

1 THE TOWN OF COVENTRY
2
3

4 **ORDINANCE OF THE TOWN COUNCIL**

5
6 IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES,
7 2008 PART II – GENERAL LEGISLATION,
8 CHAPTER 200 – Soil Erosion and Sediment Control
9

10 **Ordinance No. 2026-09**

11
12 *The Town Council of the Town of Coventry hereby ordains as follows:*

13
14 **Section 1.** The Town of Coventry Code of Ordinance, Part II General Legislation is hereby
15 amended by amending the following Chapter and Sections:

16
17 **Chapter 200 – Soil Erosion and Sediment Control**

18
19 **§ 200-12 Financial Security. ~~Performance bond.~~**

20
21 (A) Requirements.

22
23 (1) Before approving an erosion sediment control plan, the Building Official or his or her designee
24 may require the applicant/owner to file an acceptable form of “Financial Security” as authorized
25 and defined in the Town of Coventry Code of Ordinances, Part II General Legislation, Chapter
26 123 ~~surety company performance bond~~, deposit of money, negotiable securities or other method
27 of Financial Security ~~surety~~, as specified by the Building Official or his or her designee. When any
28 land-disturbing activity is to take place within 100 feet of any watercourse or coastal feature or
29 within an identified flood hazard district or on slopes in excess of 10%, the filing of a Financial
30 Security ~~performance bond~~ shall be required. The amount of the Financial Security ~~bond~~, as
31 determined by the Public Works Department or, in its absence, the Building Official or his or her
32 designee, shall be sufficient to cover the cost of implementing all erosion and sediment control
33 measures as shown on the plan.

34
35 (2) The Financial Security ~~bond~~ or negotiable security filed by the applicant shall be subject to
36 approval of the form, content, amount and manner of execution by the Public Works Director and
37 the Town Solicitor.

38
39 (3) A Financial Security ~~performance bond~~ for an erosion and sediment control plan for a
40 subdivision may be included in the performance Financial Security ~~bond~~ of the subdivision. The
41 posting of the Financial Security ~~bond~~ as part of the subdivision Financial Security ~~performance~~
42 ~~bond~~ does not, however, relieve the owner of any requirement(s) of this chapter.

43
44 **§ 200-16 Inspections.**
45

46 (A) Periodic inspections. The provisions of this chapter shall be administered and enforced by the
47 Building Official or his or her designee. All work shall be subject to periodic inspections by the
48 Building Official or his or her designee. All work shall be performed in accordance with an
49 inspection and construction control schedule approved by the Building Official or his or her
50 designee, who shall maintain a permanent file on all of his or her inspections. Upon completion of
51 the work, the developer or owner(s) shall notify the Building Official or his or her designee, in
52 writing, that all grading, drainage, erosion and sediment control measures and devices and
53 vegetation and ground cover planting has been completed in conformance with the approval, all
54 attached plans, specifications, conditions and other applicable provisions of this chapter.

55
56 (B) Final inspection.
57
58 (1) Upon notification of the completion by the owner, the Building Official or his or her designee
59 shall make a final inspection of the site in question and shall prepare a final summary inspection
60 report of its findings, which shall be retained in the Department of Inspections and in the
61 Department of Public Works' permanent inspection files.

62
63 (2) The applicant/owner may request the release of his or her acceptable form of "Financial
64 Security" as authorized and defined in the Town of Coventry Code of Ordinances, Part II General
65 Legislation, Chapter 123 ~~performance bond~~ from the Building Official or his or her designee 12
66 months after the final site inspection has been completed and approved. In the instance where the
67 Financial Security ~~performance bond~~ has been posted with the recording of a final subdivision, the
68 Financial Security ~~bond~~ shall be released after the Building Official or his or her designee has been
69 notified by the city or Town planning director of successful completion of all plat improvements
70 by the applicant/owner.

