12/01/2024 TO 12/31/2024

ALL PERMITS TYPES

Permit#/ Contractor	Dt Issued	Property Address Owner Name	Description Parcel ID#	Fee	Job Value
B-24-026722 ALLER CONSTRUCTION LLC PERMIT STATUS : 2 Square Footage: 1st Flr: 714 ADDITION & DECK	12/03/2024	9555 HARDING ROAD 15127	ADDITION & DECK 943-R-16	254.50	90,000
B-24-026735 AMBIA ENERGY, LLC PERMIT STATUS : 2 SOLAR PANELS - ROOF MOUNTED	12/03/2024	7063 BENNINGTON WOODS DRIVE	SOLAR PANELS - 614-B-13	254.50	17,088
B-24-026736 SELF PERMIT STATUS : 2 Square Footage: Garage: 480 CARPORT - 24' X 21'	12/03/2024	8131 EDWOOD ROAD 15237	CARPORT - 24' X 21' 611-H-46	250.00	4,000
B-24-026749 WEAVER BARNS PERMIT STATUS : 2 Square Footage: Garage: 672 DETACHED GARAGE - 24' X 28' X 19'	12/05/2024	441 BROOKS ROAD 15090	DETACHED GARAGE 1070-P-184	250.00	75,000
B-24-026751 PENN FENCING, INC. PERMIT STATUS : 2 FENCE - 4' ALUMINUM - SIDE & REAR YARDS	12/06/2024	9209 GLENELLEN DRIVE 15237	FENCE - 4' 826-H-372	50.00	5,000
F-24-026754 SELF PERMIT STATUS : 2 REC FIRE-BROOK PARK POOL PARKING LOT-12/21/2024 @ 6 PM RAIN DATE 12/28/2024	12/09/2024	801 FASSINGER LANE 15237 BROOK PARK MANOR LTD	REC FIRE-BROOK 610-F-368	25.00	0
B-24-026752 CROSSROADS CONSTRUCTION LLC PERMIT STATUS : 2 ELECTRICAL RENOVATIONS & EV CHARGER	12/11/2024	200 PINE ROAD 15237	ELECTRICAL 944-R-314	254.50	10,000
B-24-026753 KADEAN CONSTRUCTION COMPANY, INC PERMIT STATUS : 2 Square Footage: 1st Flr: 10250 MECHANICAL RENOVATIONS - PITTSBURGH ORTHOPEDIC SURGICAL SUITES	12/13/2024	150 NORTH MEADOWS DRIVE 15090 INCACKERMANN REAL ESTATE HOLDINGS	MECHANICAL 1348-L-250-150	1379.50	750,000
B-24-026755 REAGLE CONSTRUCTION PERMIT STATUS : 2 FENCE - 3' ALUMINUM PICKET IN FRONT & SIDE YARDS	12/13/2024	9005 KNOLL STREET 15101	FENCE - 3' 827-R-293	50.00	8,400
B-24-026747 SELF PERMIT STATUS : 2 GREENHOUSE - 10' X 20'	12/17/2024	9523 OLD PERRY HIGHWAY, #3 15237	GREENHOUSE - 10' 825-C-154	100.00	5,000
B-24-026748 SELF PERMIT STATUS : 2 SHED - 8' X 15'	12/17/2024	9523 OLD PERRY HIGHWAY, #3 15237	SHED - 8' X 15' 825-C-154	50.00	3,000
B-24-026758 FITZPATRICK, JAKE PERMIT STATUS : 2 INTERIOR RENOVATIONS - TENANT FIT OUT - BRONDE BEAUTY LOUNGE	12/20/2024	10431 PERRY HIGHWAY 15090 PHOENIX CENTRE HOLDINGS LLC	INTERIOR 1205-H-363	754.50	1,500

