

**ORDINANCE NO. 2015-**

**An ordinance amending the inspection fees for erosion control facilities.**

1           WHEREAS, the Board of County Commissioners adopted fees for inspecting  
2 erosion 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 6<sup>th</sup> 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 COMMISSIONERS 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           **6.110A.035 NPDES erosion control inspection fees.**

**Table 6.110A.035—NPDES Erosion Control Inspection Fees<sup>(1)</sup>**

<b>Section</b>	<b>Activity</b>	<b>Fee</b>	<b>Issuance Fee</b>
1	Annual Erosion Control Inspection Fee—First Year <sup>(2)</sup>		

<b>A</b>	Fee consists of base fee plus disturbed area component <sup>(3, 4)</sup>		
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
<b>2</b>	<b>Erosion Control Inspection Fee During Maintenance Bond Period (2-year fee)</b>	600	94
<b>3</b>	<b>Annual Extensions<sup>(5)</sup></b>	80% of initial inspection fee	94

17 **Notes:**

18 <sup>1</sup> NPDES erosion control inspection fees are in addition to development inspection fees in  
 19 Table 6.110A.030.

20

21 <sup>2</sup> The inspection permit year for erosion control begins on the date of the preconstruction  
 22 conference. If no preconstruction conference is held, the permit year begins when fees  
 23 are paid.

24

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

31

32 <sup>4</sup> Disturbed area is defined in Section 40.385.010 (D).

33

34 <sup>5</sup> Erosion control inspections are initially valid for one (1) year. Extensions at a reduced  
 35 rate are allowed if fees are paid before the expiration date. Projects with expired annual  
 36 erosion control inspection permits shall pay the full fee and may be subject to code  
 37 enforcement action.

38

39

40 //////////////

41

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

43           **A.**     Transmit a copy of this ordinance to the Washington State Department of

44                     Commerce within 10 (ten) days of its adoption, pursuant to RCW

45                     36.70A.106;

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

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

48                     pursuant to RCW 36.70A.290.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Attest:

BOARD OF COUNTY COUNCILORS  
CLARK COUNTY, WASHINGTON

\_\_\_\_\_  
Clerk to the Board

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