71
72 **§ 200-17 Failure to comply.**

73
74 If, at any stage, the work in progress and/or completed under the terms of an approved erosion and
75 sediment control plan does not conform to the plan, a written notice from the Building Official or
76 his or her designee to comply shall be transmitted by certified mail to the owner. The notice shall
77 set forth the nature of the temporary and permanent corrections required, and the time limit within
78 which corrections shall be completed as set forth in § 200-18B. Failure to comply with the required
79 corrections within the specified time limit shall be considered a violation of this chapter, in which
80 case the acceptable form of "Financial Security" as authorized and defined in the Town of
81 Coventry Code of Ordinances, Part II General Legislation, Chapter 123 ~~performance bond~~ or cash
82 or negotiable securities deposit shall be subject to notice of default, in accordance with § 200-12B
83 and C of this chapter. In the case of construction, failure to submit a required plan will result in
84 revocation of a building permit application and/or subdivision application.

85
86 **§ 200-18 Violations and penalties.**

87
88 (A) Revocation or suspension of approval. The approval of an erosion and sediment control plan
89 under this chapter may be revoked or suspended by the Building Official and all work on the
90 project halted for an indefinite time period by the Building Official after written notification is
91 transmitted by the Building Official to the developer for one or more of the following reasons:

- 92
93 (1) Violation of any condition of the approved plan or specifications pertaining thereto;
94
95 (2) Violation of any provision of this chapter or any other applicable law, ordinance, rule or
96 regulation related to the work or site of work; and
97
98 (3) The existence of any condition or the performance of any act constituting or creating a
99 nuisance, hazard or endangerment to human life or the property of others or contrary to the spirit
100 or intent of this chapter.

101
102 (B) Other penalties. In addition thereto, whenever there is a failure to comply with the provisions
103 of this chapter, the Town shall have the right to notify the applicant/owner that he or she has five
104 days from the receipt of notice to temporarily correct the violations and 30 days from receipt of
105 notice to permanently correct the violations. Should the applicant/owner fail to take the temporary
106 corrective measures within the five-day period and the permanent corrective measures within the
107 thirty-day period, the Town shall then have the right to take whatever actions it deems necessary
108 to correct the violations and to assert a lien on the subject property in an amount equal to the costs
109 of remedial actions. The lien shall be enforced in the manner provided or authorized by law for the
110 enforcement of common law liens on personal property. The lien shall be recorded with the records
111 of land evidence of the municipality, and the lien shall incur legal interest from the date of
112 recording. The imposition of any penalty shall not exempt the offender from compliance with the
113 provisions of this chapter, including an acceptable form of “Financial Security” as authorized and
114 defined in the Town of Coventry Code of Ordinances, Part II General Legislation, Chapter 123
115 ~~performance bond~~ or assessment of a lien on the property by the Town.

116
117 (C) In addition to any other penalties provided in this section, any person or applicant who fails to
118 submit plans on or before the date on which such plan must be submitted, as determined in this
119 chapter, shall be fined not more than \$250 for each offense, which fine shall be deposited in the
120 general fund of the Town. Each day that said plan is not submitted shall constitute a separate
121 offense. Any person or applicant who fails to submit the required plan will have his or her
122 application revoked, whether that be a building permit application or subdivision application. Any
123 work started before plan approval is subject to a fine of not more than \$250 for each offense.

124
125 **Section 2.** This ordinance shall take effect upon its passage and final adoption.
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138 Approved as to Form:

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140

141 _____
Town Solicitor Date

142

143

144

145 Introduced by/Pursuant to: Council 

146

147 Referred to/for: First Reading of the Ordinance on _____, 2026

148

149 Planning Commission for recommendation on _____, 2026

150

151 Public Hearing before the Town Council on _____, 2026

152

153

154 Passed or Denied on a vote of _____

155

156

157 _____
John-Paul A. Verducci – Town Council President

158

159

160 Approved:

161

162

163 _____
Daniel O. Parrillo – Town Manager

164

165

166 Certification Actions by Town Clerk:

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