

1 ORDINANCE NO. 2018-149

2
3 SPONSOR Ms. Shapiro

4
5 DATE April 30, 2018

COMMITTEE Rules

6
7 **An Ordinance amending Chapter 942 of the Codified Ordinances, entitled “Surface Water**
8 **Management District,” to clarify the types of dwellings subject to the Surface Water**
9 **Management Service Charge and to require certain disclosures at the time of sale or**
10 **transfer of real property subject to said Service Charge, for the Engineer, and declaring an**
11 **emergency.**

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

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19 WHEREAS, the Bath Township Board of Trustees adopted Township Resolution 2017-
20 39 on December 4, 2017 requesting that the unincorporated territory of Bath Township become a
21 Service Area of the Surface Water Management District, as those terms are defined in Chapter
22 942; and;

23
24 WHEREAS, this Council subsequently adopted Ordinance No. 2018-014, which
25 established the unincorporated territory of Bath Township as a Service Area in the Summit
26 County Surface Water Management District pursuant to Section 942.03 of the Codified
27 Ordinances of the County of Summit, and further set a rate of \$4.00 per Equivalent Rate Unit per
28 month for the Surface Water Management Service Charge for the Bath Township Service Area,
29 in accordance with Section 942.06 of the Codified Ordinances, beginning July 1, 2018, in
30 Council Districts 4 and 5; and

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32 WHEREAS, the County Engineer recommends that Chapter 942 of the Codified
33 Ordinances, be amended to clarify the types of dwellings subject to the Surface Water
34 Management Service Charge and to require certain disclosures at the time of sale or transfer of
35 real property subject to said Service Charge; and

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37 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
38 it is necessary and in the best interest of the County of Summit to amend Chapter 942 for the
39 aforementioned reasons; and

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

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44 SECTION 1

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46 Chapter 942 of the Codified Ordinances, entitled “Surface Water Management District,”
47 is hereby enacted as set forth in Exhibit A, attached to this Resolution and incorporated herein as
48 if fully restated.
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1 ORDINANCE NO. 2018-149

2 PAGE TWO

3
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 citizens of Summit County and for the further reason that it is necessary to
8 immediately amend Chapter 942 in order to address the issues set forth above prior to
9 implementation of the Surface Water Management program in Bath Township.

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11 SECTION 3

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13 Provided this Ordinance received the affirmative vote of eight members, it shall take
14 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
15 effect 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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25
26 INTRODUCED April 16, 2018

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28 ADOPTED April 30, 2018

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32 _____
33 CLERK OF COUNCIL

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37 _____
38 PRESIDENT OF COUNCIL

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40 APPROVED May 1, 2018

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43 _____
44 EXECUTIVE

45 ENACTED EFFECTIVE May 1, 2018

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