



Village of Madison

Mayor
Sam Britton Jr.

Council Members
Daniel L. Donaldson
Duane H. Frager
John R. Hamercheck
Gregory W. Mabe
Kenneth D. Takacs
Mark V. Vest

Village Administrator
Dwayne Bailey

Law Director
Joseph P. Szeman

Chief of Police
Dawn C. Shannon

Fiscal Officer
Kristie M. Crockett

Engineer
Eric Haibach

126 W. Main Street
Madison, Ohio
44057

Phone: 440-428-7526
Fax: 440-428-6703

Website:
www.madisonvillage.org

MADISON VILLAGE COUNCIL

December 5, 2016

7:30 pm Regular Council Meeting

CALL TO ORDER
PLEDGE OF ALLEGIANCE
MOMENT OF SILENCE
ROLL CALL
MINUTES

(from November 21, 2016 Reg. Council Meeting)

PUBLIC HEARING

FIRST HEARING OF PERSONS BEFORE COUNCIL

(Limited to 5 minutes per guest)

LEGISLATION BEFORE COUNCIL:

- Pay Ordinance # 2359

OLD LEGISLATION:

- Ordinance 37-2016: An ordinance establishing a compensation increase for specified employees of the Village of Madison, and declaring an emergency (3rd Reading)
- Ordinance 38-2016: An ordinance making temporary appropriations for the current expenses and for other expenditures of the Village of Madison, State of Ohio, for the period beginning January 1, 2017 to and including March 31, 2017 and declaring an emergency (3rd Reading) (For 1st quarter expenses)

NEW LEGISLATION:

- Ordinance 41-2016: An ordinance enacting Chapter 905 of Part Nine, Streets and Utilities Code, of the codified ordinances of Madison Village, Ohio, establishing comprehensive regulations for stormwater management in the Village, and declaring an emergency. (1st Reading) (Stormwater)
- Ordinance 42-2016: An ordinance enacting Chapter 906 of Part Nine, Streets and Utilities Code, of the codified ordinances of Madison Village, Ohio, establishing comprehensive regulations against illicit discharge and illegal connections to the Village separate storm sewer system, and declaring an emergency. (1st Reading) (Stormwater)

PURCHASE ORDERS AND OTHER APPROVAL PERMITTED BY MOTION:

- A purchase order request to Smith Electrical in the amount of \$2,650.30 (Install electric supply & phone service to new WWTP office trailer)

- **A purchase order to Digital Imaging Specialists in the amount of \$1,200.00 (Copier for Senior Center)**

ADMINISTRATOR'S REPORT

- **Engineer's Report**
- **Fiscal Officer's Report:**
- **Police Chief's Report:**

COMMISSION AND COMMITTEE REPORTS

FINAL HEARING OF PERSONS BEFORE COUNCIL

(Limited to 5 minutes per guest)

NEW BUSINESS

MAYOR'S REPORT

ADJOURNMENT

Upcoming Important Dates/Meeting

Mon. Dec. 12 th	P & Z Mtg. 7:00 pm
Mon. Dec. 19 th	C.O.W. 6:30 pm
Mon. Dec. 19 th	Council Mtg. 7:30 pm
Wed. Dec. 21 st	Fire Board Mtg. 7:00 pm Station 3
Mon. Dec. 26 th	Day after Christmas (Village Hall is closed)
Mon. Jan. 2 nd	Closed for New Year's Day
Tues. Jan. 3 rd	Council Mtg. 7:30 pm
Mon. Jan. 9 th	P&Z 7:00 pm

Council Minutes
VILLAGE OF MADISON
Regular Council Meeting
November 21, 2016

RECORD OF PROCEEDINGS

Mayor Britton called the meeting to order at 7:36PM.

Mayor Britton invited all in attendance to join in the Pledge of Allegiance to the Flag. Mayor Britton requested that everyone observe a moment of silence. Council Members Mr. Frager, Mr. Hamercheck, Mr. Donaldson, Mr. Mabe, Mr. Takacs and Mr. Vest were in attendance. Also in attendance were Administrator Dwayne Bailey, Fiscal Officer Kristie Crockett, Law Director Mr. Szeman, Police Chief Dawn Shannon and Village Engineer Mr. Haibach.

