

Office of Macomb County  
Public Works Commissioner  
**ANTHONY V. MARROCCO**

Soil Erosion and Sedimentation Control Division



**MACOMB COUNTY  
SOIL EROSION AND SEDIMENTATION  
CONTROL ORDINANCE**

Adopted August 16, 2007  
by Resolution of the Macomb County Board of Commissioners

ADOPTED BY REFERENCE INTO THIS ORDINANCE IS PART 91 OF ACT 451 OF 1994, AS AMENDED, AND THE MICHIGAN ADMINISTRATIVE RULES FOR PART 91, EXCEPT AS MODIFIED BY THIS ORDINANCE.

### DEFINITIONS

1. "Agricultural practices" means all land farming operations except the plowing or tilling of land for the purpose of crop production or the harvesting of crops.
2. "Authorized public agency" means a state agency or an agency of a local unit of government authorized under Part 91 to implement soil erosion and sedimentation control procedures with regard to earth changes undertaken by it.
3. "Commissioner" is the statutory office of Macomb County Public Works Commissioner or designee.
4. "Conservation district" means a conservation district authorized under Part 93.
5. "Consultant" means either of the following:
  - a. An individual who has a current certificate of training under Section 9123 of Part 91
  - b. A person who employs 1 or more individuals who has current certificates of training under Section 9123 of Part 91.
6. "County" is Macomb County, Michigan.
7. "County agency" means an officer, board, commission, department or other entity of county government.
8. "County enforcing agency" means a county agency or a conservation district designated by a county board of commissioners under Section 9105 of Part 91.
9. "County Program" or "county's program" means a soil erosion and sedimentation control program established under Section 9105 of Part 91.
10. "Designated Agent" means a person who has written authorization from the landowner to sign the application and secure a permit in the landowner's name.
11. "Division" means the Soil Erosion and Sedimentation Control Division of the Office of the Macomb County Public Works Commissioner.

12. "Drain" means a county drain established pursuant to the legal procedures set forth in the Michigan Drain Code, Act 40, of Public Acts of 1956, as amended.
13. "Earth Change" means a human-made change in the natural cover or topography of land, including cut and fill activities which may result in or contribute to soil erosion or sedimentation of the waters of Macomb County and the State. Earth change does not include gardening, plowing and tilling of soil for the purpose of crop production.
14. "Gardening" means activities necessary to the growing of plants for personal use, consumption, or enjoyment.
15. "Lake" means the Great Lakes and all natural and artificial inland lakes and impoundments that have definite banks, a bed, visible evidence of a continued occurrence of water and a surface area that is equal to or greater than 1 acre. "Lake" does not include sediment basins and basins constructed for the sole purpose of stormwater retention, cooling water, or treating polluted water.
16. "Local Ordinance" means an Ordinance enacted by a municipality, providing for soil erosion and sedimentation control, pursuant to Section 9106 of Part 91.
17. "MDEQ" is Michigan Department of Environmental Quality.
18. "State" is State of Michigan.
19. "Macomb County Enforcing Agency" is the Macomb County Public Works Commissioner.
20. "Municipal Enforcing Agency" means an agency designated by a city, village or township authorized under Section 9106 of Part 91 to enforce soil erosion and sediment control requirements within its boundaries.
21. "Municipality" means a city, village, charter township, and general law township located in a county with a population of 200,000 or more.
22. "Part 91" means, Part 91, Soil Erosion and Sedimentation Control, of Act 451 of 1994, Michigan Natural Resources and Environmental Protection Act, as amended.
23. "Permanent Soil Erosion and Sedimentation Control Measures" means those control measures that are installed or constructed to control soil erosion and sedimentation, which are maintained after project completion.
24. "Policies and Procedures" means policies and procedures adopted by the Commissioner to implement the Ordinance and the County Program.

