AN ORDINANCE TO AMEND APPENDIX A OF THE CODE OF THE COUNTY OF WASHINGTON, VIRGINIA, TO ESTABLISH FEES FOR ADMINISTRATION OF THE STORMWATER MANAGEMENT PROGRAM

WHEREAS, the Virginia Stormwater Management Act (the Act), specifically Section 62.1-44.15:27 of the Code of Virginia (1950, as amended) (Va. Code), established that localities of the Commonwealth of Virginia (Commonwealth or Virginia) shall be required to adopt a Virginia Stormwater Management Program as set out in the laws of the Commonwealth in accordance with a schedule to be established by the Virginia Department of Environmental Quality;

WHEREAS, the County of Washington, Virginia (County), has adopted a regulatory program for implementation of a Virginia Stormwater Management Program in the County, including the Town of Damascus, and the Town of Glade Spring;

WHEREAS, the Stormwater Management Act, Va. Code section 62.1-44.15:36 enabled localities that administer a stormwater management program to charge applicants a reasonable fee to defray the cost of program administration, including costs associated with plan review, issuance of permits, periodic inspection for compliance with approved plans, and necessary enforcement, not to exceed One Thousand Dollars ($1,000); and

WHEREAS, having considered the statutory authority and considerations set forth above as well as other good and pertinent considerations, the Board of Supervisors of the County of Washington, Virginia, finds it in the best interests of the public health, safety, and welfare to adopt the fee schedule set forth herein to be included in Appendix A of the County Code of Ordinances.

NOW, THEREFORE, ON THE BASIS OF THE FOREGOING, and in the best interests of the public health, welfare, and safety, having held a public hearing for consideration of these matters, the Board of Supervisors of the County of Washington, Virginia hereby ordains the following:

1. That this ordinance shall be deemed effective as of July 1, 2014;

2. That should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Washington County Code;

3. That the Code of the County of Washington, Virginia (2002, as amended) shall be revised as set forth herein, subject to Article, Division, Section, and Subsection titles and numbers amendment by the Editor as necessary for Code consistency.

4. That Appendix A of the Code of the County of Washington, Virginia (2002, as amended), shall be revised by addition the following provisions for fees to be cross-referenced to Chapter 30, Article VII, Stormwater Management:

~~CHAPTER 30. ENVIRONMENT~~		
~~30-145(c)~~	~~Administrative plan review fee~~	~~$100.00~~
~~30-145(c)~~	~~Land-disturbing permit fee~~	~~25.00~~
~~Code Section~~	~~Description~~	~~Fee~~
~~30-145(c)~~	~~Land-disturbing activity surety~~	~~$500.00 per 10,000 square feet of disturbed area~~

CHAPTER 30. ENVIRONMENT		
Code Section	Description	Fee
30-145(c); 30-214	Agreement-in-Lieu of Plan (Residential > 10,000 sqft)	$ 60 / disturbed acre; min. $60 fee
30-145(c); 30-214	Stormwater / ESC Plan Review: < 1 acre	$ 290.00
30-145(c); 30-214	Stormwater / ESC Plan Review: 1 - < 5 acres	$ 2,700.00
30-145(c); 30-214	Stormwater / ESC Plan Review: 5 - < 10 acres	$ 3,400.00
30-145(c); 30-214	Stormwater / ESC Plan Review: 10 - < 50 acres	$ 4,500.00
30-145(c); 30-214	Stormwater / ESC Plan Review: 50 - < 100 acres	$ 6,100.00

30-145(c); 30-214	Stormwater / ESC Plan Review: 100 - < 250 acres	$ 9,600.00
30-145(c); 30-214	Stormwater / ESC Modification or Transfer: < 1 acre	$ 20.00
30-145(c); 30-214	Stormwater / ESC Modification or Transfer: 1 - < 5 acres	$ 200.00
30-145(c); 30-214	Stormwater / ESC Modification or Transfer: 5 - < 10 acres	$ 250.00
30-145(c); 30-214	Stormwater / ESC Modification or Transfer: 10 - < 50 acres	$ 300.00
30-145(c); 30-214	Stormwater / ESC Modification or Transfer: 50 - < 100 acres	$ 450.00
30-145(c); 30-214	Stormwater / ESC Modification or Transfer: 100 - < 250 acres	$ 700.00
30-145(c); 30-214	Stormwater / ESC Annual Maintenance: < 1 acre	$ 150.00
30-145(c); 30-214	Stormwater / ESC Annual Maintenance: 1 - < 5 acres	$ 750.00
30-145(c); 30-214	Stormwater / ESC Annual Maintenance: 5 - < 10 acres	$ 1,000.00
30-145(c); 30-214	Stormwater / ESC Annual Maintenance: 10 - < 50 acres	$ 1,500.00
30-145(c); 30-214	Stormwater / ESC Annual Maintenance: 50 - < 100 acres	$ 2,000.00
30-145(c); 30-214	Stormwater / ESC Annual Maintenance: 100 - < 250 acres	$ 3,000.00
30-145(c); 30-214	Land Disturbing Permit < 1 acre	$125.00 plus bond
30-145(c); 30-214	Land Disturbing Permit > 1 acre	$250.00 plus bond
30-145(c); 30-214	Applicable Inspections	included in permit
30-145(c); 30-214	Re-inspections (3rd occurrence)	$60 / occurrence
30-145(c); 30-214	Utility Line Installation:	
30-145(c); 30-214	Water, Sewer, Stormwater, Electrical, Fiber optic, Telecommunications, etc.	included in LDP