

NOTICE OF PUBLIC HEARING

NOTICE is hereby given that a Public Hearing will be held by the Council of the City of Danville, Virginia, on **Tuesday, June 3, 2014, at 7:00 P.M.**, or as soon thereafter as possible, in the Council Chambers, Fourth Floor, Municipal Building, 427 Patton Street, Danville, Virginia, to receive public comments on a proposed Ordinance as follows:

Adoption of an Ordinance to establish a Virginia Stormwater Management Program (VSMP) as mandated by the Commonwealth of Virginia in Va. Code §62.1-44.15:27, et seq. and regulations promulgated by the Virginia Department of Environmental Quality (DEQ). The Commonwealth of Virginia and DEQ have determined that adoption of this Ordinance will protect the quality of state waters.

The proposed Ordinance is required by the state for the City to provide a VSMP and it has been reviewed and approved by the DEQ. The Ordinance will require engineering, development, operation and maintenance of state-approved stormwater management improvements to mitigate effects of significant land-disturbing activities. The Ordinance includes procedures for administration, permitting, inspections, requests for exemption, and appeals. Per state law (Va. Code §62.1-44.15:48) each day of violation of this Ordinance is punishable by up to 12 months' imprisonment and a fine of not less than \$2,500.00 and not more than \$32,500.00. Penalties may be much higher for violations involving false statements, falsification of records, or the endangerment of persons.

The following new fees are hereby being established pursuant to this Ordinance.

Table 1 - Permit Fees

Fee type	Total fee to be paid by applicant (includes both VSMP authority and department portions where applicable)
General / Stormwater Management - Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land-disturbance acreage less than one acre)	\$290
General / Stormwater Management - Small Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than one acre and less than five acres)	\$2,700
General / Stormwater Management - Large Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than five acres and less than 10 acres)	\$3,400
General / Stormwater Management - Large Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$4,500
General / Stormwater Management - Large Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$6,100
General / Stormwater Management - Large Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than 100 acres)	\$9,600
Individual Permit for Discharges of Stormwater from Construction Activities (This will be administered by the department)	\$15,000

(b) Fees for the modification or transfer of registration statements from the general permit issued by the State Board shall be imposed in accordance with Table 2. If the general permit modifications result in changes to stormwater management plans that require additional review by the City of Danville such reviews shall be subject to the fees set out in Table 2. The fee assessed shall be based on the total disturbed acreage of the site. In addition to the general permit modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the initial permit fee paid and the permit fee that would have applied for the total disturbed acreage in Table 1.

Table 2 - Permit Modification / Transfer Fees

General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than one acre)	\$20
General / Stormwater Management – Small Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than one and less than five acres)	\$200
General / Stormwater Management – Large Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than five acres and less than 10 acres)	\$250
General / Stormwater Management – Large Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$300
General / Stormwater Management – Large Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$450
General / Stormwater Management – Large Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than 100 acres)	\$700
Individual Permit for Discharges of Stormwater from Construction Activities	\$5,000

(c) The following annual permit maintenance shall be imposed in accordance with Table 3, including fees imposed on expired permits that have been administratively continued. With respect to the general permit, these fees shall apply until the permit coverage is terminated.

Table 3 – Annual Maintenance Fee

Type of Permit	Fee Amount
Chesapeake Bay Preservation Act Land-Disturbing Activity (not subject to General Permit coverage; sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 2,500 square feet and less than 1 acre)	\$50
General / Stormwater Management - Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land-disturbance acreage less than one acre)	\$50
General / Stormwater Management - Small Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than one acre and less than five acres)	\$400
General / Stormwater Management - Large Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than five acres and less than 10 acres)	\$500
General / Stormwater Management - Large Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$650
General / Stormwater Management - Large Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$900
General / Stormwater Management - Large Construction Activity/Land Clearing (land-disturbance acreage equal to or greater than 100 acres)	\$1,400

The proposed Ordinance would be effective July 1, 2014.

A copy of the proposed fees required by the Commonwealth of Virginia, is available for examination in the Office of the City Clerk, 427 Patton Street, Room 428, Municipal Building, Danville, Virginia, and the Office of Public Works, Engineering Division, 427 Patton Street, 2nd Floor, Municipal Building, Danville, Virginia, Monday through Friday, 8:00 a.m. to 5:00 p.m.

BY AUTHORITY OF THE COUNCIL,
City of Danville, Virginia
Susan M. DeMasi, City Clerk