PERMITS ISSUED FROM: 12/01/2024 TO 12/31/2024

Permit#/ Contractor	Dt Issued	Property Address Owner Name	Description Parcel ID#	Fee	Job Value
B-24-026759 D.R. HORTON, INC PERMIT STATUS : 2 SIGN - MONUMENT - MCCANDLESS SQUARE - 18 SQ FT	12/23/2024	COOPER STREET 15090 MCCANDLESS SQUIRE FLEX, LLC	SIGN - MONUMENT 945-B-36	154.50	5,000
B-24-026707 SELF PERMIT STATUS : 2 Square Footage: Garage: 840 GARAGE ADDITION	12/23/2024	941 CENTER OAK DRIVE 15237	GARAGE ADDITION 945-L-55	254.50	15,000
B-24-026745 LANDAU BUILDING COMPANY PERMIT STATUS : 2 Square Footage: 1st Flr: 13284 RENOVATIONS - 5TH FLOOR	12/26/2024	9100 BABCOCK BOULEVARD 15237 UPMC PASSAVANT	RENOVATIONS - 826-M-10	5318.10	438,000
B-24-026761 AFFORDABLE FENCE & RAILING LLC PERMIT STATUS : 2 FENCE - VINYL & ALUMINUM IN SIDE & BACK YARDS	12/27/2024	8247 POST ROAD 15101	FENCE - VINYL & 717-P-331	50.00	10,555

TOTAL # OF PERMITS: 16 TOTAL FEES: 9449.60 TOTAL VALUE: 1,437,543

PAINT EMERGENCY RESPONSE TRAILER



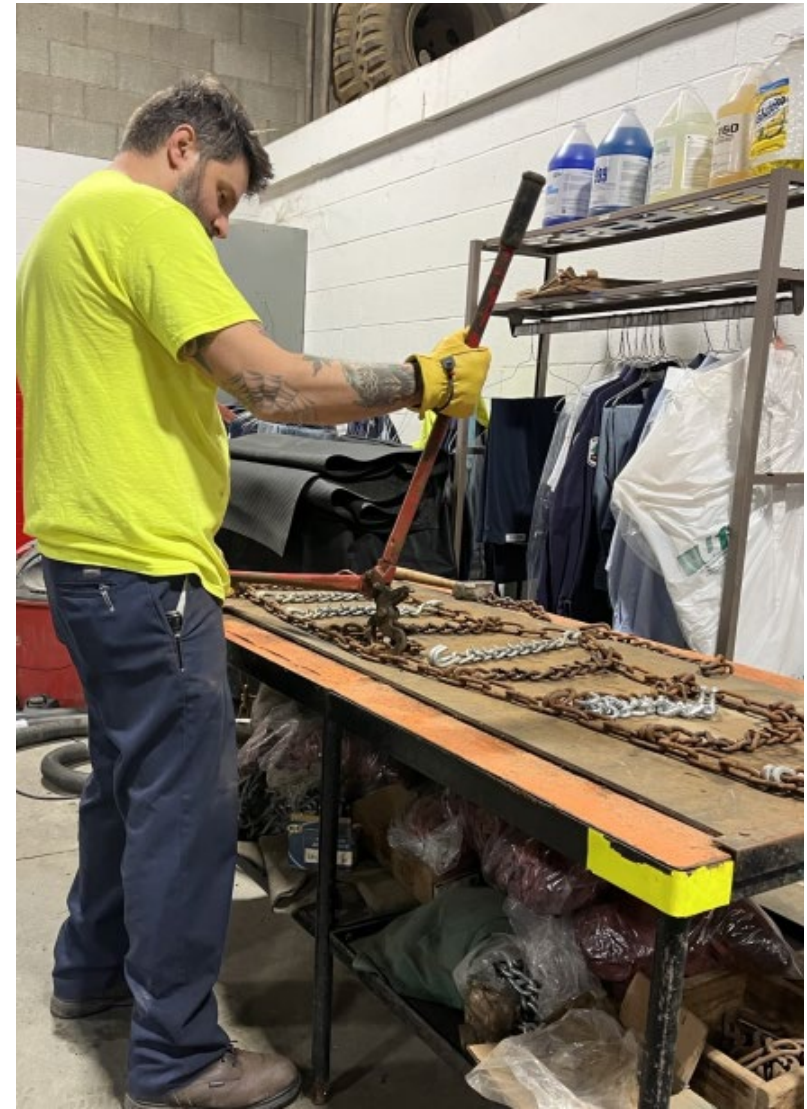


CLEAN UP VINCENTIAN ROAD



CLEAN AND WINTERIZE LEAF TRUCKS

FIXING CHAINS FOR TIRES/WINTER PREP



WIRING AT ADMIN BUILDING FOR EMERGENCY RESPONSE ROOM



COMPLETED WORK

- Winterfest Set Up
 - Clean Leaf Trucks/Winterize
 - Patch Pot Holes
 - Clean Catch Basins
 - Clean Up Leafs at Council Park
 - Remove DPW Christmas Lights
 - Clean Up Road @ Vincentian
 - Snow and Ice
-

December 2024
Monthly Report
Town of McCandless
Department of Public Works

Road Construction

- Cold Patch Roads
- Clean Catch Basins

Parks, Buildings & Grounds

- Winterfest Set Up
- Clean Leaf Trucks/Winterize
- Leaf Clean Up at Council Park
- Admin Rerouted Wiring for Emergency System/TV/ Smart Board/ Touch Up Paint
- Remove DPW Christmas Lights
- Clean Up Road @ Vincentian
- Roadside Clean Up- Grubbs, Rinaman , Riechold, Gas Road

Traffic Control

See attached report.

