

**BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND
INSPECTION**

**THIRD PARTY EROSION AND SEDIMENT CONTROL INSPECTION
PROGRAM POLICY**

I. POLICY JUSTIFICATION:

Due to the increase in construction permit filings, Baltimore County has instituted a new program authorizing the use of third party sediment and erosion control inspectors to reduce delays in the issuance of building permits which is dependent on insuring controls are in place prior to the onset of construction and to insure controls are properly maintained during construction.

II. AUTHORITY:

Baltimore County Code, 2015 Section 3-2-1103, The Baltimore County Building Code (Baltimore County Council Bill 40-15) and the 2015 editions of the International Building Code, Section 110.4, and the International Residential Code, Section R109.2.

III. NOTIFICATION:

Prior to the issuance of a building permit, the permit applicant shall provide notice to the Chief Building Inspector which shall include the name of the owner and applicant, the permit number, the name of the qualified third party inspector or inspection firm and the location of the permitted work to be inspected. Results of inspections shall be submitted by fax or e-mail within 24 hours of completion.

IV. INSPECTIONS:

Inspections shall be in accordance with Maryland Standards and Specifications for Soil Erosion and Sediment Control in effect on the date of the filing of the application for the permit.

V. INSPECTION FEES:

Fees for third party inspections shall be the responsibility of the permit holder. County permit fees may not be reduced because of the election to utilize an approved third party inspector.

VI. QUALIFICATIONS OF INSPECTORS:

Possession of a high school diploma or equivalent, plus four years' experience in building construction, construction inspection, or the review of grading and drainage studies. Additional education in engineering or a related field may be substituted on a year-for-year basis up to a maximum of two years for the required experience. Possession of a valid driver's license equivalent to a noncommercial, class C Maryland driver's license. Possession of a valid certification from the Maryland Department of the Environment, certifying completion of the Responsible Personnel Training for Erosion and Sediment Control course.

VII. FINANCIAL INTEREST:

Third party inspectors including inspection agencies shall have no financial interest in the project being inspected other than the fee for services hereunder.

VIII. INSURANCE & HOLD HARMLESS REQUIREMENTS:

Each third party inspector must provide the building official with a valid insurance policy in an amount the building official determines is necessary to protect the public interest but not less than \$300,000 general liability insurance and \$100,000 property damage insurance naming Baltimore County, MD as additional insured. If using subcontractors for any work performed pursuant to this policy, the third party inspector will be responsible for verifying subcontractor insurance and coverages.

The third party inspector agrees to protect, defend, indemnify and hold the County and elected officials, officials, officers, employees, and agents free and harmless from and against any and all losses, penalties, injuries, liabilities, damages, settlements, costs, charges, professional fees or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings or causes of action of every kind and character in connection with or arising directly or indirectly out of the performance of any work pursuant to this policy. Without limiting the generality of the foregoing, any and all such claims, etc., relating to personal injury, infringement of any patent, trademark, copyright (or application for any thereof) or of any other tangible or intangible personal or property right, or actual or alleged violation of any other tangible or intangible personal or property right, or actual or alleged violation of any applicable statute, ordinance, administrative order, rule or regulation, or decree of any court, shall be included in the indemnity hereunder. The third party inspector further agrees to investigate, handle, respond to, provide defense for and defend any such claims, etc., at his/her sole expense and agrees to bear all other costs and expenses related thereto, even if such claim is groundless, false or fraudulent.

IX. FORMS:

All third party inspectors shall use the forms provided by the building official for reporting inspection results as amended from time to time.

X. SANCTIONS:

The Building Official may suspend or revoke approval for the following reasons:

- (a) failure to enforce the applicable code;
- (b) falsification of reports or inspections;
- (c) late reports;
- (d) lapse or revocation of required certifications, license or insurance;
- or (e) failure to comply with this policy.