MINUTES

Mayor Britton announced minutes to be approved for the Council Meeting held on November 7, 2016.

Motion for approval made by Mr. Vest, seconded by Mr. Mabe.

Questions/Discussions – None

Roll call on approval, 5 yeas. 1 abstention. Motion carried.

PUBLIC HEARING: None

FIRST HEARING OF PERSONS BEFORE COUNCIL: None

PAY ORDINANCE

Mayor Britton presented Pay Ordinance No. 2358: \$57,133.49 for payroll and \$112,750.13 for current and upcoming expenses, for a total of \$169,883.62.

Motion for approval made by Mr. Frager, seconded by Mr. Vest .

Questions/Discussions – Clarification was provided to Mr. Vest and Mr. Hamercheck in regards to a few warrants that were issued. Mr. Takacs requested more information regarding the diesel tanks. It was explained to him that in the past, our M/R Department would obtain fuel from the Madison Local School District, however; since their move, this is no longer feasible. Since we had tanks in place, we are now purchasing our diesel from Melzers Fuel. The fueling process is secure and has the controls to audit the process.

Roll call on approval, 5 yeas. 1 abstention. Motion carried.

OLD LEGISLATION:

Ordinance 37-2016: An ordinance establishing a compensation increase for specified employees of the Village of Madison, and declaring an emergency (2nd Reading)

Questions/Discussions – None

Ordinance 38-2016: An ordinance making temporary appropriations for the current expenses and for other expenditures of the Village of Madison, State of Ohio, for the period beginning January 1, 2017 to and including March 31, 2017 and declaring an emergency (2nd Reading)

Questions/Discussions - None

NEW LEGISLATION:

Ordinance 39-2016: An ordinance authorizing the Mayor to enter into contracts with Century Equipment for the purchase of a GM7200 Polar Trac Toro Sidewalk Snow Plow, and, with American Financial Network, Inc. for the financing of same under a lease/purchase agreement, and declaring an emergency (1st Reading)

Mr. Bailey explained that this ordinance is for the new machine for snow removal on the sidewalks as discussed at the last meeting on November 7, 2016 as well as granting the authority to enter into a lease agreement. The first lease payment would come from the monies that were appropriated for the hot box that was to be shared with Madison Township that never came to fruition. As requested in the last meeting, there was follow up with other communities that use this machine. Mayor Britton asked that this ordinance be suspended and passed.

Motion for suspension made by Mr. Vest, seconded by Mr. Takacs.

Questions/Discussions: Mr. Takacs asked that if a big snow storm occurred in the near future, do we have the capability to take care of the sidewalks if need be? Mayor Britton and Mr. Bailey both replied that we could do this however; there would be a lot of manual labor involved.

Roll call on suspension, 5 yeas. 1 abstention. Ordinance suspended.

Motion for approval made by Mr. Vest, seconded by Mr. Frager.

Questions/Discussions: None

Roll call on approval, 5 yeas. 1 abstention. Motion carried.

Ordinance 40-2016: An ordinance providing for additional permanent appropriations and adjustments to various line items for the current expenses and for the other expenditures of the Village of Madison, Ohio, for the period beginning January 1, 2016, to and including December 31, 2016, and declaring an emergency (1st Reading)

Mr. Bailey explained that this is from the OPWC grant that was done on the southerly water line interconnect. There is \$113,000.00 remaining from the grant. The original grant specified that the funds could be used for construction or capacity. We can use this money to pay ahead on the outstanding capacity debt to LCDU (which will lower our annual payment) or return the money to OPWC.

Motion for suspension made by Mr. Vest, seconded by Mr. Takacs.

Questions/Discussions: None

Roll call on suspension, 6 yeas. Ordinance suspended.

Motion for approval made by Mr. Takacs, seconded by Mr. Frager.

Questions/Discussion: None

Roll call on the approval, 6 yeas. Motion carried.

PURCHASE ORDERS AND OTHER APPROVAL PERMITTED BY MOTION:

A purchase order request to Specialized Construction not to exceed the amount of \$7,500.00. (For Crack-Sealing for Water Tower Drive)

Questions/Discussions: Mr. Bailey confirmed that this is the same analysis as the crack seal for the Huntington Woods Development.

Motion for approval made by Mr. Takacs, seconded by Mr. Mabe.