25. "Rules" means state rules relating to Part 91 promulgated pursuant to the Administrative Procedures Act of 1969, 1969 P.A. 306, being R323.1701 through R323.1714.
26. "Seawall Maintenance" means an earth change activity landward of the seawall.
27. "Sediment" means solid particulate matter, including both mineral and organic matter, that is in suspension in water, is being transported, or has been removed from its site of origin by the actions of wind, water or gravity and has been deposited elsewhere.
28. "Soil Erosion" means the wearing away of land by the action of wind, water, gravity or a combination thereof.
29. "Stream" as used in this program shall include the main stream or trunk and all tributaries or branches of any creek or river, any watercourse or ditch, either open or enclosed, and in the case of subdivisions, residential or industrial, any covered drain or storm sewer or conduit and any structures or mechanical device that will introduce flow of water to said stream or drain.
30. "State agency" means a principal state department or a state public university.
31. "Temporary Soil Erosion and Sedimentation Control Measures" means interim control measures that are installed or constructed for the control of soil erosion and sedimentation and which are not maintained after project completion.
32. "Violation of this Ordinance" or "violates this Ordinance" means violation of this Ordinance; it also includes a violation of the terms of a permit issued pursuant to this Ordinance or any rule, policy or procedure adopted pursuant to this Ordinance.
33. "Waters of the state" means the Great Lakes and connecting waters, inland lakes and streams as defined in Rules promulgated under Part 91 and wetlands regulated under Part 303 of Act 451, PA 1994, as amended.
34. "Waters of Macomb County" means 'waters of the state' in Macomb County.

**A. AUTHORITY AND EFFECTIVE DATE**

This Ordinance becomes effective January 1, 2008. The statutory office of Macomb County Public Works Commissioner is designated the County Enforcing Agency under this Ordinance, responsible for the administration and enforcement in the name of the County of the statute, Ordinance, State Rules and County Policies and Procedures.

**B. LANDS TO WHICH ORDINANCE APPLIES**

This Ordinance shall apply to earth changes on land solely within the County that: (1) does not fall within the legal boundaries of any city, village or township granted the status of “municipal enforcing agency” by the MDEQ, or (2) that is not part of an earth disruption project undertaken by a state, municipal or county agency that has been granted the status of “authorized public agency” by MDEQ to enact and enforce its own soil erosion and sediment control programs, or (3) as otherwise exempted by Part 91 or this Ordinance.

**C. PERMIT COVERAGE**

A landowner or designated agent who contracts for, allows, or engages in, an earth change in this county shall obtain a permit from the county enforcing agency before commencing an earth change which disturbs 1 or more acres of land or which is within 500 feet of the water’s edge of a lake, stream, or drain, unless exempted in this Ordinance. An earth change that does not require a permit under the above provision is not exempt from enforcement procedures under this Ordinance, if the activity exempted causes or results in a violation of this Ordinance.

**D. PERMIT EXEMPTIONS AND WAIVERS**

1. A permit is not required for any of the following:
  - a) A beach nourishment project under Part 325 of Act 451 of 1994.
  - b) Normal road and driveway maintenance, such as grading or leveling, that does not increase the width or length of the road or driveway and that will not contribute sediment to the waters of the State or County. An earth change of a minor nature that is stabilized within 24 hours of the initial earth change.
  - c) Activities exempted under Section 9115 and 9115a of Part 91.
2. The Commissioner may grant a permit waiver for an earth change after receiving a signed affidavit from the landowner, or a designated agent stating that the earth change will disturb less than 225 square feet and that the earth change will not contribute sediment to a lake, stream, or drain.
3. Exemptions shall not be construed as exemptions from enforcement procedures under this Ordinance if the activities exempted by this Section cause or result in a violation of this Ordinance, or produce an erosion hazard or sediment problem.

4. A violation will, in addition to any other relief, require that the landowner or designated agent obtain a permit pursuant to this Ordinance.

**E. APPLICATION FOR A PERMIT**

See County Policies and Procedures (A).

**F. PLAN REQUIREMENTS**

See County Policies and Procedures (B).

**G. ISSUANCE OF PERMIT**

1. The Commissioner will approve, deny or require a revision to the application (including plans) within 30 calendar days following receipt of plans and application for a permit. Notification of approval will be by mail in the form of a returned set of the plans stamped "approved" or "approved as noted." If denied, a letter with a marked up set of plans listing reasons for denial and conditions necessary to obtain approval will be returned to the design engineer or applicant by certified mail. Notice of written approval or denial by mail is not necessary if the applicant is given approval or denial of the application in person.
2. A state prescribed soil erosion and sedimentation control permit will be issued to the applicant by the Commissioner following application approval and a determination that the requirements of both Part 91 and this Ordinance are met.
3. The permit must be posted on site and a complete set of the approved soil erosion and sedimentation control plans, shall be available at the site of the earth change for inspection at all times.

