

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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HOUSE BILL 1106

Short Title: Erosion Control Designer Certification. (Public)

Sponsors: Representatives Torbett and Brody (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Regulatory Reform, if favorable, Environment.

May 19, 2014

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THE DESIGNER OF A RETAINING WALL OR SIMILAR
2 EROSION CONTROL DEVICE HAVING A STRUCTURAL FOUNDATION
3 REQUIRED TO BE INSTALLED UNDER A STATE-APPROVED EROSION AND
4 SEDIMENTATION CONTROL PLAN TO CERTIFY THAT THE DEVICE HAS BEEN
5 DESIGNED IN ACCORDANCE WITH APPLICABLE CODES AND SPECIFICATIONS
6 AND WILL BE INSTALLED ACCORDING TO THE APPROVED EROSION AND
7 SEDIMENTATION CONTROL PLAN, AS RECOMMENDED BY THE LRC
8 COMMITTEE ON LAND DEVELOPMENT.
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10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** G.S. 113A-54.1 is amended by adding a new subsection to read:

12 "(a2) When the erosion and sedimentation control permit is issued by the Department and
13 a retaining wall or other similar device requiring a structural foundation is included as a part of
14 the applicable approved erosion and sedimentation control plan, but is inspected and permitted
15 by a local government, the erosion and sedimentation control permit shall be conditioned to
16 require that prior to allowing full land-disturbing activities to occur on either the entire property
17 or the portion thereof to be served by the applicable device, the erosion and sedimentation
18 control inspector shall receive written certification from the designer of the device assuring that
19 the device has been designed in accordance with applicable codes and specifications and will
20 be installed according to the approved erosion and sedimentation control plan. The Department
21 shall provide a copy of the conditioned erosion and sedimentation control permit to the Chief
22 Building Code Enforcement officer of the local government responsible for inspection and
23 permitting of the erosion control device."

24 **SECTION 2.** This act becomes effective October 1, 2014, and applies to erosion
25 and sedimentation control permits issued by the Department on or after that date.