Vehicle Maintenance

See attached report.

PA1 Calls

201

Permits

Park Permits-0

Driveway Permits-0

Street Opening Permits-4

Upcoming Work

- Wall Park Stormwater Run Off Work
- Spring, eld/Shady Oak Paving Program Basin Replacement
- Culvert Replacement at Wall Park

December 2024
Monthly Report
Town of McCandless
Department of Public Works

Road Construction

- Cold Patch Roads
- Clean Catch Basins

Parks, Buildings & Grounds

- Winterfest Set Up
- Clean Leaf Trucks/Winterize
- Leaf Clean Up at Council Park
- Admin Rerouted Wiring for Emergency System/TV/ Smart Board/ Touch Up Paint
- Remove DPW Christmas Lights
- Clean Up Road @ Vincentian
- Roadside Clean Up- Grubbs, Rinaman , Riechold, Gas Road

Traffic Control

See attached report.

Vehicle Maintenance

See attached report.

PA1 Calls

201

Permits

Park Permits-0

Driveway Permits-0

Street Opening Permits-4

Upcoming Work

- Wall Park Stormwater Run Off Work
- Spring, eld/Shady Oak Paving Program Basin Replacement
- Culvert Replacement at Wall Park

TRAFFIC CONTROL ACTIVITY

December 2024

5 – TRAFFIC SIGNAL REPAIRS (REPLACE LAMP, RE-ALIGN CAMERA AND CONFIGURE DETECTION ZONE)

9 – TRAFFIC SIGN REPAIRS

10 – TRAFFIC SIGNS REPLACED (SPEED LIMIT/STOP/SCHOOL/STREET NAME)

4 – TSAMS ENTRIES (PENNDOT'S TRAFFIC SIGNAL ASSET MANAGEMENT SYSTEM)

1 – WEB TICKET ENTRY FOR PA1CALL

1 – MARK FOR PA 1 CALL

1 – OUTSIDE LIGHTS FOR WINTERFEST

8 – DECALS AND TAGS FOR NEW GAS CANS

1 – TREE TRIMMING

2 – DEPLOY EMERGENCY GENERATOR

5 – COUNCIL CHAMBERS WIRING

2 – MESSAGE TRAILER FOR WINTERFEST

Article 1705

GRADING, EXCAVATION AND FILLS

§1705.01 Title and purpose.

(A) This Article shall be known and may be cited as "The McCandless Grading Ordinance".

(B) The purpose of this article is to provide minimum standards to safeguard persons and property and protect and promote the public welfare by preventing excess erosion, hazardous rock and soil slippage, sediment production and other soil and water management problems, and regulating and controlling the design, construction, quality of materials, use, location and maintenance of grading, excavation and fill.

§1705.02 Definitions.

Wherever used in this article the following words shall have the meanings indicated:

ADMINISTRATOR — The Zoning Officer is authorized to manage this article on behalf of the Town. The governing body may appoint additional individual(s) or position(s) to manage this article.

BEDROCK — Natural rock layer, hard or soft, in place at ground surface or beneath unconsolidated surficial deposits.

EARTH DISTURBANCE — A construction or other human activity which disturbs the surface of the land, including, but not limited to, clearing and grubbing; grading; excavations; embankments; road maintenance; building construction; and the moving, depositing, stockpiling, or storing of soil, rock or earth materials.

ENGINEERING GEOLOGIST — A person who holds a degree in geology from an accredited college or university and who has training and experience in the field of engineering geology.

EROSION — The detachment and movement of soil or rock fragments by water, wind, ice or gravity, including such processes as gravitational creep.

EXCAVATION — Any act by which earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and includes the conditions resulting therefrom.

FILL — Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface, including the condition of the land surface resulting therefrom. The difference in elevation between a point on the original ground and designated point of higher elevation on the final grade. The material used in the act of filling.

GOVERNING BODY — Town Council.

