

FACT SHEET

Park City Landscaping and Maintenance of Soil Cover

“THE SOIL ORDINANCE”

Certain areas in Park City are impacted by the presence of historic mill tailings in the soil, which may have high levels of metals, especially arsenic and lead. To help protect the health of our residents from certain risks associated with exposure to mine waste soils, Park City enacted “The Soil Ordinance.” Park City Municipal Code 11-15-1. The Soil Ordinance applies only in a specified area of Park City—the Soil Ordinance Boundary.



Park City Soils Ordinance Boundary

See: <http://www.parkcity.org/index.aspx?page=1082>

Failure to comply with the Soil Ordinance is a Class B misdemeanor.

The Soil Ordinance requires property owners within the Soil Ordinance Boundary to:

Obtain a Certificate of Compliance

- Obtain a Certificate of Compliance from the City. This involves the City sampling the property to determine if soils are above an action level, typically 200 mg/Kg total lead. If soils above this level are found they must be capped by “Approved topsoil” or by weed barrier fabric and 6 inches of bark or rock. “Approved topsoil” contains less than 200 mg/Kg total lead. Once capped, the City will resample the property for compliance with the Soils Ordinance and if compliant issue a Certificate of Compliance.

Maintain the Cap

- Maintain the approved topsoil or maintain the weed barrier fabric and 6 inches of bark or rock.
- If the cap is disturbed please contact the City for testing to verify the cap remains.
- Park vehicles only on paved surfaces.

Exercise Care When Gardening and Landscaping

- In planting beds at grade, use 24 inches of “approved topsoil” and extend the 24 inches of topsoil at least 12 inches beyond the edge of the planting bed.
- In planting beds above grade, extend the bed 16 inches above the grade of the 6 inch “approved topsoil” cover.
- When planting shrubs, use approved topsoil in an area three times bigger than the root ball and at least 6 inches below the lowest root of the shrub at planting.
- When planting trees, use approved topsoil in an area 18 inches around the root ball and at least 12 inches below the lowest root of the tree at planting.
- Control dust during construction and before vegetative or other form of cover is in place.

Reintroduce Disturbed Soils at the Property or Dispose of Appropriately

- Ensure any tilled, dug or otherwise disturbed soils are reintroduced on the property and capped with 6 inches of approved topsoil.
- If excavated or disturbed soils cannot be reintroduced on their property, property owners must sample the soil and send it to a State certified laboratory for a Toxicity Characteristic Leaching Procedure (TCLP) test. Soils that fail the TCLP test must be managed as a hazardous waste and disposed at a Utah Department of Environmental Quality permitted facility. Soils that do not fail the TCLP test may be disposed at a municipal landfill, so long as the owner obtains a “Disposal Acceptance Letter” from the landfill.