**H. TRANSFER OF PERMITS**

If a property subject to a permit is transferred, the transferor shall notify the Commissioner of the transfer of the property in writing on a form provided by the Commissioner 10 days prior to the transfer. The notice shall include a copy of the permit. The transferor and transferee shall sign the notice and submit it to the Commissioner before the property is transferred. The Commissioner shall notify the transferee that a new permit in the name of the transferee must be obtained before any work can continue on the property.

If the transferor or transferee fails to notify the Commissioner or fails to obtain a new permit, a Stop Work Order may be issued and other enforcement remedies may be pursued.

## **I. EROSION CONTROL MEASURES**

See County Policies and Procedures (C).

## **J. DESIGN PRINCIPLES**

See County Policies and Procedures (D).

## **K. DESIGN CRITERIA**

See County Policies and Procedures (E).

## **L. ISSUANCE OF BUILDING PERMITS**

1. Villages, cities and townships that are not municipal enforcing agencies which issue building permits shall notify the Commissioner immediately upon receipt of an application for a building permit, involving an earth change that comes under the jurisdiction of Part 91 or this Ordinance.
2. Villages, cities and townships that are not municipal enforcing agencies shall not issue a building permit to a person engaged in an earth change which requires a permit under Part 91 and this Ordinance until the applicant has first been issued the state prescribed permit or waiver for an earth change by the Commissioner.

## **M. INSPECTIONS**

See County Policies and Procedures (F).

## **N. ENFORCEMENT**

1. Administrative Actions
  - a) Warning: Initial violations of permit requirements, this Ordinance, or Part 91 will be brought to the attention of the on-site responsible party and/or the landowner. Should efforts towards immediate compliance within 5 days be unsuccessful, a written Notice of Violation and/or Stop Work Order will be issued.
  - b) Notice of Violation: If violations of the permit requirements, this Ordinance, or Part 91 continue, the Commissioner will notify the landowner, by mail, with return receipt requested, of his determination. The notice shall contain a description of the violation, what must be done to remedy the violation, and a specified time to comply. The notice of violation is not required prior to initiation of action under any other part of this Ordinance.

- c) Stop Work Order: A Stop Work Order requires all work on the property to cease and desist immediately. A copy of the Order shall be submitted immediately to the appropriate local building department and MDEQ. A Stop Work Order may be issued regardless of whether a written notice of violation has been issued. The basis for issuance of any Stop Work Order may be appealed directly to the Commissioner, in writing, with a formal hearing to be held within 3 working days.
- d) If work continues on the property, after the Stop Work Order has been issued, then the Commissioner may seek an immediate temporary restraining order and/or other injunctive relief, as well as the civil and criminal remedies provided for in this Ordinance.
- e) Commissioner Initiated Corrective Actions: Within five days after a notice of violation has been issued, the landowner shall implement and maintain soil erosion and sedimentation control measures in conformance with this Ordinance. If soil erosion and sedimentation control measures are not in place after five days, the Commissioner may enter upon the land and construct, implement and maintain soil erosion and sedimentation control measures in conformance with the permit requirements, this Ordinance or Part 91. The Commissioner shall not expend more than \$5,000.00 for the cost of work materials, labor and administration without prior written notice to the landowner that the expenditure of more than \$5,000.00 may be made.
- f) Expenses incurred by the Commissioner to construct, implement, and maintain soil erosion and sedimentation control measures to bring land into compliance shall be reimbursed to the Commissioner by the landowner.
- g) The Commissioner shall have a lien for the expenses incurred by bringing the land into compliance with the permit requirements, this Ordinance and Part 91. The lien for such expenses on single-family or multi-family residential property shall have priority over all liens and encumbrances filed or recorded after the date of such expenditure. With respect to all other property, the lien for such expenses shall be collected and treated in the same manner as provided for property tax liens under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157.

## 2. Civil Actions

- a) A person who violates this Ordinance is responsible for a municipal civil infraction and may be ordered to pay a civil fine or not more than \$2,500. Only the Commissioner or his/her designee municipal civil infraction may issue citations.



- b) A person who knowingly violates this Ordinance or knowingly makes a false statement in an application for a permit or in a soil erosion and sedimentation control plan is responsible for the payment of a civil fine of not more than \$10,000 for each day of violation.
- c) A person who knowingly violates this Ordinance after receiving a Notice of Violation is responsible for the payment of a civil fine of not less than \$2,500 or more than \$25,000 for each day of violation.
- d) Civil fines collected under this Section shall be deposited in a fund designated specifically for the use of the Commissioner in implementation of the County Program.
- e) A default in the payment of a civil fine or costs ordered under this Section or an installment of the fine or costs may be remedied by any means authorized under the revised Judicature Act of 1961, 1961 PA 236, MCL 600.101 to 600.9948.
- f) The court may order a person who violates this Ordinance to restore the area or areas affected by the violation to their condition as existing immediately prior to the violation.