GRADING — Any excavation or filling or combination of any act where earth, sand, gravel or rock is placed, pushed, dumped, pulled, transported or moved to a new location above or below the

natural surface of the ground, including the conditions resulting from any excavation or fill. The plowing, stripping, or timbering of land for agricultural purposes shall not be considered grading.

GRADING PERMIT — Any permit required under this article.

HAZARD — A danger or potential danger to life, limb or health, or an adverse effect or potentially adverse effect to the safety, use or stability of property, waterways, public ways, structures, utilities and storm sewers; "hazard" includes stream pollution.

IMPERVIOUS SURFACE (IMPERVIOUS AREA) — A surface that prevents the infiltration of water into the ground. Impervious surfaces (or areas) shall include, but not be limited to: roofs; additional indoor living spaces, patios, garages, storage sheds and similar structures; and any new streets or sidewalks. Decks, parking areas, and driveway areas are counted as impervious areas if they directly prevent infiltration. Aggregate areas shall be considered impervious in post-development conditions.

PERSON — A natural person but shall also include a partnership, corporation, trust, association or other entity authorized to exist under law.

PROFESSIONAL — A person (engineer, surveyor or architect) licensed by the Commonwealth of Pennsylvania.

REGULATED EARTH DISTURBANCE — Any earth disturbance activity that is required by the Pennsylvania Department of Environmental Protection (PADEP) to have an Erosion and Sediment Control Plan, "NPDES Construction Activities" permit, or other PADEP permit related to earth disturbance. This includes earth disturbance on any portion of, part of, or during any stage of a larger common plan of development.

SITE — A Lot, tract, parcel of land, or a series of Lots, tracts or parcels of land that are adjoining where grading work is continuous and performed at the same time.

SLOPE — Any ground area having an inclination from the horizontal. Slopes are measured either in degrees from the horizontal or as the ratio of a horizontal distance to the vertical height (or drop) to the surface of the slope. Each change in inclination from horizontal in a cut or fill represents a different slope. The slope of a cut or fill is represented by the maximum slope of a cut or fill.

SOILS ENGINEER — A person registered by the Commonwealth of Pennsylvania as a professional engineer and who has training and experience in the branch of soils engineering.

SOIL SURVEY — The soil survey for Allegheny County, Pennsylvania and the accompanying text "Soil Survey Interpretations of Allegheny County, Pennsylvania", as prepared by the USDA Soil Conservation Services et al.

SOLID WASTE — All parts of combinations of ashes, garbage, refuse, radioactive material, combustible demolition materials and industrial wastes such as food-processing wastes, wood, plastic, metal scrap, etc.

§1705.03 Permit requirement.

- (A) A grading permit must be obtained from the Administrator for new grading, excavations and fills. Changes, additions or alterations made to existing excavations or fills shall conform to the provisions of this article.
- (B) A separate grading permit shall be required for each site. One permit may cover any grading, excavation and fills made on the same site. A major planned Land Development may be considered one site.
- (C) When grading is to be performed for and executed concurrently with the construction of a new building, a separate grading plan will be required. Grading approved and performed under an approved Land Development application is exempt from this requirement.
- (D) A minor grading permit shall be required for projects that meet all of the following requirements:
 - 1. An earth disturbance greater than or equal to 5,000 square feet and less than 10,890 square feet (0.25 acres).
 - 2. A fill that does not exceed 4 feet in vertical depth at its deepest point measured from the natural ground surface, provided the surfaces of such fills do not have a slope at any point steeper than 3 horizontal to 1 vertical.
 - 3. An excavation depth that does not exceed 4 feet in vertical depth at its deepest point measured from the natural ground surface, provided the surfaces of such excavation do not have a slope at any point steeper than 2 horizontal to 1 vertical.
 - 4. Proposed retaining wall(s) 4 feet in height or less.
- (E) A major grading permit shall be required for projects that involve at least one of the following:
 - 1. An earth disturbance of 10,890 square feet (0.25 acres) or more.
 - 2. A fill depth exceeding 4 feet in vertical depth at its deepest point measured from the natural ground surface.
 - 3. An excavation depth exceeding 4 feet in vertical depth at its deepest point measured from the natural ground surface.
 - 4. Proposed retaining wall(s) taller than 4 feet in height.
 - 5. Projects that otherwise meet the requirements for a minor grading permit but are determined by the Administrator to pose a potential hazard as defined in §1705.02.

§1705.04 Exceptions to permit requirement.

