

INTRODUCED: March 6, 2018

AN ORDINANCE No. 2018-085

To amend and reordain City Code § 14-336, concerning stormwater management program fees, and to amend and reordain Appendix A of the City Code by adding therein new fees for City Code § 14-336.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 23, 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 14-336 of the Code of the City of Richmond (2015) be and is hereby **amended** and reordained as follows:

Sec. 14-336. Fees.

Fees to cover costs associated with implementation of the Richmond Stormwater Management Program in this article shall be imposed in accordance with Appendix A to this Code.

(1) The fees provided in Appendix A to this Code (with reference to Section 14-336(1)) apply:

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 14 2018 REJECTED: _____ STRICKEN: _____

a. To any operator seeking coverage under the July 1, 2014, General Permit for Discharges of Stormwater from Construction Activities; or

b. On or after July 1, 2014, to any operator seeking coverage under a General Permit for Discharges of Stormwater from Construction Activities, a State or Federal agency that does not file annual standards and specifications or an individual permit issued by the Board.

An applicant shall pay the fees provided in Appendix A to this Code for initial issuance of general permit coverage and for a Richmond Stormwater Management Program Permit. No more than 50 percent of the total fee to be paid by the applicant, as set out in Appendix A to this Code, shall be due at the time that a stormwater management plan or an initial stormwater management plan is submitted to the City for review. The applicant shall pay the balance of the fee prior to the issuance of coverage under the general permit. When a site or sites are purchased for development within a previously permitted common plan of development or sale, the applicant shall be subject to fees in accordance with the disturbed acreage of their site or sites as set forth in Appendix A to this Code.

(2) A permittee who wishes to modify or transfer registration under the general permit shall pay the fees provided in Appendix A to this Code (with reference to Section 14-336(2)) under the terms included therein.

(3) Each permittee shall pay the fees provided in Appendix A to this Code (with reference to Section 14-336(3)) for annual permit maintenance, including fees imposed on expired permits that have been administratively continued. With respect to the general permit, the fees shall apply until the permit coverage is terminated. The permittee shall pay the applicable annual

maintenance fees to the City by the anniversary date of the general permit coverage. No permit will be reissued or automatically continued without payment of the required fee.

(4) Permit and permit coverage maintenance fees provided in Appendix A to this Code may apply to each permittee with general permit coverage. No general permit application fees will be assessed to:

a. Permittees who request minor modifications, as defined in this article, to general permit coverage. Permit modifications at the request of the permittee resulting in changes to stormwater management plans that require additional review by the Administrator shall not be exempt.

b. Permittees whose general permit coverage requirements are modified or amended at the initiative of the Department of Environmental Quality, excluding errors in the registration statement identified by the Administrator or errors related to the acreage of the site.

c. All incomplete payments will be deemed as nonpayments, and the Administrator shall notify the applicant of any incomplete payments. Interest may be charged for late payments at the rate and in the manner set forth in this Code. A ten percent late payment fee shall be charged to any delinquent account (over 90 days past due). The City shall be entitled to all remedies available under the Code of Virginia or other applicable law in collecting any past due amount.

(5) Each applicant whose application for a permit is withdrawn or rejected and each permittee whose permit is withdrawn after issuance shall pay an administrative fee and, if a plans review has been undertaken, a plans review fee. The administrative fee and plans review fee shall be as provided in Appendix A to this Code.

(6) Each permittee whose plans are revised after the permit is issued shall pay a revised plans fee as set forth in Appendix A to this Code.

(7) Any excess fee greater than \$2.00 shall be returned to the permit holder upon written request.

§ 2. That Appendix A of the Code of the City of Richmond (2015) be and is hereby amended by **adding therein new fees** for section 14-336(5) and 14-336(6) of the Code of the City of Richmond (2015), as amended, as follows:

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
14-336(5)	Administrative fee	Five percent of initial permit fee or \$25.00, whichever is greater
	Plans review fee	Five percent of initial permit fee or \$25.00, whichever is greater
14-336(6)	Revised plans fee	Ten percent of initial permit fee or \$50.00, whichever is greater

§ 3. This ordinance shall be in force and effect on July 1, 2018.