

1 ORDINANCE NO. 2022-353

2
3 SPONSOR Executive Shapiro

4
5 DATE December 5, 2022

6 COMMITTEE Public Works

7 **An Ordinance amending Chapter 942.05 of the Codified Ordinances of the County of**
8 **Summit, entitled “Schedule of Charges and Fees,” to enact a Stormwater Fee Schedule, for**
9 **the Executive and Engineer, and declaring an emergency.**

10
11 WHEREAS, this Council previously adopted Ordinance No. 2017-282, which enacted
12 Chapter 942 of the Codified Ordinances of the County of Summit, entitled “Surface Water
13 Management District,” to comprehensively address surface water management, which is a
14 concern to the residents and businesses of Summit County, because unregulated surface water
15 can damage the real and personal property of said residents and businesses; and

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17 WHEREAS, this Council subsequently adopted Ordinance No. 2018-392, enacting
18 Appendix A of Chapter 942 of the Codified Ordinances of the County of Summit entitled
19 “Summit County Surface Water Management Rules and Regulations” to implement rules and
20 regulations for the management of surface water; and

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22 WHEREAS, this Council subsequently adopted Ordinance No. 2022-191, to update and
23 expand Chapter 942 of the Codified Ordinances of the County of Summit to fulfill the
24 requirements of the Ohio Environmental Protection Agency and phase II of the storm water
25 program of the national pollutant discharge elimination system established in 40CFR Part 122;
26 and

27
28 WHEREAS, there is a need to update the Summit County Surface Water Management
29 District Ordinance to establish a schedule of surface water management service rates and
30 charges, as set forth on Exhibit A, attached hereto and incorporated herein by reference, to be
31 billed and collected as provided in Ohio Revised Code Section 6117.02 from all owners of real
32 property within the Service Area to fund the Surface Water Management Program and the
33 operation of the Surface Water Management District.; and

34
35 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
36 that it is necessary and in the best interest of the County of Summit to amend Chapter 942.05 of
37 the Codified Ordinances of the County of Summit for the aforementioned reasons; and

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

41
42 SECTION 1

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44 Chapter 942.05 of the Codified Ordinances of the County of Summit, entitled “Schedule
45 of Charges and Fees,” is hereby enacted as set forth on Exhibit A, attached hereto and
46 incorporated herein by reference.

47
48 SECTION 2

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50 This Ordinance is hereby declared an emergency in the interest of the health, safety, and
51 welfare of the residents of Summit County and for the further reason that it is necessary to
52 immediately amend Chapter 942.05 of the Codified Ordinances of the County of Summit in

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2 PAGE TWO

3
4 SECTION 2 (Continued)

5
6 order to address the issues set forth above for property owners in the Summit County Surface
7 Water Management District Service Area.

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9 SECTION 3

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

14
15 SECTION 4

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

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24 INTRODUCED November 21, 2022

25
26 ADOPTED December 5, 2022

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28 
29 _____
30 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

31
32 APPROVED December 6, 2022

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34 
35 _____
36 EXECUTIVE

37
38 ENACTED EFFECTIVE December 6, 2022

Voice Vote - YES: 9-2: Darrow, Dickinson, Donofrio, Rodgers,
Schmidt, Sims, Walters, Wiedie Higham, Wilhite

NO: DeVitis, McKenney