

1 ORDINANCE NO. 2022-291

2

3 SPONSOR Executive Shapiro

4

5 DATE _____ COMMITTEE Public Works

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7 **An Ordinance amending Appendix A of Chapter 942 of the Codified Ordinances of the**
8 **County of Summit, entitled “Summit County Surface Water Management Rules and**
9 **Regulations,” to enact a Stormwater Easement Revocable Use Permit Policy, for the**
10 **Engineer, and declaring an emergency.**

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

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

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

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29 WHEREAS, there is a need to update the Summit County Surface Water Management
30 District to include a Stormwater Easement Revocable Use Permit policy to allow the County
31 Engineer (or designee), upon formal application being made to the Engineer, to grant a permit to
32 any property owner to use or occupy such portion of any stormwater easement owned,
33 controlled, or under the jurisdiction of the District or the County of Summit as will not interfere
34 with the operation and maintenance of the stormwater system, and allow the Engineer to remove
35 non-approved easement encroachments as needed at the property owner’s expense; 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 paragraphs 26 and 29 of
39 Appendix A of Chapter 942 of the Codified Ordinances of the County of Summit for the
40 aforementioned reasons; and

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

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45 SECTION 1

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47 Paragraphs 26 and 29 of Appendix A of Chapter 942 of the Codified Ordinances of the
48 County of Summit, entitled “Surface Water Management District,” is hereby amended as set
49 forth in Exhibit A, attached to this Ordinance and incorporated herein as if fully restated.

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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 Summit County and for the further reason that it is necessary to
8 immediately amend Chapter 942 of the Codified Ordinances of the County of Summit in order to
9 address the issues set forth above for property owners in the Summit County Surface Water
10 Management District Service Area.

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12 SECTION 3

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

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18 SECTION 4

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20 It is found and determined that all formal actions of this Council concerning and relating
21 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
22 deliberations of this Council and of any of its committees that resulted in such formal action,
23 were in meetings open to the public, in compliance with all legal requirements, including Section
24 121.22 of the Ohio Revised Code.

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27 INTRODUCED October 3, 2022

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29 ADOPTED _____

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33 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

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36 APPROVED _____

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39 _____
EXECUTIVE

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41 ENACTED EFFECTIVE _____