

ORDINANCE NO. 70-2016

INTRODUCED BY: Mayor Ann Marie Donegan

AN ORDINANCE ADOPTING CHAPTER 1469 OF THE CODIFIED ORDINANCES OF THE CITY OF OLMSTED FALLS TO ESTABLISH EROSION AND SEDIMENT CONTROL AND DECLARING AN EMERGENCY

WHEREAS, soil is most vulnerable to erosion by wind and water during soil disturbing activities and this eroded soil necessitates repair of sewers and ditches and dredging of rivers, harbors, and lakes; accelerates downstream bank erosion and damage to public and private property; damages water resources by reducing water quality; and causes the siltation of aquatic habitat; and

WHEREAS, communities throughout the watershed(s) in which the City of Olmsted Falls is located have experienced and continue to experience costs associated with inadequate erosion and sediment control and increased State and Federal chapter; and

WHEREAS, there are watershed-wide efforts to reduce sedimentation in Rocky River and to protect and enhance the unique water resources and wetlands of the Rocky River waters; and

WHEREAS, 40 C.F.R. Parts 9, 122, 123 and 124, referred to as NPDES Stormwater Phase II, require designated communities, including the City of Olmsted Falls to develop and implement a Stormwater Management Program to address, among other components, erosion and sediment control during soil disturbing activities; and

WHEREAS, Article XVIII, Section 3 of the Ohio Constitution grants municipalities the legal authority to adopt rules to abate soil erosion and water pollution by soil sediments; and

WHEREAS, Best Management Practices (BMP) will from now on be referred to as Stormwater Control Measures (SCM). Now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, OHIO, THAT:

SECTION 1. That the proposed Chapter 1469 entitled Erosion and Sediment Control be and the same is hereby adopted in its entirety as set forth in the attached Exhibit "A" which is incorporated herein by reference.

SECTION 2. That the Codifier is hereby instructed to create and insert Chapter 1469 immediately following Chapter 1469 in the Olmsted Falls Codified Ordinances in a manner similar to that as set forth in Exhibit "A."

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of