### 3. Criminal Action

The Commissioner may, in lieu of or in addition to any other action, seek criminal action violations of this Ordinance. Violations of this Ordinance shall be a misdemeanor punishable by fines of up to \$500 and/ or 90 days in jail.

### 4. Applicability

The enforcement section of this Ordinance applies to any person issued a permit, any person/company contracted to work on the site, or any person otherwise exempted under this Ordinance.

### 5. Injunctive Relief

Notwithstanding the existence or pursuit of any other remedy, the Commissioner may seek injunctive relief from a court of competent jurisdiction to restrain or prevent a violation of this Ordinance or an order issued pursuant thereto.

## **O. AUTHORITY**

The Commissioner shall have authority to adopt, after review and approval by the MDEQ, policies and procedures required to properly administer the Ordinance and County Program. The policies and procedures shall address details of administration that are considered by the Commissioner to be

necessary and appropriate for the efficient operation of the Ordinance and County Program. The policies and procedures may be amended by the Commissioner, after review and approval by the MDEQ, at any time as deemed appropriate and shall be kept in the office of the Commissioner. The policies and procedures shall be available for public inspection and review.

**P. VALIDITY**

Should any section, paragraph, or provision be declared by the courts to be unconstitutional or invalid, such holdings shall not affect the validity of the Ordinance as a whole or any part, other than the part declared to be unconstitutional or invalid. In the interpretation and application of the Ordinance, all provisions shall be considered minimum requirements, liberally construed in favor of the County and deemed neither to limit nor repeal any other powers granted under State law.

**END**

## OFFICE OF MACOMB COUNTY PUBLIC WORKS COMMISSIONER

### ENFORCING AGENCY SOIL EROSION AND SEDIMENTATION CONTROL

#### POLICIES AND PROCEDURES

The following Policies and Procedures are adopted by the Macomb County Public Works Commissioner, pursuant to authority granted by Ordinance, to implement and administer the Macomb County Soil Erosion and Sedimentation Control Ordinance. The County Policies and Procedures shall have the effect of law and be enforceable in the same manner as the Ordinance.

#### **A. APPLICATION FOR A PERMIT**

1. A person proposing to undertake an earth change shall submit an application for a permit to the office of Macomb County Public Works Commissioner (Commissioner) on an application form provided by the Commissioner. The application shall be submitted by either the landowner or designated agent authorized by the owner. The letter of authorization must be signed by the owner and must accompany the permit application.
2. The application shall be accompanied by plans including the soil erosion and sediment control plan. For large projects such as subdivision, commercial and industrial developments, three full sets of engineering plans shall be required. For small projects such as individual homes, apartment buildings and condominium buildings that are located within previously permitted site developments and inground swimming pools and ponds, two sealed plot plans shall be required. The plot plans shall show the dimensions of the lot, the dimensions of the earth change, the location of the drainage facilities, drain easements and streams and gross acreage disturbed. A permit under this Ordinance shall be obtained prior to the start of any work, including construction of access roads, driveways, tree stumps and shrub removal, grubbing or grading. Commencement of work prior to permit issuance will be considered a violation of this Ordinance regardless of any later actions taken toward compliance. Soil test borings, vegetative cutting for land surveys and percolation test efforts will not be considered a start of work under this Ordinance. On projects involving sequential construction phases, applications for permits on successive major incremental earth change activities may be submitted. All permits issued on this basis will be clearly defined as to nature and extent of work covered. Any earth change beyond, or subsequent to, that described on the permit must be covered by a separate approved plan and permit before it may be undertaken.
3. An authorized public agency is exempt from obtaining a permit from the Commissioner. However, such agency is still required to notify the Division of each proposed earth change to be undertaken.

4. If a permit is not required under Part 91 or this Ordinance for a project, then a letter of “no-permit required” will be issued to the landowner.

## **B. PLAN REQUIREMENTS**

A soil erosion and sedimentation control plan shall be prepared for any earth change requiring a permit. The plan shall be designed to reduce accelerated soil erosion or sedimentation to the maximum extent possible and shall identify factors which may contribute to soil erosion or sedimentation or both. Should the information specifically required by this program be inadequate to meet the intent of the Ordinance because of unusual site or project conditions, the applicant will be required to submit additional information, as circumstances require.

