
The City of Snellville (City) is the Issuing Authority for Erosion and Sedimentation Control permits within the jurisdictional boundaries of the City. Consistent with the Georgia Erosion and Sediment Control Act of 1975 (as amended), and Section V.B(5a), Application Requirements of the City of Snellville Erosion and Sedimentation Control Ordinance, the City is authorized to require an erosion control performance bond for any development activities permitted within the City limits. Specifically:

“The Issuing Authority may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land disturbing activity, prior to issuing a permit. If the applicant does not comply with this ordinance or with the conditions of the permit after issuance, the Issuing Authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the Issuing Authority with respect to alleged permit violations.”

An Erosion and Sedimentation Control Performance Bond:

1. Shall be required of all sites that disturb 5 acres or more during development activities.
2. Shall be required of all sites that contain designated “State Waters” as defined by the Ordinance.
3. May be required on sites disturbing less than 5 acres when, in the opinion of the City Engineer, residential or commercial areas are located in close proximity to the planned activity, or the potential for impacts to sensitive environments exists.

The required amount of the Performance Bond will be a minimum of \$1,000.00 per acre or fraction thereof, of the proposed land-disturbing activity, but under no circumstances less than \$3,000.00. In general, this shall be calculated on the overall size of the project site. In limited cases, a reduction in the overall site area may be approved if the applicant demonstrates that tree protection or buffer areas are upgradient of construction areas and have no possibility of being impacted from improper erosion control management activities.

The Erosion Control Performance Bond form is included as an attachment to this memorandum. Please Contact the Department of Planning and Development at (770) 985-3518 if you have any questions.



EROSION AND SEDIMENT CONTROL MAINTENANCE/PERFORMANCE BOND



Bond No. _____

KNOW ALL MEN BY THESE PRESENTS: That we _____ of _____ County, State of _____ as Principal and _____ as Surety, are held and bound unto City of Snellville, Georgia in the sum of \$ _____ lawful money of the United States of America, for the payment whereof well and truly to be made, we bind ourselves, our heirs, executors, successors and assigns, jointly and severally, firmly by these presents. The condition of the foregoing obligation is such that,

WHEREAS, the Principal will inspect and maintain the operational characteristics of the erosion and sedimentation control measures on the facility in accordance with the approved Development Plans, and the City of Snellville Erosion and Sediment Control Ordinance, as determined by the City Engineer, and such that the facility complies with the requirements of the Development Regulations during the period of construction covered by said permit.

WHEREAS, the Principal shall maintain the erosion and sedimentation control Best Management Practices in accordance with the Manual for Erosion and Sediment Control in Georgia. The escape of sediment from the site shall be prevented by the installation of erosion and sediment control measures and practices prior to, and concurrent with, land-disturbing activities. If full implementation of the approved plan does not provide for effective erosion control, additional erosion and sediment control measures shall be implemented by the Principal to control or treat the sediment source.

WHEREAS, the maintenance of all soil erosion and sedimentation control measures and practices, whether temporary or permanent, shall be at all times the responsibility of the Principal.

WHEREAS, the City of Snellville, as Issuing Authority, has the authority to require the Principal to post a bond in the form of a government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuance of a permit. Said bond being provided and made available to the City of Snellville in the event that the Principal fails to maintain compliance with the provisions of this bond and the City of Snellville elects to hire a contractor to stabilize the project site and otherwise bring the site into compliance;

WHEREAS, this agreement shall be governed by the laws of the State of Georgia.

NOW THEREFORE, if the Principal shall well and truly perform the terms and conditions of said contract, then this obligation shall be void, otherwise, to remain in full force and effect. Upon failure of the Principal in the performance of the terms and conditions of said contract, then the Surety shall be liable in payment to the City of Snellville of a sum not to exceed \$ _____, which is calculated as \$ _____ per acre over a total of _____ acres. The bond value is to be used to cover the cost of completing the terms and conditions set forth under the contract entered by the Principal with the City of Snellville. The bond shall remain in full force and effect until permanent stabilization and satisfactory removal of temporary erosion control measures, as determined solely by the City Engineer, or 18 months from issuance of a Final Plat or Certificate of Occupancy.

SIGNED, SEALED AND DELIVERED THIS _____ day of _____, 20____, in the presence of:

ATTEST:

BY: _____ (SEAL)

Principal Signature

Corporate Secretary

Printed Name and Title

BY: _____

Printed Surety Name

ATTEST:

(SEAL)

Signature

Corporate Secretary

Printed Name and Title