Roll call on approval, 6 yeas. Motion carried.

A purchase order request to Newbury Technologies in the amount of \$2,500.00.

Chief Shannon explained that this would be for the purchase of a desktop computer to store digital evidence only. The current computer that the digital evidence is stored on is at capacity. Chief Shannon stated that we can purchase more storage, however; she feels that it is best to purchase a new computer that would strictly house the digital evidence.

Questions/Discussions: Mr. Takacs inquired about the size of the storage on the new computer and confirmed that this price is for the computer and the data storage.

Motion for approval made by Mr. Vest, seconded by Mr. Frager.

Roll call on approval, 6 yeas. Motion carried.

A purchase order to Western Reserve Hardware in the amount of \$3,354.75. (Material for new downtown sidewalks.

This is for a de-icing product for the Main Street sidewalks. This product will not damage the brick pavers or kill the plants within the bio retention cells. This amount will cover the entire winter.

Questions/Discussions: Mr. Vest asked if we offered the opportunity to local vendors to provide a quote for this. Mr. Bailey stated that we did, however; the only product that said vendors had was sodium based and cannot be used.

Motion for approval made by Mr. Mabe, seconded by Mr. Frager.

Roll call on the approval, 6 yeas. Motion carried.

A purchase order to C.I.R. in the amount of \$2,262.15

As explained by Mr. Bailey, this was for a water line repair to a customer's service line. We approached the customer explaining to them that this was their responsibility. We would get C.I.R. in there to repair the service line and the resident would reimburse the Village for the cost of doing so. We did offer payment plan if necessary, due to the unexpected circumstance. The customer signed a document stating that they agree to this.

Motion for approval made by Mr. Vest, seconded by Mr. Frager.

Questions/Discussions: Mr. Donaldson asked if the customer was given an estimate on this work. Mr. Bailey explained that we did tell them what it typically costs. The resident was also offered the opportunity to find their own contractor to which they declined.

Roll call on approval, 6 yeas. Motion carried.

A purchase order to Century Equipment in the amount of \$10,000.00

As explained by Mr. Bailey, this is the companion motion to go along with the legislation to enter into a lease agreement for the sidewalk plow.

Motion for approval made by Mr. Takacs, seconded by Mr. Frager.

Questions/Discussions: None

Roll call on approval, 5 yeas, 1 abstention. Motion carried.

ADMINISTRATOR'S REPORT:

- **Engineer's report** – Mr. Haibach provided an update on the progress for the Arcola Creek Restoration project. He is preparing to get the next phase of the sanitary sewer project out to bid. Mr. Haibach also noted that he has removed the

data loggers from the hydrants throughout the Village. The data has been uploaded and is being reconciled for the high surface interconnect study. Finally, Mr. Haibach reported that HCW has the wetland delineation done on Hyder Drive. They have requested more mapping files so they can complete their report. He expects to have a delineation report in hand very soon. Mr. Haibach provided clarification in regards to Safford Street.

➤ **Fiscal Officer's report -**

Mrs. Crockett reported that she is still working with the department heads in regards to the budget. She plans on emailing out the new budget shortly after Thanksgiving. The second data pull was performed by R.I.T.A. last Thursday. A notice was mailed out to the residents explaining that we will be changing over to R.I.T.A. A few residents have contacted Mrs. Crockett with questions regarding the change. A letter was received from C.C.A. today regarding our request to have an electronic file of all of our tax payers in the Village. C.C.A. has politely declined this request stating that this format does not exist and they are not required to provide this. Mrs. Crockett is working with both Law Director Szeman and R.I.T.A. to see what the next step is to resolve this. On December 9, 2016 there is an all day webinar discussing the close of 2016. There will be another budget meeting with the finance committee, the date will be determined.

➤ **Police Chief's report -**

An email was sent out within the department that there is an opening for a full time Police Officer. An ad will be placed in the newspaper tomorrow as well. Applications will be accepted until December 5, 2016. The timeline on the hiring will be as follows: An update will be provided at the December 19th C.O.W. meeting and the officer will be sworn in at the January 3, 2017 regular council meeting. On December 5th, we will host a CPT (Continue Professional Training) webinar. Eleven hours are mandated by the State of Ohio for CPT. A CPT webinar was held on November 14th for in house officers. Chief Shannon has opened up the invitation to other Lake County Officers that may need the training. Currently, there are seven snow plow permits issued for the upcoming season. Chief Shannon will provide the list electronically to Mayor Britton and Council.