1. A Soil Erosion and Sedimentation Control Plan must be submitted that includes sufficient information to assure that accelerated soil erosion will be controlled and that no sediment will leave the construction site. The plan shall include the information and describe how excavated material will be handled and stored to prevent erosion. The site drawing must be drawn to a scale not smaller than 50 feet to an inch showing areas to be disturbed and planned site development and drainage. The plan must include details for proposed earth changes, including all of the following: A description and the location of the physical limits, the size of the earth change (gross acreage disturbed) of each proposed earth change, a description and the location of all existing and proposed on-site drainage and dewatering facilities, the timing and sequence of each proposed earth change, the location and description for installing and removing all proposed temporary soil erosion and sediment control measures, a description and the location of all proposed permanent soil erosion and sediment control measures , a program proposal for the continued maintenance of all permanent soil erosion and sediment control measures that remain after project completion, including the designation of the person responsible for the maintenance. Maintenance responsibilities shall become a part of any sales or exchange agreement for the land on which the permanent soil erosion and sediment control measures are located.
2. The location map must be drawn to scale not smaller than 200 feet to the inch, extend 600 feet outside of the side boundaries in all directions and locate adjacent properties, public and private roads in the area, watercourses, lakes, ponds, and regulated and unregulated wetlands.
3. The topographic plan must be drawn to a scale not smaller than 50 feet to the inch, show all existing ground elevations on USGS datum with a contour interval not greater than 1-foot, extend 100 feet outside of the site boundaries in all directions, include a legal description of the site with a statement as to the amount of acreage within the site. The plan must locate

existing buildings and structures, natural features, such as trees and shrubs, and existing drainage systems, both natural and man-made. The plan must also provide information as to the type of soil on the site, as typically obtained from a USGS Soil Survey for the County or from soil borings or soil analysis.

4. The site development plan must be drawn to a scale not smaller than 50 feet to the inch, show a planimetric presentation of all proposed construction on the site, including buildings, roads, parking lots, walks, drives, retaining walls, retention basins, sediment basins, grassed areas, storm drainage facilities and all other construction of any nature including utilities.
5. The final grading and drainage plan must be drawn to a scale not smaller than 50 feet to the inch, show the final grade elevations at high and low points, breaks in grade, swales and ridge lines, buildings and other structures, and be of sufficient detail to indicate the surface flow, on USGS Datum. The plan must show the complete storm water drainage system including enclosures, open drainage courses, swales, sediment basins and the points of discharge of storm water. The following shall be included: storm drain and sediment basin design calculations, storm drain and road profiles and existing ground elevations surrounding the site on all sides to a distance of 100 feet.

### **C. EROSION AND SEDIMENT CONTROL MEASURES**

The following soil erosion and sediment control requirements will be incorporated into the soil erosion and sediment control plan.

1. The soil erosion and sedimentation control measures prescribed here shall be incorporated into the soil erosion and sedimentation control plan, unless the applicant demonstrates that the proposed alternative to these procedures will be superior in the prevention of accelerated soil erosion and its resulting sedimentation.
2. Earth change activities shall be designed, constructed and completed in such a manner so as to limit both the area and time of earth disruption to the practical minimum.
3. Sediment caused by accelerated soil erosion shall be removed from runoff water before it leaves the site of the earth change activity.

4. Temporary and permanent control measures constructed for the conveyance of storm runoff around, through or from the earth change area shall be designed to limit the flow to a non-erosive velocity.
5. Temporary soil erosion and sedimentation control measures shall be removed after permanent soil erosion control measures have been implemented and the site is stabilized.
6. Permanent soil erosion control measures for all slopes, channels, ditches or any disturbed land area shall be completed within five calendar days after final grading or the final earth change has been completed.
7. If it is not possible to permanently stabilize a disturbed land area after an earth change has been completed or if significant earth change activity ceases, then a person shall maintain temporary soil erosion and sediment control measures until permanent soil erosion and sediment control measures are in place and the area is stabilized.
8. A person shall install temporary soil erosion and sediment control measures before or upon commencement of the earth change activity and all temporary soil erosion control measures shall be maintained daily until permanent soil erosion control measures are implemented.
9. Dust must be controlled on all construction sites, construction haul roads and will not be allowed on public or private streets.
10. Paved streets must be maintained to prevent soil and debris from entering drainage systems. Roads shall be scraped, swept and cleaned of debris at least monthly, and more frequently as needed and deemed necessary by the Commissioner.

