

DATE: FEBRUARY 6, 2012

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 7 - 2012

BY: ENVIRONMENTAL COMMITTEE:

TITLE: AN ORDINANCE amending CHAPTER 920 "EROSION SEDIMENT CONTROL" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 920.08(a) "Monitoring the Permit for Compliance" and enacting replacement Section 920.08(a) "Monitoring the Permit for Compliance", and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The existing Section 920.08(a) "Monitoring the Permit for Compliance" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

That there hereby is enacted new Section 920.08(a) "Monitoring the Permit for Compliance" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

920.08(a) Monitoring the Permit for Compliance: Following the initial inspection of erosion and sediment control devices by the developer's delegated representative, regular inspections will be performed by the Stark SWCD for compliance with these rules. If it appears that a violation of any of these rules has occurred, the owner and developer will be notified of deficiencies or non-compliance in writing through a notice of violation by proof of delivery mail. If within 30 days after receipt of the letter, the owner or developer has not rectified the deficiency or received approval of plans for its correction, a second notice of violation will be issued. The owner or developer has another 15 days to rectify the violation or a "stop work order" will be issued immediately. The deficiency or non-compliance shall be reported to the City of Massillon Engineering Department for consideration of referral to the Prosecuting Attorneys Office for immediate enforcement of these regulations.

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community, and for the further reason that the language change reflects the changes made to the Ohio Revised Code and the Ohio EPA. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS 5th DAY OF March, 2012

ATTEST:

Mary Beth Bailey
MARY BETH BAILEY, CLERK OF COUNCIL

Glenn E. Gamber
GLENN E. GAMBER, PRESIDENT

APPROVED:

March 6, 2012

Katherine Catazaro-Perry
KATHERINE CATAZARO-PERRY, MAYOR

I hereby certify that the foregoing ordinance is a true copy of the original, as passed by the Council of the City of Massillon, Ohio, and approved as noted thereon:

Mary Beth Bailey
Clerk of Council

Date

3/5/12