➤ **Administrator's Report -**

We are still in the process of obtaining pricing for the snow plow program for senior citizens and physically disabled residents. We are asking the plow providers to furnish us with their contact information and pricing. They can give a per push or a seasonal price. Just a reminder, Christmas in the Park is Saturday December 3rd. Mr. Bailey poled Council on the idea of no longer using paper copies of the Council packets. Instead, individual tablets would be provided. The price on tablets has gone down considerably, he feels that with the quantity and cost of printing this is definitely something we should think about.

COMMISSION AND COMMITTEE REPORTS:

Mr. Vest reported that the Planning and Zoning Commission met and approved a C.U.P. (Conditional Use Permit) for a generator on Dayton Road. The reason for the C.U.P. is due to the set back and the proximity of the neighboring houses.

FINAL HEARING OF PERSONS BEFORE COUNCIL:

Paul Goda (431 E. Main Street) – Mr. Goda asked why we weren't purchasing portable data storage for the police department to store their digital evidence on instead of purchasing a new computer? Chief Shannon and Administrator Bailey replied that we did look in to this however; it was determined that it is more secure to keep the digital evidence separate from a computer that performs the day to day activities. Our current IT department evaluated the current computer and felt that the best way to go is to purchase a new computer that comes with adequate storage and the necessary room to add future storage.

Also, Mr. Goda asked that with the upcoming change from C.C.A. to R.I.T.A. is it possible to come up with a FAQ sheet that we can provide to residents? Mrs. Crockett said that R.I.T.A. will be sending out a welcome letter which may answer quite a few questions, however; she would be more than happy to address any that aren't answered with a FAQ sheet.

NEW BUSINESS - None

Mayor's Report: -

Mayor Britton wanted to bring attention to the fact that LakeTran has wonderful program that will help Veterans get to their doctor and hospital appointments. They need a one – two day notice, pick you up and get you to your appointment, at no cost. He has several handouts that LakeTran provided. If you know of anyone that may need this assistance, please have them contact LakeTran or Legion Post 112 or Post 601. He will be dropping off the information to them.

Mayor Britton asked that Chief Shannon provide Law Director Szeman with the current snow plow permit regulations. He would like Mr. Szeman to go over this and make any necessary changes. Finally, Mayor Britton and Council offered their congratulations to Mr. Hamercheck.

ADJOURNMENT

Motion to adjourn at 8:23 pm made by Mr. Frager ,seconded by Mr. Mabe.
Roll call on adjournment, 6 yeas. Meeting adjourned.

Sam Britton Jr., Mayor

Kenneth D. Takacs, Council President

DATE

Attested:

Kristie M. Crockett, Fiscal Officer

DATE

PAY ORDINANCE 2359

An Ordinance to Pay Certain Claims Therein Mentioned:

Be it Ordained by the Court of the Village of Madison, Ohio, as follows:

Sec. 1- That the following described claims be allowed, and paid from their respective funds:

Payroll:	\$ 27,772.94
Payables:	\$ 49,019.96

Grand Total for Pay Ordinance 2359	\$ 76,792.90
---	---------------------

And the Fiscal Officer is hereby authorized and directed to draw a warrant for the several amounts designated above. Upon the receipt of proper vouchers for the same

Sec. 2 - This ordinance shall take effect and be in full force from and after its passage.

Passed this 2nd day of December, 2016.

