

ADOPTED

JUL 24 2001

ORDINANCE NO. 85A-14

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 8, EROSION AND SEDIMENT CONTROL, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 8-4, REGULATED LAND-DISTURBING ACTIVITIES; SUBMISSION AND APPROVAL OF PLANS, CONTENTS OF PLANS; SECTION 8-5, PERMITS, FEES, BONDING, ETC.; AND SECTION 8-6, MONITORING, REPORTS, AND INSPECTIONS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 8, Erosion and Sediment Control, is hereby amended and reordained by amending Section 8-4, Regulated land-disturbing activities; Submission and approval of plans, contents of plans; Section 8-5, Permits, fees, bonding, etc.; and Section 8-6, Monitoring, reports, and inspections.

Chapter 8. Erosion and Sediment Control

Section 8-4. Regulated land-disturbing activities; Submission and approval of plans, contents of plans.

(c) The plan-approving authority shall, within 45 days from receipt thereof, approve any such plan, if it is determined that the plan meets the requirements of the local control program, and if the person responsible for carrying out the plan certifies that he or she will properly perform the erosion and sediment control measures included in the plan and will conform to the provisions of this chapter. *In addition, as a prerequisite to approval of the plan, the person responsible for carrying out the plan shall provide the name of an individual holding a certificate of competence, as provided by the state Department of Conservation and Recreation, who will be in charge of and responsible for carrying out the land-disturbing activity.* Any disapproval of a plan shall be in writing and any disapproval shall specify the reasons for such disapproval.

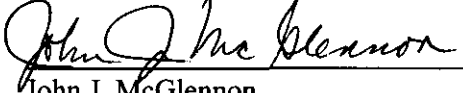
Section 8-5. Permits, fees, bonding, etc.

(h) An approved erosion and sediment control plan shall become null and void ~~180 days~~ *one year* after the dated of issuance of the land-disturbing permit, and no further work subject to this chapter shall be allowed unless and until an additional or updated erosion and sediment control plan has been submitted and approved in accordance with the provisions of this chapter or unless all requirements of the approved control plan have been completed in less than ~~180 days~~ *one year* in accord with such plan and verified by the on-site inspection by the manager.

Section 8-6. Monitoring, reports, and inspections.

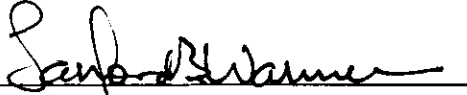
(b) The environmental division shall periodically inspect the land disturbing activity as prescribed in *the Virginia Erosion and Sediment Control Regulations and require that an individual holding a certificate of competence, as provided by the state Department of Conservation and Recreation, who will be in charge of and responsible for carrying out the land-disturbing activity, be identified* to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation. The owner, permittee, or person responsible for carrying out the plan shall be given notice of the inspection.

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Chapter 8. Erosion and Sediment Control
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John J. McGlennon
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
KENNEDY	AYE
NERVITT	AYE
GOODSON	AYE
MCGLENNON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of July, 2001.

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