

BILL #15-066\*

ORDINANCE# \_\_\_\_\_

BY: MR. VAN HARLINGEN

Repealing Chapter 1362 – Stormwater Erosion and Sediment Control of the Mansfield Codified Ordinances of 1997 and enacting Chapter 1362 – Stormwater Erosion and Sediment Control.

**WHEREAS**, currently, the Mansfield Codified Ordinances provide for the establishment of certain rules and regulations relating to stormwater erosion and sediment control, and

**WHEREAS**, the City finds it beneficial to the needs of the community to update and revise said Section:

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
CITY OF MANSFIELD, STATE OF OHIO:**

**SECTION 1:** That Chapter 1362 of the Mansfield Codified Ordinances of 1997, authorizing the establishment of certain rules and regulations relating to stormwater erosion and sediment control, be and the same is hereby, repealed.

**SECTION 2:** That Chapter 1362 of the Mansfield Codified Ordinances of 1997, be, and the same is hereby, enacted to read as follows:

“CHAPTER 1362 Stormwater Erosion and Sediment Control

**1362.01 AUTHORITY AND TITLE.**

This chapter has been developed under authority of Article XVIII, Section 3 of the Ohio Constitution.

The official title of these rules shall be known as the “City of Mansfield, Ohio Stormwater Erosion and Sediment Control Rules and Regulations.” However, simply “Stormwater Erosion and Sediment Control Rules and Regulations” may be used as a short title.

**1362.02 PURPOSE.**

City Council has adopted this chapter for the purpose of establishing feasible and economical standards to achieve a level of conservation practices which will abate erosion of the soil and abate the degradation of the waters of the State by soil sediment in conjunction with non-farm, earth-disturbing activities.

**1632.03 DIRECTION.**

No person shall cause or allow earth-disturbing activities on a development area except in compliance with the criteria established by the regulations contained in this chapter.

**1362.04 EROSION AND SEDIMENT CONTROL DURING CONSTRUCTION.**

(a) When a proposed development involves 1 acre or more of earth-disturbing activities and performed on land used or land being developed for commercial industrial, residential, recreational, public service or other nonfarm purposes which are within the jurisdiction of the City, the owner of record shall develop and submit to the Bureau of Buildings Inspections, Licenses and Permits a Storm Water Pollution Prevention Plan;

For development involving less than one acre of earth-disturbing activities, but is part of a larger common plan of developing or sale that will ultimately disturb one or more acres of land, the owner of record shall develop and submit to the Bureau of Buildings, Inspections, Licenses and Permits a Storm Water Pollution Prevention Plan;

The erosion and sediment controls and the Stormwater Pollution Prevention Plan including all construction activities shall at a minimum meet the technical requirements set forth in the Ohio

Environmental Protection Agency NPDES General Stormwater Permit(s) for construction activities and any subsequent Ohio Environmental Protection Agency issued permits.

No earth-disturbing activities shall commence prior to the Storm Water Pollution Prevention Plan being filed, reviewed by the Office of the City Engineer and approved by the City Planning Commission.

(b) When a proposed development involves earth-disturbing activities less than 1 acre, a Storm Water Pollution Prevention Plan is not required. However, the owner of record shall comply with all other General Requirements and provisions to prevent sediment pollution from occurring.

**1362.05 NOTIFICATION.**

The Bureau of Buildings, Inspections, Licenses and Permits shall be notified two (2) working days prior to commencement of earth-disturbing activities. The Bureau of Buildings, Inspections, Licenses and Permits shall also be notified upon project completion.

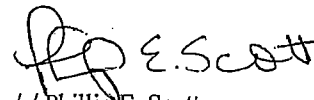
**1362.99 PENALTY.**

Violation of the provisions of this chapter or failure to comply with any of its requirements shall constitute a minor misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than one hundred dollars for each offense. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Mansfield from taking such other lawful action as is necessary to prevent or remedy any violation."

**SECTION 3:** In order to provide for the proper and effective management of stormwater erosion and sediment control, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 7 April 2015  
1<sup>st</sup> Reading 7 April 2015  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 7 April 2015

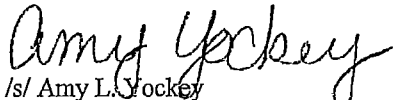
SIGNED



/s/ Phillip E. Scott

President

ATTEST



/s/ Amy L. Yockey  
Clerk of Council

APPROVED



/s/ Timothy L. Theaker  
Mayor

APPROVED AS TO FORM:

John R. Spon  
Law Director  
City of Mansfield, Ohio

\*Publication Required.

Clerk of Council of the City of Mansfield, Ohio  
hereby certify that this is a true copy of the original of the Ordinance  
numbered \_\_\_\_\_, which is presently on file in the office of Mansfield City  
Council.

