

CAMPBELL COUNTY CODE OF 1988

CHAPTER 8

EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT

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ARTICLE I. GENERAL, PURPOSE AND AUTHORITY, DEFINITIONS.

Sec. 8-1. General.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

[THE JULY 1, 2014 AMENDMENT substituted “Pursuant to §62.1-44.15:27, Campbell County hereby establishes” for “chapter establishes procedures whereby” in the third sentence, and added “This Chapter establishes the procedures whereby stormwater management” at the beginning of the fourth sentence.]

[THE JULY 16, 2019 AMENDMENT added the third paragraph.]

Sec. 8-2. Definitions.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

[THE JULY 1, 2014 AMENDMENT added definitions of “Administrator”, “Agreement in lieu of a stormwater management plan”, created separate definitions for “Land-disturbing activity” and “Permittee” for Erosion and Sediment Control and for Stormwater Management, corrected a citation in the definition of “Regulations”, revised the definition for “Total Maximum Daily Load”, and deleted a definition for “VSWCB.”]

[THE DECEMBER 2, 2014 AMENDMENT deleted definition of “Chesapeake Bay Preservation Act land disturbing activity.”]

[THE JULY 16, 2019 AMENDMENT rewrote several definitions to match state code.]

[THE AUGUST 1, 2023 AMENDMENT added a farm building or structure to the list of projects that may be completed using an agreement in lieu of a stormwater plan; also added definition for exempted small construction activities.]

[THE DECEMBER 5, 2023 AMENDMENT amended the definition of “land disturbance” to reference the minimum state standard rather than defining a specific square footage or acreage.]

ARTICLE II EROSION AND SEDIMENT CONTROL

Sec. 8-3. Establishment of a Virginia Erosion and Sediment Control Program (VESCP)

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

Sec. 8-4. Regulated land disturbing activities; submission and approval of erosion and sediment control plan.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

[THE JULY 16, 2019 AMENDMENT added “or (ii) a stream restoration project for purposes of

reducing nutrients or sediment entering state waters” at (e).]

Sec. 8-5. Certification of local program personnel.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

Sec. 8-6 Approved plan required for issuance of grading, building, or other permits; security for performance.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

Sec. 8-7. Requirements and Contents of an erosion and sediment control plan.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

[THE DECEMBER 2, 2014 AMENDMENT added “greater than 10,000 square feet” in the first sentence, and substituted “land disturbance” for “building” before “permit” in (A)(1) and (B)(1).]

[THE DECEMBER 5, 2023 AMENDMENT amended the language concerning land disturbance to reference the minimum state standard rather than defining a specific square footage or acreage.]

Sec. 8-8. Monitoring, reports, and inspections, stop work orders, civil penalties.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

Sec. 8-9. Right of entry.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

Sec. 8-10. Judicial appeals, penalties, injunctions and other legal actions.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

Sec. 8-11. Financial Surety.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

Sec. 8-12. Fees.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

ARTICLE III. STORMWATER MANAGEMENT

Sec. 8-13. Stormwater permit requirement; exemptions.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

[THE JULY 1, 2014 AMENDMENT revised subsection (a) to clarify requirements for permit applications and deleted language related to the Chesapeake Bay Preservation Act, which is inapplicable in this County from (b)(3) and (b)(4).]

[THE DECEMBER 2, 2014 AMENDMENT added “if such statement is required” and “executed” in (a), substituted “10,000 square feet” for “one acre” twice and substituted “except for” for “or” in (b)(4).]

[THE DECEMBER 5, 2023 AMENDMENT amended subsection (B)(4) concerning land disturbance to reference the minimum state standard rather than defining a specific square footage or acreage.]

Sec. 8-14. Stormwater management program established; submission and approval of plans.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

[THE DECEMBER 2, 2014 AMENDMENT inserted “if such statement is required” in (b)(1), and “or an agreement in lieu of a stormwater management plan” in (b)(3).]

Sec. 8-15. Stormwater pollution prevention plan; contents of plans.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

[THE JULY 1, 2014 AMENDMENT corrected a typographical error in (a)(2).]

Sec. 8-16. Stormwater management plan; contents of plan.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

[THE JULY 1, 2014 AMENDMENT added the second and third sentences to subsection (a)(1).]

[THE DECEMBER 2, 2014 AMENDMENT deleted “but less than five acres” from the second sentence of (a)(1).]

Sec. 8-17. Pollution prevention plan; contents of plan.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

Sec. 8-18. Review of stormwater management plan.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

[THE JULY 1, 2014 AMENDMENT added “or any duly authorized agent of the Administrator” in (a)(1), substituted “60 calendar days” for “45 calendar days” in (a)(2), and corrected a cross-reference in (c).]

Sec. 8-19. Technical criteria for regulated land disturbing activities.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

[THE JULY 1, 2014 AMENDMENT deleted “not” from “shall be subject to” in (b) and corrected the numbering of the subsections.]

Sec. 8-20. Long term maintenance of permanent stormwater facilities.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

Sec. 8-21. Monitoring and inspections.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

Sec. 8-22. Hearings and appeals.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

[THE JULY 1, 2014 AMENDMENT completely rewrote the section, giving appeals authority to the Planning Commission and conforming the section to the state code.]

[THE DECEMBER 2, 2014 AMENDMENT added (d).]

Sec. 8-23. Enforcement.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

Sec. 8-24. Fees.

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]

[THE JULY 1, 2014 AMENDMENT added “(excluding single family construction)” to (a) and added subsection (a)(1).]

Sec. 8-25. Performance bond

[THE MARCH 4, 2014 ACT adopted this section, to be effective July 1, 2014.]