

ORDINANCE NO. 2015-01-07

An ordinance amending the inspection fees for erosion control facilities.

1 WHEREAS, the Board of County Councilors adopted fees for inspecting erosion
2 control facilities to comply with National pollution control requirements; and

3 WHEREAS, since the adoption of these fees, county staff, professionals from the
4 development community and the public have analyzed those fees and the consensus of
5 these groups is that a limited reduction of fees is appropriate; and

6 WHEREAS, this matter has been considered by the Development Engineering
7 Advisory Board who recommend its adoption; and

8 WHEREAS the Board held a duly advertised public hearing on January 6th 2015
9 and after considering testimony found and concluded that adoption of this ordinance
10 would further the public welfare; Now, Therefore,

11 BE IT ORDERED, AND RESOLVED BY THE BOARD OF COUNTY COUNCILORS OF
12 CLARK COUNTY, STATE OF WASHINGTON, AS FOLLOWS:

13 **Section 1. Amendatory.** Section 3 (Exhibit A) of Ord. 2001-12-09 as most
14 recently amended by Sec. 1 (Ex. 6) of Ord. 2012- 02-03 and codified at Clark County
15 Code 6.110A.035 are each amended to read:

16 **(Balance of page left blank)**

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6.110A.035 NPDES erosion control inspection fees.

Table 6.110A.035—NPDES Erosion Control Inspection Fees⁽¹⁾

| Section | Activity | Fee | Issuance Fee |
|----------|---|-------------------------------|--------------|
| 1 | Annual Erosion Control Inspection Fee—First Year⁽²⁾ | | |
| A | Fee consists of base fee plus disturbed area component ^(3, 4) | | |
| I | Base fee | ((4))\$350 | \$94 |
| II | Additional fee for disturbed area up to and including 1 acre | ((2))\$1,000/acre | n/a |
| III | Additional fee for disturbed area over 1 acre to 5 acres | ((70))\$350/acre | n/a |
| IV | Additional fee for disturbed area over 5 acres to 100 acres | \$100/acre | n/a |
| V | Additional fee for disturbed area over 100 acres | \$50/acre | n/a |
| 2 | Erosion Control Inspection Fee During Maintenance Bond Period (2-year fee) | \$600 | \$94 |
| 3 | Annual Extensions⁽⁵⁾ | 80% of initial inspection fee | \$94 |

22 Notes:

23 ¹ NPDES erosion control inspection fees are in addition to development inspection fees in
 24 Table 6.110A.030.

25
 26 ² The inspection permit year for erosion control begins on the date of the preconstruction
 27 conference. If no preconstruction conference is held, the permit year begins when fees
 28 are paid.

29
 30 ³ The disturbed area fee calculation adds the fee component from each applicable area
 31 range. The fee formula calculates the area in acres using two (2) significant figures after
 32 the decimal point. For example, the fee for a project with two hundred (200) acres of
 33 disturbed area is(~~((nineteen thousand seven hundred fifty dollars (\$19,750) (\$19,750 =~~
 34 ~~450 + 2,000 + 2,800 + 9,500 + 5,000))~~ \$17,344 (17,344 = 350 + 94 + 1,000 + 1,400 + 9,500
 35 + 5,000).

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37 ⁴ Disturbed area is defined in Section 40.385.010 (D).

38

39 ⁵ Erosion control inspections are initially valid for one (1) year. Extensions at a reduced
40 rate are allowed if fees are paid before the expiration date. Projects with expired annual
41 erosion control inspection permits shall pay the full fee and may be subject to code
42 enforcement action.

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44 **Section 2. Instructions to Clerk.** The Clerk of the Board shall:

45 **A.** Transmit a copy of this ordinance to the Washington State Department of
46 Commerce within 10 (ten) days of its adoption, pursuant to RCW

47 36.70A.106;

48 **B.** Record a copy of this Ordinance with the Clark County Auditor; and

49 **C.** Cause notice of adoption of this ordinance be published forthwith,

50 pursuant to RCW 36.70A.290.

ADOPTED this 20th day of January, 2015.

Attest:


Clerk to the Board

BOARD OF COUNTY COUNCILORS
CLARK COUNTY, WASHINGTON

By: 
David Madore, Chair

Approved as to Form Only:

ANTHONY F. GOLIK
Prosecuting Attorney

By: _____
Jeanne Stewart, Councilor

By: 
Deputy Prosecuting Attorney

By: _____
Tom Mielke, Councilor