A grading permit will not be required for any of the following situations:

- (A) Farms, including plowing, clearing, grading, and grubbing.
- (B) A fill which does not exceed 4 feet in vertical depth at its deepest point measured from the natural ground surface and covers a surface area of less than 5,000 square feet, provided

the surfaces of such fills do not have a slope at any point steeper than 3 horizontal to 1 vertical.

- (C) An excavation which does not exceed 4 feet in vertical depth at its deepest point measured from the natural ground surface and covers a surface area of less than 5,000 square feet, provided the surfaces of such excavation do not have a slope at any point steeper than 2 horizontal to 1 vertical.
- (D) A fill which does not exceed 500 cubic yards of material on any one site and does not violate the conditions of §1705.04(B).
- (E) Any excavation and backfill made below finished grade for basements, footers, swimming pools or underground structures for new construction authorized by a permit properly issued by the Town.
- (F) Soil excavated under the authorization of a properly issued building permit that is temporarily stockpiled on the same site as the excavation and does not otherwise incur the permit requirements of §1705.03(D) or (E). However, if excavated material is stockpiled on a site for a period of longer than 120 days, a minor grading permit shall be necessary when disposing of the fill material.
- (G) Exploratory excavations under the direction of a soils engineer or engineering geologist.
- (H) Excavations for wells, tunnels, public utilities, cemetery graves, or private utilities as approved by the Administrator.
- (I) Stockpiling of rock, sand and aggregate in an area properly zoned for such use.
- (J) Grading performed under an approved Land Development application which includes a grading plan that meets the requirements of §1705.05. Any grading associated with a Land Development application must conform to the standards contained within this Article to qualify for a permit exception.
- (K) Work performed by the Town, or by contractors employed by the Town, in a public street or alley, Town park, playground or recreation area, or on other Town property.

§1705.05 Application for permit; submission of plans.

- (A) Every applicant for a grading permit shall submit to the Town a complete application containing all required information in a form established by the Administrator along with the fees prescribed by §1705.15 of this Article.
- (B) One paper copy and one electronic (PDF) copy of all application materials shall be submitted to the Administrator. No application will be processed until the Administrator determines that the application is complete, and all required fees have been paid.
- (C) General Requirements. At a minimum, all applications must include the following information:
 - 1. The name, mailing address, and contact information of the applicant, contractor, and owner of the land.

2. A brief description and location of the site proposed for grading, identified by tax parcel ID and, when available, street address.
3. The purpose for which the grading application is being filed.
4. The estimated dates for commencement and completion of the grading work.
5. A description of how any excavated material will be used. If material will be removed from the site, the quantity and location of its disposal must be stated in the application. A separate grading permit may be required for each occurrence of off-site fill.

(D) Minor Grading Permit Requirements. In addition to the information required in §1705.05(C), an application for a minor grading permit must include a site plan containing the following elements:

1. The date of submission and any subsequent revisions, as applicable.
2. A contour map showing the present contours of the land and the proposed contours of the land after completion of the proposed grading at intervals of not less than 2 feet.
3. Location of the grading boundaries and limits of disturbance, lot lines, neighboring streets or ways, buildings, surface and subsurface utilities, and waterways.
4. Details and location of any drainage control structures, pipes, walls, and cribbing, as applicable.
5. Erosion and sedimentation control measures.
6. A site restoration narrative describing the seeding and landscaping proposed.
7. Nature of the fill material.
8. Quantity of cut and/or fill in cubic yards.

(E) Major Grading Permit Requirements. In addition to the information required in §1705.05(C), an application for a major grading permit must submit:

1. Plans and specifications prepared, signed, and sealed by a professional engineer, surveyor, or Landscape Architect. Plans shall be at the scale of 1" = 20', except with the permission of the Town Engineer, and shall include:
 - a. A description of the site proposed for grading.
 - b. Accurate location by lot, block, tract, street address, a location map, or other similar information.
 - c. A plot plan showing the location of the grading boundaries, lot lines, neighboring streets or ways, buildings, surface and subsurface utilities, and waterways.
 - d. A contour map showing the present contours of the land and the proposed contours of the land after completion of the proposed grading at intervals of not less than 2 feet or as permitted by the Town Engineer.
 - e. Cross sections of the proposed cut and/or fill and the method of benching the cut and/or fill.

