

ORDINANCE NO. 24-1()

AN ORDINANCE TO AMEND CHAPTER 1, GENERAL PROVISIONS, ARTICLE 5, FEE SCHEDULE, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 1, General Provisions, Article 5, Fee Schedule is hereby reordained and amended as follows:

By Amending:

Sec. 1-503 Water Protection Fees

Chapter 1. General Provisions

**ARTICLE 5
Fee Schedule**

Sec. 1-503 – Water Protection Fees

A – Rules Applicable to Water Protection Fees. The following rules apply to the fees imposed under subsection (B):

1. Virginia Erosion and Stormwater Management Program (VESMP):
Payment of fees.
 - a) Transfer or modification. Each owner required to pay the transfer or modification fee as provided in this Article, must pay the fee upon submittal of the application to transfer or modify.
 - b) Annual maintenance fee. Each owner must pay the maintenance fee annually to the County until a notice of termination is effective. The maintenance fee will be billed in arrears and is due by April 1 of each year. On the first April 1 after the land disturbing activity has begun, this fee will be prorated on a monthly basis, and the full fee will be due by April 1 of each year thereafter. The final fee will be prorated on a monthly basis based on the date of permit termination.
2. *Use of Water Protection fees.* The fees imposed under subsection (B) will be used solely to carry out the County's responsibilities under the Virginia Erosion and Stormwater Management Act, ~~the Erosion and Sediment~~

~~Control Law~~, the applicable regulations in 9VAC25-830 through 9VAC25-890, and any other applicable standards and specifications.

3. *Late payments.* Any late payment will be subject to interest at the underpayment rate provided in Virginia Code § 58.1-15 and will be calculated on a monthly basis at the applicable periodic rate. A ten percent late payment fee will be charged to any account more than 90 days past due.
4. *Remedies.* The County may pursue any remedies provided by State law to collect any past due amount. In addition, the County or the program administrator may pursue the remedies provided in County Code §§ 17-900 *et seq.*, including revocation of any approval.

B – Water Protection Fee Amounts

Each of the following applications, permits, or activities is subject to the following fee(s):

Bond Agreement with Surety – Establish, Amend, Replace, Reduce, or Release a Bond	\$285
Virginia Erosion and Sediment Control Stormwater Management Program (VESCMP) exempt from water quantity and water quality technical criteria – Disturbed area less than one acre	
Plan review and initial grading <u>land disturbance</u> permit or each amendment	\$240
Annual Maintenance	\$230
VESCMP exempt from water quantity and water quality technical criteria – Disturbed area one acre up to 5 acres	
Plan review and initial grading <u>land disturbance</u> permit or each amendment	\$565
Annual Maintenance	\$340
Single Family (SF) – Land disturbing activity pertaining to a sole single family detached dwelling (including within a common plan of development) with less than 5 acres of land disturbance	
Plan review, <u>land disturbance</u> and initial grading permit, and first year annual maintenance fees or each amendment	\$235
Annual Maintenance, starting with the second year	\$235
Virginia Stormwater Management Program (VESMP) – Small construction activity or land clearing that is less than 10,000 sf within a common plan of development or is equal to or greater than 10,000 sf and less than 1 acre	
Plan Review and <u>Land Disturbance</u> Permit Issuance	\$235
Transfer or Modification	\$120
Annual Maintenance	\$160

VESMP – Small construction activity or land clearing that is equal to or greater than 1 acre and less than 5 acres	
Plan Review and <u>Land Disturbance</u> Permit Issuance	\$2,205
Transfer or Modification	\$225
Annual Maintenance	\$1,530
VESMP – Large construction activity or land clearing that is equal to or greater than 5 acres and less than 10 acres	
Plan Review and <u>Land Disturbance</u> Permit Issuance	\$2,775
Transfer or Modification	\$285
Annual Maintenance	\$1,925
VESMP – Large construction activity or land clearing that is equal to or greater than 10 acres and less than 50 acres	
Plan Review and <u>Land Disturbance</u> Permit Issuance	\$3,675
Transfer or Modification	\$340
Annual Maintenance	\$2,550
VESMP – Large construction activity or land clearing that is equal to or greater than 50 acres and less than 100 acres	
Plan Review and <u>Land Disturbance</u> Permit Issuance	\$4,980
Transfer or Modification	\$510
Annual Maintenance	\$3,460
VESMP – Large construction activity or land clearing that is equal to or greater than 100 acres	
Plan Review and <u>Land Disturbance</u> Permit Issuance	\$7,835
Transfer or Modification	\$795
Annual Maintenance	\$5,440
Other Services	
Amendment to Approved Plan (VSMP)	\$225 per review
<u>Bond Agreement with Surety - Establish, Amend, Replace, Reduce, or Release a Bond</u>	<u>\$285</u>
Construction record drawings review	\$340
Exception (VSMP)	\$270 each
Re-inspection pertaining to a single-family dwelling	\$170 for the first and \$270 for each subsequent reinspection
Re-inspection not pertaining to a single-family dwelling	\$285 for the first and \$385 for each subsequent reinspection

Review of mitigation plan pertaining to a land disturbing activity in a stream buffer	\$170
Stream Determination	\$320
Variation (VESCP)	\$170 each

Enactment Clause:

This Ordinance is effective on and after July 1, 2024. All provisions amended, superseded, or repealed by this Ordinance will remain effective continuously, without interruption, through and including June 30, 2024.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of ____ to ____, as recorded below, at a regular meeting held on_____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Andrews	_____	_____
Mr. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Mr. Pruitt	_____	_____