

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 1106  
Committee Substitute Favorable 6/18/14

Short Title: Erosion Control Designer Certification.

(Public)

Sponsors:

Referred to:

May 19, 2014

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THE DESIGNER OF A RETAINING WALL OR SIMILAR  
3 EROSION CONTROL DEVICE HAVING A STRUCTURAL FOUNDATION  
4 REQUIRED TO BE INSTALLED UNDER A STATE-APPROVED EROSION AND  
5 SEDIMENTATION CONTROL PLAN TO CERTIFY THAT THE DEVICE HAS BEEN  
6 DESIGNED IN ACCORDANCE WITH APPLICABLE CODES AND SPECIFICATIONS  
7 AND WILL BE INSTALLED ACCORDING TO THE APPROVED EROSION AND  
8 SEDIMENTATION CONTROL PLAN.

9 The General Assembly of North Carolina enacts:

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

11 "(a2) In order to obtain approval for an erosion and sedimentation control plan that  
12 includes a retaining wall or other similar device that requires a structural foundation, the  
13 applicant shall provide written certification from the designer of the device that assures the  
14 device has been designed in accordance with applicable codes and specifications enforced by  
15 the local government and that the device will be installed in accordance with the proposed  
16 erosion and sedimentation control plan. The Commission shall provide a copy of the erosion  
17 and sedimentation control plan approval that includes the written certification required by this  
18 subsection to the Chief Building Code Enforcement Officer of the local government  
19 responsible for inspection and approval of the device. This subsection shall only apply to  
20 applicants for erosion and sedimentation control plan approvals for land-disturbing activity in  
21 jurisdictions that do not administer or enforce erosion and sedimentation control programs  
22 pursuant to G.S. 113A-60."

23 **SECTION 2.** This act becomes effective October 1, 2014, and applies to erosion  
24 and sedimentation control plans approved by the Commission on or after that date.



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