- f. Nature of any proposed fill material.
 - g. Quantity of cut and/or fill in cubic yards.
 - h. A description of the type and classification of the soils from the Soil Survey or better.
 - i. A stormwater management plan prepared according to the provisions of the Town Stormwater Management Code, §913.
 - j. Details and locations of any stormwater management facilities or drainage control structures, pipes, walls, and cribbing.
 - k. The BMPs and appropriate erosion and sedimentation measures as required by Pa. Code 25, Chapter 102, for minimizing accelerated soil erosion and sedimentation.
 - l. A site restoration plan that includes seeding and/or planting locations and schedules.
 - m. Any other information as requested by the Town Engineer to carry out the purpose of this ordinance.
- 2. The Town Engineer may require additional information and reports from governmental agencies, scientific and/or engineering journals, and professional engineers and engineering geologists, if deemed necessary. This information must be of sufficient detail to ensure the proposed grading will not create a hazard and there will be minimal soil erosion.
 - 3. When required by the Town Engineer, a site-specific geotechnical report completed by a professional engineer registered in the state of Pennsylvania shall be submitted to meet the requirements of this ordinance and shall include a detailed description of the conditions of the site and conclusions and recommendations that will demonstrate the relationship of the geological conditions to the proposed development, including hazardous conditions, water resources, mineral resources, and environmental impact.
 - 4. A soil conservation report submitted to meet the requirements of this ordinance shall include an existing site description of topography, drainage, cover, and soils; major resource problems relating to soil limitations, erosion and sediment potential and surface runoff changes; and recommendations to minimize soil limitations, erosion and sediment, and surface water disposal problems.

§1705.06 Standards for grading.

- (A) The maximum slope of cut shall not exceed 2:1 and the maximum slope for fill shall not exceed 3:1.
- (B) Cuts or fills in excess of 12 feet in height and within 30 feet of the property line shall include a Filtering Buffer, as defined in the Town Subdivision and Land Development Ordinance, at either

the top of the cut or bottom of the fill, whichever provides greater buffering to the adjacent property.

- (C) Cuts or fills in excess of 30 feet in height shall include a 6-foot chain link fence, or equal as approved by the Town, at the top of the slope.
- (D) Where a cut or fill exceeds 15 feet in height, the top of the cut or the toe of the fill shall not be closer to the lot line than 20 feet.
- (E) Slopes that exceed 10 feet in height shall be properly benched in accordance with recommendations prepared by a professional geotechnical engineer registered in the state of Pennsylvania.
- (F) Retaining walls used to support grading changes shall meet the following requirements:
 - 1. When a wall in excess of 4 feet in height is proposed to satisfy a requirement of this ordinance, a wall detail must be submitted to the Town for review reflecting sound engineering practices and bearing the seal of a registered engineer in the state of Pennsylvania.
 - 2. The vertical face of a wall shall be set back a minimum distance from the adjoining property equal to the maximum height of the wall.
 - a. An exception to this requirement may be granted by the Town Engineer (for major grading permits) or the Administrator (for minor grading permits) if it can be satisfactorily demonstrated that such exception is necessary to permit normal use of the property, i.e., for a side line driveway, or other reasonable consideration.
 - b. This requirement may also be set aside when the proposed retaining wall is a joint venture between adjacent property owners and appropriate documents stating such are filed with the permit application.
 - 3. A wall used at the toe of a cut or fill shall maintain a buffer area, measured from the base of the wall, of a minimum distance equal to the maximum height of the wall. This buffer area shall not be used for placement of structures, parking, vehicular circulation, sales area, pedestrian traffic or for other uses that may endanger public safety if the wall should fall. Private driveways servicing individual residences are exempt from this requirement.
 - 4. Walls in excess of 5 feet in height shall be protected with a 6-foot chain-link fence or equal as approved by the Town. Decorative walls not used to support grading changes are exempt from this requirement.
 - 5. If deemed necessary by the Administrator or Town Engineer, the applicant shall provide certification by a registered engineer in the state of Pennsylvania that a wall was constructed per the approved design.
- (G) All material shall be clean fill and shall be compacted to provide stability of the fill material and to prevent settlement or slippage. The fill shall be spread in a series of lifts, each not

exceeding 12 inches in thickness, and shall be compacted in accordance with recommendations prepared by a professional geotechnical engineer registered in the state of Pennsylvania.

(H) The use of solid waste as fill material is prohibited.

(I) Immediately upon completion of grading, all areas not designated for building or paving shall be mulched and planted. Plantings shall be appropriate to maintain slopes from erosion and are subject to Town approval.

(J) Proposed grading shall be accomplished so that existing stormwater runoff flows are not concentrated at the point of release onto abutting properties.

