

Residential Improvements: For projects that exceed 5,000 sq ft of disturbance on an existing single family lot a fee of \$335 shall apply. This shall apply to additions to existing homes, any free standing structures associated with the home, swimming pools, and septic systems, etc.

F. SCHEDULE OF COSTS – The following hourly rates will be utilized for costs incurred for: Plan Withdrawal, Plan Resubmission, Plan Re-certification, Plan Revision, Non-compliance Inspection, Stop Construction Order/Reimbursement Costs and Additional Fees for Projects where the original fee has been exhausted:

District Staff.....	\$95.00/hour Review/Certification
.....	\$80.00/hour Inspection/Compliance
Legal.....	\$200.00/hour
Engineer	\$85.00/hour

G. PLAN WITHDRAWAL POLICY – Upon written request by the applicant and approval action by the Board of Supervisors, the unused portion of the Fees for Certification and Inspections may be refunded if the plan is withdrawn or denied prior to certification. If such request is made following Certification, the District shall refund the unused portion of the Inspection Fee, and at its discretion, the Sussex County Soil Conservation District (SCSCD) may also refund a portion of the Certification Fee if the Board of Supervisors determines that any unused balance exists. Charges for services provided, up to the time of the withdrawal or denial, shall be based upon the currently approved hourly rate plus any extraordinary costs as specified in the current Fee Schedule.

H. CONDITIONAL REPORT OF COMPLIANCE (CRC) – When a Conditional ROC is issued, during the non-growing season; a Performance Deposit of \$3,000.00 per acre of disturbed soil (\$3,000.00 minimum for a single family site) will be required and will be placed in an SCSCD escrow account. An administrative fee of \$100.00 will be charged and retained by SCSCD. The site shall be fully stabilized by May 1 of the next growing season. The District will charge an additional \$100.00 administrative fee per month for each additional month during the growing season until a Final Report of Compliance is issued. It is the applicant’s responsibility to request a Final Report of Compliance inspection. When the final ROC is issued, the remainder of the deposit will be returned to the applicant or other designated party of the Conditional Report of Compliance Agreement. If a Municipality requires a bond and/or other deposits for Grading and Permanent Seeding, prior to the issuance of a Municipal Occupancy Permit, and if that municipality will assure, in writing, that it will assume responsibility for the establishment of grading and permanent stability of the said project in accordance to the Soil Erosion and Sediment Control Plan Certified by SCSCD, a Performance Deposit for an SCSCD issued Conditional Report of Compliance will not be required.

I. NON-COMPLIANCE FEE – When a project is not in compliance to its Certified Plan, and additional inspections are required to correct the situation, a fee will be charged for each of those additional inspections as established in item F. Schedule of Costs. The applicant shall also be liable to the District for any legal or other enforcement costs.

J. STOP CONSTRUCTION ORDER/REIMBURSEMENT OF COSTS – When a project is not executed in accordance with a Soil Erosion and Sediment Control Plan, certified by the District, a Stop Construction Order shall be issued. When that project regains compliance to the Certified Plan all costs, in accordance with item F. Schedule of Costs, expended for enforcement and legal action by SCSCD, shall be paid by the project owner as a condition of rescission of the Stop Construction Order. The SCSCD will notify the project owner of the aforementioned costs.

K. ADDITIONAL FEES FOR PROJECTS WHERE THE ORIGINAL FEE HAS BEEN EXHAUSTED – When a project continues beyond the original Certification period or when extraordinary* review, inspections, change of ownership or other services have exhausted the original project fee payment, the SCSCD shall notify the applicant that additional fees shall be required. Such additional fees shall, at the option of the SCSCD, be (1) based on the hourly rates for such required additional services as established in the approved District Fee Schedule or (2) based upon the current approved Fee Schedule, number of lots, acres, or other units remaining to be completed and stabilized with permanent measures, as detailed in the Certified Plan, to control soil erosion and sedimentation. The SCSCD shall, upon the applicant’s request, provide an accounting of services, which have resulted in the exhaustion of the original application fee.

*With respect to this policy, extraordinary means additional required project review and inspection related services, which exceed those anticipated under fees previously paid and cannot be covered by that fee amount.

L. RETURN CHECK CHARGES – Each time a check is returned to the District unpaid due to “Insufficient Funds”, a \$25.00 fee will be charged to the party responsible. If checks from any given project and/or a specific developer or individual are presented for payment and returned for “Insufficient Funds”, more than twice, the District reserves the right to accept fees only in the form of Cash, Certified Check, Money Order, Cashiers Check or a check from an Attorney Trust Account.

M. LETTERS OF EXEMPTION – A Soil Erosion and Sediment Control Letter of Exemption is a written determination by the District that a land disturbance activity is exempt from the Soil Erosion and Sediment Control Act. The applicant for a Letter of Exemption has the burden of proof of demonstrating to the District that a proposed disturbance falls outside the definition of project under the Act or within one of the exceptions to the Act. The minimum fee for a Letter of Exemption is \$95.00 and is based upon one hour of time at the District’s hourly rate. In the event that the review and processing of an application for a Letter of Exemption involves more than one hour of District personnel time, the District hourly rate shall apply.

Approved by the SCSCD Board of Supervisors on 12/7/2011 and by the SSCC on 11/14/2011, effective on 1/1/2012.