

ADOPTED

JUN 16 1977

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 85A-1

AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING CHAPTER 5A, ENTITLED EROSION AND SEDIMENTATION CONTROL ORDINANCE, SECTION 5A-4, NON-CONTROLLED ACTIVITIES.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County that the Code of the County of James City be and the same is, hereby, amended and reordained by amending Chapter 5A, entitled, "Erosion and Sedimentation Control Ordinance, Section 5A-4, Non-Controlled Activities".

CHAPTER 5A

EROSION AND SEDIMENTATION CONTROL ORDINANCE


Section 5A-4. Non-Controlled Activities.

In no instance shall the provisions of this Ordinance be construed to apply to the following:


- (a) such minor land disturbing activities as home gardens and individual home landscaping, repairs and maintenance work;
- (b) individual service connections;
- (c) construction, installation, or maintenance of electric and telephone utility lines;
- (d) installation, maintenance, or repair of any underground public utility lines when such activity occurs on an existing hard surfaced road, street or sidewalk provided such land disturbing activity is confined to the area of the road, street or sidewalk which is hard surfaced;
- (e) septic tank lines or drainage fields unless included in an overall plan for land disturbing activity relating to construction of the building to be served by the septic tank system;
- (f) surface or deep mining;
- (g) construction, repair, or rebuilding of the tracks, right-of-way bridges, communication facilities and other related structures and facilities of a railroad company;

- (h) preparation for single-family residences separately built, unless in conjunction with multiple construction in subdivision development;
- (i) disturbed land areas for commercial or noncommercial uses of less than ten thousand square feet in size;
- (j) installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;
- (k) emergency work to protect life, limb or property, and emergency repairs; provided that if the land disturbing activity would have required an approved erosion and sediment control plan, if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirement of the local plan approving authority;
- (l) agricultural, horticultural or forestry activities or such activities as are essentially related thereto when such operations are carried on as a part of a program of continuing such agricultural, horticultural or forestry operations or represent a conversion from one such activity to another specified in this paragraph;
- (m) engineering operations recommended or approved by the soil and water conservation districts on privately owned, occupied or operated agricultural, horticultural or forest lands such as the construction of terraces, terrace outlets, check dams, desilting basins, floodwater retarding structures, channel improvements, floodways, dikes, ponds, ditches, and the like; the utilization of strip cropping, lister furrowing, contour cultivating, contour furrowing; land drainage; land irrigation; seeding and planting of waste, sloping, abandoned, or eroded land to water-conserving and erosion-preventing plants, trees and grasses; forestation and reforestation, rotation of crops, soil stabilization with trees, grasses, legumes, and other thick growing, soil holding crops; retardation of runoff by increasing absorption of rainfall; and retirement from cultivation of steep, highly erosive areas and areas now badly gullied or otherwise eroded;
- (n) shore erosion control projects on tidal waters recommended by the soil and water conservation districts in which the projects are located or approved by the Marine Resources Commission.

This ordinance shall be in full force and effect from July 1, 1977.


John E. Donaldson, Chairman
Board of Supervisors
James City County, Virginia

ATTEST:


James B. Oliver, Jr.
Clerk to the Board