(K) Erosion and sedimentation control

1. Adequate engineered provisions shall be incorporated to prevent sediment discharge into existing streams.
2. Adequate measures shall be taken to prevent silt, debris, and washout from impacting roadways and pedestrian facilities for the duration of construction and grading activities. Any silt, debris, or washout resulting from construction and grading activities shall be immediately removed in its entirety from any impacted roadways or pedestrian facilities.
3. No Regulated Earth Disturbance activities within the Town shall commence until approval of an Erosion and Sediment Control Plan for construction activities by the Town. The Erosion and Sediment Control Plan must comply with the Pennsylvania Department of Environmental Protection (PADEP) regulations under 25 Pa. § 102.4(b) for any earth disturbance activity of 5,000 square feet or more.
4. Evidence of any necessary permit(s) for Regulated Earth Disturbance activities from the appropriate PADEP regional office or the Allegheny County Conservation District must be provided to the Town. The issuance of an NPDES Permit satisfies this requirement.
5. A copy of the Erosion and Sediment Control Plan and any required permits under PADEP regulations shall be available at the project site at all times.

(L) No encroachment, grading, alteration or improvement of any kind shall be made to any watercourse until required permits and approvals have been obtained from the PADEP and provided to the Town.

(M) If deemed necessary by the Administrator or Town Engineer, an as-built plan may be required to confirm work was completed per the original approved plan.

(N) Blasting of any nature shall be prohibited except as approved by Town Council.

§1705.07 Modifications or waivers of requirements.

(A) Town Council may grant a waiver or modification to the minimum standards of this Article if the literal enforcement is shown to the satisfaction of Council to be unreasonable, to cause undue

hardship because of peculiar conditions pertaining to the land in question, or when an alternative standard can be demonstrated to provide equal or better results and provided that such modification will not be contrary to the public interest and the purpose and intent of this Article.

- (B) All requests for modification shall be in writing and shall accompany and be a part of the grading permit application. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary.
- (C) The request for modification may be referred to the Planning Commission for advisory comments. A written record shall be kept of all action on all requests for modification.

§1705.08 Completion and performance guarantee.

- (A) No grading permit shall be issued until the applicant posts a bond, with corporate surety or other security approved by the Administrator in consultation with the Town Attorney, in an amount of 50% of the estimated cost of the work to guarantee the completion of said work, including grading, supporting structures, drainage, and site restoration, under the terms and conditions of the grading permit and to the satisfaction of the Town Engineer. The bond shall inure to the benefit of the Town and be conditioned upon the faithful performance of the work required under the terms and conditions of the grading permit to the satisfaction of the Town Engineer. In lieu of such bond, the Administrator may, in their sole discretion approve a certified check in the same amount to be deposited with the Town Treasurer. However, under no circumstances shall the Town accept a certified check in an amount exceeding \$50,000.
- (B) A development agreement or improvements construction agreement shall be executed with the Town prior to beginning construction when required by the Administrator.

§1705.09 Expiration of permit.

- (A) Every grading permit shall expire by limitation and become null and void if the work authorized by such permit has not commenced within 180 days or is not completed within 1 year from the date of issue.
- (B) An extension of up to 1 year may be granted by the Administrator if the permit holder presents satisfactory evidence that unusual difficulties have prevented work being started or completed within the specified time limits and if the application for the extension of time is made before the date of expiration of the permit.

§1705.10 Denial of permit; appeal.

- (A) A grading permit application may be denied by the Administrator for the following reasons:
 - 1. When the application is determined to be incomplete under the requirements of §1705.05.

2. When the proposal does not comply with the provisions of this Article or any other provision of the Town Code of Ordinances.
3. When, in the opinion of the Town Engineer, work proposed by the applicant is likely to endanger any property, person, street, or alley, or create hazardous conditions. In making this determination, the Town Engineer shall give due consideration to possible saturation by rains, earth movements, runoff surface waters, and sub-surface conditions such as the stratification and faulting for rock, springs, and the nature and type of the soil or rock.

(B) Any person directly affected by a decision of the Administrator or Town Engineer, including the denial or grant of a permit under this Article, or a notice or order issued under this Article shall have the right to appeal to the Board of Appeals established under Article 1719, Uniform Construction Code, of Part 17 of the Codified Ordinances of the Town of McCandless, Building Code, provided that a written application for an appeal is filed within 15 calendar days after receipt of said decision, notice or order, along with payment of an appeal hearing fee in an amount set from time to time by resolution of Town Council. An application for appeal shall be based on a claim that the true intent of this Article or the rules legally adopted hereunder has been incorrectly interpreted, the provisions of this Article do not fully apply, or the requirements of this Article are adequately satisfied by other means.

