ARTICLE I. RESERVED.

Secs. 9-1–9-15. Reserved.

ARTICLE II. GENERAL

Sec. 9-16. Applicability.

All grading (cutting, filling, excavating, and other moving of earth) within the City of Belmont is subject to the standards set forth in this chapter. This chapter establishes requirements for grading permits, procedures for issuing grading permits, specifies minimum standards for grading and removal of vegetation, including protected trees, and provides for the enforcement of grading requirements.
(Ord. No. 854, § 1, 11-26-91)

Sec. 9-17. Purpose.

The purposes of this chapter are to promote public health, safety and general welfare; protect property from erosion, ground movement, and flooding; limit the disturbance of natural terrain and vegetation to the minimum necessary to accommodate reasonable use of property; and encourage site preparation which is visually harmonious with surrounding land.
(Ord. No. 854, § 1, 11-26-91)

Sec. 9-18. Interpretation of grading ordinance.

(a) All standards set forth in this chapter shall be construed as minimums.

(b) In conflict between provisions, the more restrictive provision shall govern.

(c) Nothing in this chapter shall be construed as dispensing with any permit which might be required under any other ordinance of the city or to permit the doing or omission of any act contrary to the terms of any other ordinance of the city.

(d) Any permit issued contrary to the terms of this chapter shall be void and of no effect.

(e) Any grading contrary to the terms of this chapter, or contrary to any permit issued under this chapter, is unlawful and a public nuisance.
(Ord. No. 854, § 1, 11-26-91)

Sec. 9-19. Definitions.

For purposes of this chapter, the following definitions pertain:

(a) *Arborist* is a person registered with the International Society of arboriculture certified to apply the principles and practices of tree care and maintenance.

(b) *As graded* is the extent of surface conditions on completion of grading.

(c) *Bedrock* is in-place solid rock.

(d) *Bench* is relatively level step excavated into earth material on which fill is to be placed.

(e) *Civil engineer* is a professional engineer registered in the State of California to practice in the field of civil works.

(f) *Compaction* is the densification of a fill by mechanical means.

(g) *Cubic yard* is the amount of material excavated, filled or both. One (1) cubic yard is twenty-seven (27) cubic feet or an amount measuring three (3) feet by three (3) feet by three (3) feet.

(h) *Cut* is the mechanical removal of earth material from a slope.

(i) *Earth material* is any rock, natural soil or fill and/or any combination thereof.

(j) *Engineering geologist* is a geologist registered by the State of California who is certified to apply geologic information and principles to the design of civil works.

(k) *Engineering geology investigation* is a study of the geology of the site and the effects of geologic conditions on proposed development or adequacy of the site to be developed by the proposed grading.

(l) *Erosion* is the wearing away of the ground surface as a result of the movement of wind, water and/or ice.

(m) *Excavation* is the digging and removal of earth material.

(n) *Fill* is a deposit of earth material placed by artificial means.

(o) *Geotechnical engineer* (soil engineer or soils engineer) is a civil engineer licensed by the State of California as a geotechnical engineer with competence in soil mechanics, foundation engineering, and the engineering properties of earth materials.