Kristie M. Crockett,
Fiscal Officer

Sam Britton Jr.,
Mayor

Payment Listing

11/19/2016 to 12/2/2016

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
791-2016	11/21/2016	11/21/2016	EW	IRS	\$58.60	O
793-2016	12/02/2016	11/30/2016	EP	KELLY L ANDERSON	\$800.95	O
794-2016	12/02/2016	11/30/2016	EP	CAROL BILLETTER	\$918.47	O
795-2016	12/02/2016	11/30/2016	EP	SUSAN L. BRITTON	\$105.83	O
796-2016	12/02/2016	11/30/2016	EP	RALF W. CASWELL	\$929.66	O
797-2016	12/02/2016	11/30/2016	EP	JASON L. CHAPMAN	\$1,678.70	O
798-2016	12/02/2016	11/30/2016	EP	DOUGLAS M. COVERT	\$1,330.77	O
799-2016	12/02/2016	11/30/2016	EP	KRISTIE M. CROCKETT	\$1,226.01	O
800-2016	12/02/2016	11/30/2016	EP	DEBORAH L DEPLEDGE	\$805.92	O
801-2016	12/02/2016	11/30/2016	EP	RICHARD GIFFIN SR.	\$1,474.54	O
802-2016	12/02/2016	11/30/2016	EP	KRISTINE N. GRAFTON	\$764.40	O
803-2016	12/02/2016	11/30/2016	EP	MICHAEL A HUFFMAN	\$1,327.38	O
804-2016	12/02/2016	11/30/2016	EP	STEVEN S. KENSINGER	\$100.34	O
805-2016	12/02/2016	11/30/2016	EP	MELISSA KIRK	\$405.36	O
806-2016	12/02/2016	11/30/2016	EP	JOHN B KOETH	\$844.78	O
807-2016	12/02/2016	11/30/2016	EP	IAN M. MUSSELL	\$60.20	O
808-2016	12/02/2016	11/30/2016	EP	JOHN A POULSON	\$712.50	O
809-2016	12/02/2016	11/30/2016	EP	COLIN SCHULTZ	\$378.68	O
810-2016	12/02/2016	11/30/2016	EP	DAWN C. SHANNON	\$1,363.35	O
811-2016	12/02/2016	11/30/2016	EP	BRANDON SMITH	\$90.05	O
812-2016	12/02/2016	11/30/2016	EP	THURSTON C SVAGERKO	\$100.13	O
813-2016	12/02/2016	11/30/2016	EP	DONALD K. WALKER	\$120.13	O
814-2016	12/02/2016	11/30/2016	EP	DAVID A YANKIE	\$1,267.09	O
817-2016	12/02/2016	11/30/2016	EW	IRS	\$3,601.75	O
15623	11/21/2016	11/21/2016	PR	JASON L. CHAPMAN	\$742.09	O
15626	12/02/2016	11/30/2016	PR	DWAYNE BAILEY	\$1,939.01	O
15627	12/02/2016	11/30/2016	PR	JAMES BORSI	\$984.14	O
15628	12/02/2016	11/30/2016	PR	JEFFERY A BUTRAM	\$192.73	O
15629	12/02/2016	11/30/2016	PR	MARGARET ANN LOHR	\$244.50	O
15630	12/02/2016	11/30/2016	PR	TROY A MCINTOSH	\$402.00	O
15631	12/02/2016	11/30/2016	PR	JUSTIN R. NOWAKOWSKI	\$668.06	O
15632	12/02/2016	11/30/2016	PR	MICHAEL JOSEPH SMITH	\$1,054.99	O
15633	12/02/2016	11/30/2016	PR	MICHAEL JOSEPH SMITH	\$338.23	O
15634	12/02/2016	11/30/2016	WH	AFLAC	\$21.60	O
15635	12/02/2016	11/30/2016	WH	OHIO PUBLIC EMPLOYEES DEFERRED CO	\$720.00	O
Total Payments:					\$27,772.94	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$27,772.94	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

2359

2016 Payroll - Overtime Worked

DEPARTMENT	HOURS	YTD	NOTES
POLICE	P/E 11-26-16 Paydate 12-2-16)		
Jeffery Butram		2.00	
Ralf Caswell	15.25	123.75	Holiday (9)-includes end of shift call, Court & shift over 40hrs (6.25)
Doug Covert	17.50	207.75	Holiday (16), Training (1.5)
Mike Huffman	30.50	237.00	Holiday (15), Must-fill shift/Call-off (8), CPT Training (7.5)
Steve Kensinger		4.00	
Troy McIntosh		14.75	
Ian Mussell		26.00	
Justin Nowakowski	9.00	55.50	Holiday (9)
Brent Russ		0.50	
Colin Schultz		57.25	
Brandon Smith		25.75	
Mike Smith	1.50	162.00	End of shift calls
Curt Svagerko		20.00	
		0.00	
TOTAL:	73.75	934.25	
M&R			
Jason Chapman	12.00	273.50	Hall Generator, Sewer blockage, Jetting, Leaves/downtown, water break
Rich Giffin	10.50	268.50	Hall Generator, Sewer blockage, Jetting, Leaves/downtown
John Williams		2.00	
Scott Pirc		95.00	
John Koeth		37.00	
		0.00	
TOTAL:	22.50	676.00	
SEWER			
Dave Cogar		3.00	
John Poulson	9.00	77.50	Plant checks, water break
John Koeth		90.00	
TOTAL:	9.00	170.50	
WATER			
Dave Yankee	9.00	141.00	Plant checks
TOTAL:	9.00	141.00	
Admin			
John Poulson		31.00	
TOTAL	0.00	5.00	
ORTIME TOTAL:	114.25	1926.75	

