

1 ORDINANCE NO. 2018-392

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE October 15, 2018

COMMITTEE Rules

6  
7 **An Ordinance enacting Appendix A of Chapter 942 of the Codified Ordinances of the**  
8 **County of Summit, entitled “Summit County Surface Water Management District Rules**  
9 **and Regulations,” to implement rules and regulations for the management of surface**  
10 **water, for the Engineer, and declaring an emergency.**

11  
12 WHEREAS, the Ohio Revised Code authorizes the County to acquire, construct,  
13 establish, enlarge, improve, maintain, own, operate, and contract for the operation of a public  
14 enterprise, including structural and natural surface water facilities and/or improvements and  
15 drainage systems of all types, to furnish service to the County and its citizens and property  
16 owners; and

17  
18 WHEREAS, in order to properly manage surface water, upon the recommendation of the  
19 County Engineer, County Council enacted Chapter 942 of the Codified Ordinances of the County  
20 of Summit, entitled "Surface Water Management District," in order to establish guidelines and  
21 standards for the operation of a countywide Surface Water Management District as provided by  
22 Chapter 6117 of the Ohio Revised Code in those incorporated and unincorporated political  
23 subdivisions of the County that have adopted legislation authorizing participation in said District  
24 pursuant to Chapter 942; and

25  
26 WHEREAS, Section 942.04(a)(3) of the Codified Ordinances provides that the Engineer  
27 shall be responsible for the day-to-day administration of the District and the Surface Water  
28 Management Program, which shall include, but not be limited to, “[o]verseeing and performing  
29 the general administrative functions, including promulgating rules and regulations, necessary for  
30 the ongoing operation of the District and Surface Water Management Program;” and

31  
32 WHEREAS, the Engineer has drafted rules and regulations for the Summit County  
33 Surface Water Management District, as set forth in Appendix A of Chapter 942 of the Codified  
34 Ordinances, attached as Exhibit A to this Resolution, for consideration and enactment by this  
35 Council; and

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37 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
38 that is necessary and in the best interest of the County of Summit to enact Appendix A of  
39 Chapter 942 of the Codified Ordinances, entitled “Summit County Surface Water Management  
40 District Rules and Regulations;”

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42 NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit,  
43 State of Ohio, that:

44  
45 SECTION 1

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47 Appendix A, entitled “Summit County Surface Water Management District Rules and  
48 Regulations,” is hereby enacted, as set forth in Exhibit A, attached to this Resolution and  
49 incorporated herein as if fully restated.  
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2 PAGE TWO

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4 SECTION 2

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6 This Ordinance is hereby declared an emergency in the interest of the health, safety and  
7 welfare of the residents of the County of Summit and for the further reason to immediately enact  
8 the Rule and Regulations of the Summit County Surface Water Management District so that  
9 surface water in the District may be managed more efficiently.

10

11 SECTION 3

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13 Provided this Ordinance receives the affirmative vote of eight members, it shall take  
14 effect immediately upon its adoption and approval by the Executive; otherwise it shall take effect  
15 and be in force at the earliest time provided by law.

16

17 SECTION 4

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19 It is found and determined that all formal actions of this Council concerning and relating  
20 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all  
21 deliberations of this Council and of any of its committees that resulted in such formal action,  
22 were in meetings open to the public, in compliance with all legal requirements, including Section  
23 121.22 of the Ohio Revised Code.

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26 INTRODUCED September 24, 2018

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28 ADOPTED October 15, 2018

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32   
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

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34 APPROVED October 16, 2018

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38   
EXECUTIVE

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40 ENACTED EFFECTIVE October 16, 2018

Voice Vote: YES 11-0 - Dickinson, Donofrio, Feeman, Hamilton,  
Koehler, Prentice, Rodgers, Schmidt, Soyars, Walters, Wilhite