



Soil Erosion and Sedimentation Control Ordinance

Quick Facts

- The Ordinance was adopted by the Board of Commissioners on November 6, 2006.
- The Ordinance will become effective October 1, 2007 to provide time for program setup such as hiring and training staff and purchasing equipment. Any complaints regarding soil erosion will be handled by the State until that time. You may call 1-866-STOPMUD to report a soil erosion problem.
- The Ordinance does not apply to agricultural uses (see section 200-104).
- The County will request municipalities to allow the County to enforce this ordinance inside the municipal jurisdictions. There will be no charge to the municipalities for this service.
- The Ordinance administration will be funded by permit fees and no county or municipal tax dollars will be used to support the program. These fees will support the hiring of staff to administer the program.
- An erosion control plan shall be required for:
 - (a) Any land disturbing activity which uncovers one or more acres (43,560 square feet) of land.
 - (b) Any land disturbing activity which uncovers one-half (1/2) acre or more (21,780 square feet) of land with an average slope of 16 to 25 percent in its natural state. The average slope shall be calculated only for the disturbed area.
 - (c) Any land disturbing activity which uncovers one-quarter (1/4) acre or more (10,890 square feet) of land with an average slope over 25 percent in its natural state. The average slope shall be calculated only for the disturbed area. (See section 200-104 (C)1).

- An erosion control permit and sketch plan is required if you disturb more than 100 square feet (See section 200-104 (C) 2).
- Erosion control plans must meet the requirements of the state design manual (Section 200-106 (F)). Also see <http://dlr.enr.state.nc.us/pages/manualsandvideos.html>
- Provisions for a ground cover, such as seeding, are required within 21 calendar days following the completion of construction or development (Section 200-105E).
- Erosion control measures must be designed and constructed to provide protection from the maximum peak runoff from 10-year storm event unless it is located in a “High Quality Water Zone.” In a High Quality Water Zone the measures must control for the 25-year storm event.
- The Ordinance provides for civil and criminal penalties with fines up to \$5,000 per day of each violation. Staff will work with the development community to avoid fines and obtain voluntary compliance with the Ordinance.
- A copy of the Ordinance may be viewed online at <http://www.hendersoncountync.org/planning/projects/main.html>