

City of Charlotte

Land Development Services

Soil Erosion and Sedimentation Control Ordinance

Fact Sheet

On May 28, 2002, the Charlotte City Council unanimously passed the revised City of Charlotte Soil Erosion and Sedimentation Control Ordinance. The revised ordinance strengthens the City's and County's ability to address two primary objectives:

- Hold developers and contractors responsible for maintaining erosion control on their projects, and
- Protect environmentally sensitive areas from sediment damage.

A number of wording changes have been made to improve the clarity of the City of Charlotte Soil Erosion and Sedimentation Control Ordinance. Also, the ordinance's organizational structure has changed. The **most significant changes** are as follows:

1. Contractors as well as the financially responsible party could be charged directly for their role in an erosion control violation. [**Sec. 18.23(m), 18.23(dd), 18.32(f) 4, 18.33(e)**]
2. Wetlands are recognized in the ordinance and must have additional protection. [**Sec. 18.23(tt), 18.23(uu), 18.28(a)**]
3. Language has been added to explicitly state that sites less than an acre must have adequate erosion control. [**Sec. 18.26(a)**]
4. Any portion of a site in which construction activity has ceased must be seeded within 30 working days or 90 calendar days from date of last Land Disturbing Activity, whichever period is shorter. [**Sec. 18.28(c)**]
5. The person conducting land-disturbing activities must self-inspect the site at least weekly and within 24 hours after storms. Sites with an acre or more disturbed area must have a record of inspections. [**Sec. 18.28(f)**]
6. Erosion control plans may not violate local zoning regulations or tree protection or buffer requirements. [**Sec. 18.30(a) 5**]
7. More stringent standards must be met when disturbing more than 20 acres. [**Sec. 18.30(a) 8**]
8. The Soil and Water Conservation Services no longer has to review erosion control plans. *Removed from* [**Sec. 18.30**]
9. Violations resulting in offsite sedimentation or sediment in wetlands, lakes or watercourses will be subject to immediate fines. [**Sec. 18.32(f) 6**]
10. Repeat violators are subject to immediate and harsher penalties. [**Sec. 18.33(e)**]
11. Sediment entering a wetland, lake or watercourse is subject to \$3000 per day fine. [**Sec. 18.33(c)2**]
12. Disturbing land without a permit is subject to \$5000 per day penalties. This may be reduced depending on mitigating circumstances. [**Sec. 18.33(c)1**]
13. The City may require the amount of a fine to be placed in a refundable account if an owner wants to obtain a permit to occupy a building when that site is under appeal. [**Sec. 18.32(i)2**]



Land Development Division

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