§1705.11 Supervision of grading.

- (A) The Administrator shall collect all fees, escrows and required bonds before any work can begin.
- (B) The applicant or their agent shall notify the Administrator in writing of the start and completion of each continuous grading operation. Notice shall be received by the Administrator at least 2 working days before the start or completion of grading operations.
- (C) Grading work will be subject to inspections at the discretion of the Administrator to determine that the work is being performed in compliance with these regulations.
- (D) In special cases, when grading occurs in areas of landslide-prone soil as recognized by the Soil Survey or better, the Administrator may require special precautions from the applicant and/or the applicant's contractors. The results of all soil tests and core borings made relating to the site graded shall be submitted to the Administrator.

§1705.12 Hazardous conditions.

- (A) Whenever the Administrator determines that any existing excavation, embankment or fill has become a hazard as defined in Section 1705.02, the owner of the property upon which the excavation, embankment or fill is located shall be notified in writing by the Administrator. Upon receipt of the notice, the owner and/or other persons or agent in control of the property shall repair, reconstruct or remove the identified excavation, embankment or fill to eliminate the hazard within a reasonable amount of time as specified by the notice.

- (B) If, after such notification, the property owner has not made the necessary repairs within the time specified by the Administrator, the Administrator may direct government employees to remediate the property, the cost of which shall be borne by the property owner by a lien filed as provided by law.

§1705.13 Maintenance.

- (A) The owner of any property on which an excavation or fill has been made shall maintain in good condition and repair the excavation or fill permitted, and also all retaining walls, cribbing, drainage structures, fences, ground cover and any other protective devices as may be a part of the permit requirements.
- (B) If, at any time after the completion of the grading work, the cut face or fill slope shows evidence of deterioration, erosion or other evidence which might be detrimental to the properties above and below the grading site, the Administrator may direct the property owner to take necessary remedial steps in accordance with sound engineering practices to restore the grading to a safe condition in a reasonable period of time.

§1705.14 Liability.

- (A) Neither the issuance of a permit under the provisions of this Article, nor the compliance with the provisions of this Article or with any condition imposed by the Administrator, shall relieve any person from any responsibility for damage to persons or property resulting therefrom, or as otherwise imposed by law, nor impose any liability upon the Town for damages to persons or property.
- (B) Compliance with the requirements of this Article shall be incumbent upon the person performing any grading, presence or absence of an inspector notwithstanding.

§ 1705.15 Schedule of fees.

- (A) Grading permit fees will be based on the volume of materials to be graded in accordance with the Schedule of Fees as adopted by Town Council by resolution from time to time.
- (B) The applicant shall also be responsible for engineering and legal fees, costs, and expenses associated with additional review for the determination of adherence to the provisions of this ordinance and for enforcement of this ordinance. Such fees shall be paid from a cash escrow deposit according to the current Town resolution establishing such escrow to cover costs incidental to the review of all plans by Town officials and such qualified consultants they may employ. A minimum amount of funds shall be maintained in the escrow account until all grading work has been completed and the site has been restored according to the approved site restoration plan and to the satisfaction of the Town Engineer.

§1705.99 Compliance, violation and remedies.

- (A) No person shall construct, enlarge, alter, repair or maintain any grading, excavation or fill, or cause the same to be done contrary to or in violation of any provision of this Article.
- (B) When written notice of any violation of any provision of this Article has been served by the Administrator on any person, such violation shall be discontinued immediately or within a reasonable time limit specified in such notice. If violation is not discontinued, or extends beyond the specified time limit, the Administrator shall revoke any grading permit associated with the site and the violator shall be subject to the penalty provided in §1705.99.
- (C) Any person, firm or corporation who violates or fails to comply with any provision or requirement of this Article shall be sentenced to pay a fine of not more than \$1,000 for each violation, plus court costs and costs of prosecution incurred by the Town. Each day that a violation continues after due notice has been served shall be deemed a separate offense for each section of this Article found to have been violated.
- (D) All fines and penalties for the violation of this Article shall be paid to the Town. Procedures for collection of fines and penalties for default of payment shall be in accordance with law.
- (E) The Town may also commence appropriate actions in equity or any other legal proceeding to prevent, restrain, correct, enjoin, or abate violations of this Article. The imposition of the penalties herein prescribed shall not preclude the legal officer of the Town from instituting appropriate action to restrain, correct or abate a violation.