

FINAL DRAFT

07-22-2008

RESOLUTION NO. 2008 - 25

**A RESOLUTION PROVIDING FOR EROSION CONTROL ON LOTS IN PLATTED,
NAMED SUBDIVISIONS**

The Board of Supervisors of Washington County, Nebraska, hereinafter the 'Board', recognizes that:

1. It is in the interest of the public's general welfare that County construction activity minimize soil erosion and that County erosion and sediment control regulation is appropriate.
2. Soil erosion can occur on construction activity sites of any size, be it less than an acre or more than an acre.
3. Erosion and sediment control during construction activity is important and that Best Management Practices (BMP's), as defined by the Douglas County - Washington County Stormwater Management Policies, shall be implemented by the building permit applicant to protect natural resources.
4. In order to regulate construction activity regarding erosion and sediment, an Individual Lot Notice of Intent (NOI) Form, obtained from the County Planning Department, shall be completed by the building permit applicant.
5. Building permit applicants must file such NOI Form as part of the building permit application process. No building permit will be issued until the applicable NOI fees have been paid and the NOI has been approved by both the County Planning Department and the County's hired Nebraska Licensed Professional Engineering Firm.
6. In order to enforce the NOI requirements and to verify that erosion control measures are properly installed and maintained throughout a construction activity project, the County has hired a Nebraska Licensed Professional Engineering Firm to conduct site visits to verify compliance with the NOI.
7. Storm water is defined as water that originates during precipitation events.
8. The costs incurred by the County's hired Nebraska Licensed Professional Engineering Firm for erosion control review on a lot in a platted, named subdivision shall be paid by the building permit applicant. This Individual Lot Erosion Control Fee (ILECF) is \$200 per visit with 4 visits being the estimated minimum number. Should more visits be necessary, the building permit applicant is responsible for paying such fee. The County Planning Department will collect the \$800 ILECF at the time the NOI is applied-for. This \$800 (minimum 4 visits) is detailed as follows: (1) before grading; (2) interim, after a storm water event; (3) interim, after a storm water event; (4) at end to verify ground cover established. A home will not be granted occupancy, or a non-residence a passed final inspection by the County Building Inspector \ Planning Department until all County permit requirements have been met and the County's hired Nebraska Licensed Professional Engineering Firm has provided written approval to the County Planning Department that all requirements have been satisfied and all fees have been paid. Any un-used fees (principal only) as determined by the County's hired Nebraska Licensed Professional Engineering Firm will be refunded to the building permit applicant.

9. It is the building permit applicant's responsibility to contact the County Planning Department when initial (before grading) controls are in place. The County's hired Nebraska Licensed Professional Engineering Firm will then be notified by the County Planning department to perform a field check (visit (1) above – before grading). The County's hired Nebraska Licensed Professional Engineering Firm will then notify the County Planning Department in writing that the initial inspection passes and grading and building permit inspections can commence.

10. In addition to the County's hired Nebraska Licensed Professional Engineering Firm inspections as listed above, the County's designated Building Inspector shall review the erosion control measures when performing building inspections. The Building Inspector shall report to the County Planner any problems.

11. The Board deems that this Resolution shall apply only in the following situations:
- a. any residential structure, including manufactured, modular, stick-built and relocated homes in platted, named subdivisions;
 - b. accessory buildings (barns, sheds, pole buildings, etc.) in platted, named subdivisions and only when the accessory building exceeds 576 square feet in size.

12. The Board deems the following shall be exempt from this Resolution:
- a. additions to homes (residential additions);
 - b. accessory buildings (sheds, barns, silos, etc) not in a platted, named subdivision; and
 - c. any residential structure, including manufactured, modular, stick-built and relocated homes not in a platted, named subdivision.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, NEBRASKA, that this resolution is hereby adopted and shall be in full force and affect from and after its adoption, publication, and filing as provided by law and all resolutions or parts of all resolutions in conflict herewith are hereby repealed.

APPROVED AND ADOPTED THIS 23rd DAY OF July, 2008.

WASHINGTON COUNTY BOARD OF SUPERVISORS, WASHINGTON COUNTY, NEBRASKA
BY:



Almond Wilcox CHAIRPERSON

ATTEST:

George H. Truhlsen, COUNTY CLERK