#### **D. DESIGN PRINCIPLES**

1. The development shall be planned and designed to fit the topography of the site.
2. The smallest practical area of land shall be exposed for the shortest possible period of time.
3. Soil erosion control practices shall be applied as first line of defense against on-site damage, thereby decreasing the amount of sediment that is generated.
4. Sediment control practices shall be applied as a second line of defense to prevent any sediment that is generated during construction from leaving the site.
5. A thorough maintenance and follow-up operation shall be implemented through periodic checks of erosion and sediment control practices.

## **E. DESIGN CRITERIA**

The Commissioner may determine the adequacy of soil erosion and sedimentation control plans using design criteria obtained from, but not limited to, MDOT Soil Erosion and Sedimentation Control Manual, Michigan Department of Environmental Quality Guidebook of Best Management Practices for Michigan Watersheds and Michigan Department of Management and Budget Soil Erosion and Sedimentation Control Guidebook.

## **F. INSPECTIONS**

Properties covered by permit shall be subject to inspection by employees of the Commissioner who have valid Soil Erosion and Sediment Control training certificates issued by the MDEQ. Inspectors will be re-certified as required by Part 91. On-site inspections before, during and after any earth change activity for which a permit has been issued will be performed as required by the extent and erosion potential of the activity. The permit holder shall notify the Division at least 48 hours before starting any earth change. If upon inspection existing site conditions are found not to be as stated in the application and on the approved plan, the permit issued for that site/project shall be revoked and no longer valid. No earth disrupting work is to be undertaken or continued on that site until revised plans have been approved by the Commissioner and a new permit issued. Requests for field changes to approved plans must be approved by the Commissioner prior to said changes being implemented. Employees of the Commissioner shall have access to the property covered by the permit for so long as the permit is in effect.

## **G. FEE SCHEDULE**

1. A standard permit fee, set on an annual basis, must be paid prior to the applicant receiving the soil erosion and sediment control permit. The fee schedule shall be based on the following items: plan review, permit, inspections and administration fee. Inspection fees and review fees will be based on the size of the project and fees over and above the standard permit fee will be assessed prior to permit issuance.
2. If a landowner undertakes an earth change prior to obtaining a permit, the Commissioner, in his discretion, may charge double the standard permit fee.
3. A transfer fee will be charged on all transferred permits.
4. A re-inspection fee may be charged if the lot is not in compliance, at the discretion of the Commissioner.

## **H. PERFORMANCE BOND**

At the discretion of the Commissioner, a permit under this Ordinance shall not be issued unless the applicant shall first post with Macomb County, a bond, certified check, or irrevocable bank letter of credit in the amount equal to that which would be required for a surety bond,. If a bond is used, it must be executed by the applicant and a corporate surety with authority to do business in Michigan as a surety. The bond shall be in the amount of the total cost of the earth change work authorized by the permit, as estimated by the Commissioner, but in no case shall the bond amount be for less than \$1,500 per acre of earth change. The Commissioner may, upon written request, reduce the amount of the bond as portions of the site become permanently stabilized and the size of the earth change is reduced. Each bond shall provide assurance for the maintenance of the finished project for a period of two years after the project completion inspection is made. Deposits or bonds shall be submitted to the Commissioner with the permit application. Upon permit issuance, the bond will be posted with the Commissioner.



I, CARMELLA SABAUGH, CLERK OF THE MACOMB COUNTY BOARD OF COMMISSIONERS, DO HEREBY CERTIFY THAT THE FOLLOWING RESOLUTION WAS APPROVED BY THE BOARD OF COMMISSIONERS AT ITS FULL BOARD MEETING HELD ON THE 16<sup>TH</sup> OF AUGUST, 2007.

***ADOPT THE MACOMB COUNTY SOIL EROSION AND  
SEDIMENTATION CONTROL ORDINANCE AND TO AUTHORIZE  
NOTIFICATION OF ITS ADOPTION IN A NEWSPAPER OF  
GENERAL CIRCULATION IN MACOMB COUNTY.***

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Court at Mount Clemens, Michigan, this 20<sup>th</sup> day of August, 2007.

A handwritten signature in black ink, reading "Carmella Sabaugh", written in a cursive style. The signature is positioned above a horizontal line.

CARMELLA SABAUGH, CLERK