

## **1.0 Procedural Requirements**

### **1.1 Policy**

Any person undertaking an activity for which a permit is required by these rules must obtain the required permit prior to commencing the activity that is regulated by the District.

### **1.2 Application**

An application must be submitted to the District to obtain a permit under these rules. It is recommended that applicants contact the District and/or submit preliminary plans early in the project development process for nonbinding informal review for conformity with District policies and rules.

1.2.1 Each substantive District rule includes application and exhibit specifications that, along with this rule, apply to the submission of applications to the District, and will be utilized to make determinations of completeness under this rule. All permit applications must be signed by the property owner.

1.2.2 The District will not take formal action on an application involving land development unless the project has received approval from the relevant city planning commission and preliminary (first reading) approval by the city council, and the Wetland Conservation Act replacement plan review and approval process has been completed. If plat approval is not required, an application will be reviewed when the applicant provides a written statement from a responsible local official that the project appears to meet local approval requirements.

1.2.3 The District will act within sixty (60) days of receipt of a complete permit application. A complete permit application includes all required information, exhibits and fees. The District will notify an applicant if his or her application is incomplete within fifteen (15) business days of receipt of the application.

1.2.4 Application forms and guidance materials may be obtained from the District office or downloaded from the District web site at [www.ninemilecreek.org](http://www.ninemilecreek.org).

### **1.3 Conditional approval**

The District may conditionally approve an application, but the permit will

not be issued until all conditions to the approval are satisfied. All conditions must be satisfied within twelve (12) months of the date of conditional approval, and failure to satisfy all conditions will result in expiration of approval. An applicant wishing to continue to pursue a project for which permit approval has expired must reapply for a permit from the District and pay applicable fees.

#### **1.4 Permit assignment and renewal**

A permit is valid for one year from the date the permit is approved unless specified otherwise or the permit is suspended or revoked. To renew or transfer a permit, the permittee must notify the District in writing prior to the permit expiration date and provide an explanation for the renewal or transfer request. The District may impose different or additional conditions on a renewal or deny the renewal in the event of a material change in circumstances other than a change in District rules. A permittee may assign a permit to another party only upon approval of the District, which will be granted if:

- a the proposed assignee agrees in writing to assume responsibility for compliance with all terms, conditions and obligations of the permit as issued;
- b there are no pending violations of the permit or conditions of approval; and
- c the proposed assignee has provided any required surety necessary to secure performance of the permit.

The District may impose different or additional conditions on the transfer of a permit or deny the transfer if it finds that the proposed transferee has not demonstrated the ability to perform the work under the terms of the permit as issued. Permit transfer does not extend the permit term.

#### **1.5 Suspension or revocation**

The District may suspend or revoke a permit issued under these rules wherever the permit is issued on the basis of incorrect information supplied to the District by the applicant, or if the preliminary and final subdivision approval received from a municipality or county is not consistent with the conditions of the permit.