

AN ORDINANCE TO ESTABLISH CHAPTER 1115 AND TO ENACT SECTIONS 1115.01 THROUGH 1115.05 OF THE ZONING ORDINANCES OF THE VILLAGE OF RICHFIELD WITH RESPECT TO EROSION AND SEDIMENT CONTROL.

WHEREAS: This Council desires to enact legislation to prevent damage to streams, lakes, ponds, sewers, drainage ways, culverts and to other properties, and,

WHEREAS: This Council desires to establish erosion and sediment control measures,

THEREFORE: BE IT ORDAINED by the Council of the Village of Richfield, Ohio:

CHAPTER 1115 of the Codified Ordinances of the Village of Richfield, Ohio is enacted as follows:

Section 1115.01 EROSION PLAN REQUIRED

Every person who proposes to improve land by the construction or erection of a building or of structures of any kind or by the construction, installation and maintenance of sanitary and/or storm sewers, or by any other type of improvement to land, or to change the contours of land by grading or excavating the same, or to remove or destroy the natural topsoil (herein after these described purposes shall be referred to as improvements), shall submit to the Zoning Inspector preliminary plans, including maps generally describing the proposed improvements. After consultation with the Village Engineer, if it is found that erosion and sediment control measures are not necessary and if such plans are in compliance with all other Municipal ordinances and laws, the Inspector shall issue the necessary permits. In the event that such improvements may result in erosion and/or siltation of adjoining property or property in the immediate area, the Inspector shall, within seven business days of receipt of such plans and maps, inform such person of his findings, and such person shall submit to the Planning Commission three copies of plans, consisting of maps and a description of the premises, setting forth the proposed improvements. The Planning Commission may, at its option, require additional erosion reports on the plan from the Summit County Soil and Water Conservation District.

Section 1115.02 REQUIREMENTS OF PLAN

Any plan for erosion and sediment control required by Section 1115.01 shall be set forth in accordance with guidelines and policies established by the Conservation District, and shall include, but not restricted to, the following matters:

- a) The areas of such described premises that may be exposed at any one time;
- b) The type of temporary vegetation and/or mulching that should be used to protect exposed areas of such described premises during the construction of any type of improvements thereon, in the course of any changes being made in the contours thereof, or during the removal or destruction of topsoil;
- c) The locations, construction and maintenance of sediment basins, or other control measures that should be constructed and maintained on such described premises;
- d) The type of permanent and final vegetation and structures that should be planted and installed on such described premises and the time within which such vegetation and structures are to be planted and installed;

- e) A description of the type of the soil comprising such described premises and the physical properties of each type; and
- f) A description of the soil comprising the area immediately adjacent to and within the general vicinity of such described premises, and the physical properties thereof.
- g) The timeframe for completion of the plan shall be determined by the Planning Commission.

Section 1115.03 RECOMMENDATION OF CONSERVATION DISTRICT

Those plans requiring a Conservation District report shall incorporate the appropriate recommendations of the Conservation District, provided, however, that if any of the recommendations of the Conservation District are not incorporated into such plans, the person submitting the plans or his agent shall set forth the reason for not so incorporating any of the recommendations of the Conservation District.

Section 1115.04 EROSION PLAN APPROVAL

The Planning Commission and the Village Engineer shall review any plan submitted to the Commission and if such plans are approved, the Zoning Inspector shall issue the necessary permits. The Zoning Inspector shall be responsible for the administration of such approved plan, and if he finds that any of the provisions of such approved plan is not being complied with or performed, such permits shall be revoked, until such time as the Inspector is assured that the necessary steps have been taken to comply with each of the provisions of such plan.

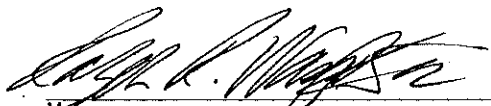
Section 1115.05 PENALTY

Any person, whether as owner, lessee or occupant of property within the Village, or as contractor under contract with any such person, who violates any of the provisions of this chapter is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250) or imprisoned not more than thirty days, or both. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 5/17/88


President of Council


Mayor

Attest:

Dated: 5/17/88


Clerk of Council