

**AN ORDINANCE TO RE-CODIFY APPENDIX A OF THE CODE OF WASHINGTON
COUNTY, VIRGINIA, TO ESTABLISH AND AMEND FEES FOR THE VIRGINIA
EROSION AND STORMWATER MANAGEMENT PROGRAM**

WHEREAS, the Virginia Erosion and Stormwater Management Program (the “Program”), specifically Section 62.144, 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 the Virginia Erosion and Stormwater Management Program as set forth in the laws of the Commonwealth in accordance with a schedule to be established by the Virginia Department of Environmental Quality;

WHEREAS, Virginia Code Section 62.1-44, 15:28 and Virginia Administrative Code, Title 9k, Sections 25-870-820, -825, and -830 enabled localities that administer an erosion and stormwater management program to charge applicants fees to carry out the localities’ responsibilities under the Virginia Erosion and Stormwater Management Program and the local ordinance adopted pursuant thereto; 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 interest of the public health, safety, and welfare to re-codify 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 interest of the public health, safety, and welfare, 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 immediately upon its adoption by the Board;
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 Appendix A of the Code of Washington County, Virginia (2002, as amended), shall be re-codified by the following provisions for fees to be cross referenced to Chapter 30, Article V, Erosion and Stormwater Management Program:

Chapter 30: Environment		
Code Section	Description	Fee
Plan Reviews and Permits		
30-145(c)	ESMP Agreement-in-Lieu of Plan (Residential > 10,000 sq. ft.)	\$60.00/disturbed acre; minimum \$60.00 fee
30-214	Stormwater-Agreement-in-Lieu of Plan Single Family residential structure with a site or area, within or outside a common plan of development or sale, that is 1 - < 5 acres	\$290.00
30-214	Stormwater Plan Review: < 1 Acre	\$290.00
30-214	Stormwater Plan Review: 1 - < 5 Acres	\$ 2,700.00
30-214	Stormwater Plan Review: 5 - < 10 acres	\$3, 400.00
30-214	Stormwater Plan Review: 10 - < 50 acres	\$4, 500.00
30-214	Stormwater Plan Review: 50 - < 100 acres	\$6, 100.00
30-214	Stormwater Plan Review: 100 - < 250 acres	\$9, 600.00

Modification or Transfer of Permits		
30-214	Stormwater Modification or Transfer: < 1 acre	\$20.00
30-214	Stormwater Modification Transfer: 1 - < 5 acres	\$200.00
30-214	Stormwater Modification Transfer: 5 - < 10 acres	\$250.00
30.214	Stormwater Modification Transfer: 10 - < 50 acres	\$300.00
30-214	Stormwater Modification Transfer: 50 - < 100 acres	\$450.00
30-214	Stormwater Modification Transfer: 100 - < 250 acres	\$700.00

Annual Permit Maintenance Fees: During Construction		
30-214	Stormwater Annual Maintenance: < 1 acre	\$150.00
30-214	Stormwater Annual Maintenance: 1 - < 5 acres	\$750.00
30-214	Stormwater Annual Maintenance: 5 - < 10 acres	\$1,000.00
30-214	Stormwater Annual Maintenance: 10 - < 50 acres	\$1,500.00
30-214	Stormwater Annual Maintenance: 50 - < 100 acres	\$2,000.00
30-214	Stormwater Annual Maintenance: 100 - < 500 acres	\$3,000.00

Other		
30-145(c), 30-214	Land Disturbing Permit < 1 acre	\$125.00 plus surety
30-145(c), 30-214	Land Disturbing Permit 1 - < 5 acres	\$750.00 plus surety
30-145(c), 30-214	Land Disturbing Permit 5 - < 10 acres	\$1,000.00 plus surety
30-145(c), 30-214	Land Disturbing Permit 10 - < 50 acres	\$1, 500.00 plus surety
30-145(c), 30-214	Land Disturbing Permit 50 - < 100 acres	\$2, 000.00 plus surety
30-145(c), 30-214	Land Disturbing Permit 100 - < 250 acres	\$3, 000.00 plus surety
30-145(c), 30-214	Utility Line Installation, Water, Sewer, Stormwater, Electrical, Fiber Optic, Telecommunications, Etc.	Included in LDP

Inspections and Surety		
30-214	Applicable Inspections	Included in Permit

30-214	Re-Inspections (3 rd and Subsequent Occurrences)	\$60.00 per occurrence
30-214(c)	Administrative Plan Review	\$100.00
30-214(c)	Land Disturbing Activity Surety	To Be Determined by a Licensed Engineer