Payment Listing

11/19/2016 to 12/2/2016

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
792-2016	11/30/2016	11/30/2016	CH	SHELL FLEET PLUS	\$1,084.71	O
15624	11/23/2016	11/23/2016	AW	CENTURY EQUIPMENT	\$10,000.00	O
15625	11/23/2016	11/23/2016	AW	AMERICAN FINANCIAL NETWORK, INC.	\$195.00	O
15636	12/01/2016	12/01/2016	AW	ANDY'S AUTO PARTS LLC	\$86.95	O
15637	12/01/2016	12/01/2016	AW	ANTHEM BCBS OH GROUP	\$13,906.04	O
15638	12/01/2016	12/01/2016	AW	BOBBY'S SEWER & DRAIN CLEANING, INC	\$175.00	O
15639	12/01/2016	12/01/2016	AW	BROOKSIDE CONSTRUCTION SERVICES II	\$500.00	O
15640	12/01/2016	12/01/2016	AW	CSX TRANSPORTATION, INC.	\$232.70	O
15641	12/01/2016	12/01/2016	AW	CARTER LUMBER	\$809.10	O
15642	12/01/2016	12/01/2016	AW	CASHEN	\$253.50	O
15643	12/01/2016	12/01/2016	AW	CINTAS CORPORATION LOCATION 259 / T	\$180.41	O
15644	12/01/2016	12/01/2016	AW	CONNIE ADAMS	\$135.00	O
15645	12/01/2016	12/01/2016	AW	CT CONSULTANTS	\$490.65	O
15646	12/01/2016	12/01/2016	AW	DENNIS SUTCLIFFE	\$100.00	O
15647	12/01/2016	12/01/2016	AW	DOMINION EAST OHIO GAS	\$479.76	O
15648	12/01/2016	12/01/2016	AW	GAZETTE PUBLISHING	\$74.19	O
15649	12/01/2016	12/01/2016	AW	GEAUGA COUNTY	\$60.00	O
15650	12/01/2016	12/01/2016	AW	GRAND RIVER ASPHALT, INC.	\$50.69	O
15651	12/01/2016	12/01/2016	AW	GUARDIAN - BETHLEHEM	\$1,390.61	O
15652	12/01/2016	12/01/2016	AW	ILLUMINATING COMPANY	\$5,855.90	O
15653	12/01/2016	12/01/2016	AW	JOSEPH PETER SZEMAN, ESQ.	\$2,417.37	O
15654	12/01/2016	12/01/2016	AW	LAKE COUNTY DEPT OF UTILITIES	\$77.49	O
15655	12/01/2016	12/01/2016	AW	LAKE COUNTY SAFETY COUNCIL	\$20.00	O
15656	12/01/2016	12/01/2016	AW	LAKE METROPARKS	\$50.00	O
15657	12/01/2016	12/01/2016	AW	LYNNE LEFFEL	\$200.00	O
15658	12/01/2016	12/01/2016	AW	MADISON VILLAGE WATER/SEWER	\$48.33	O
15659	12/01/2016	12/01/2016	AW	MARS ELECTRIC	\$911.33	O
15660	12/01/2016	12/01/2016	AW	McMASTER-CARR SUPPLY CO.	\$35.17	O
15661	12/01/2016	12/01/2016	AW	MELZER'S FUEL SERVICE	\$288.07	O
15662	12/01/2016	12/01/2016	AW	NAPA AUTO PARTS	\$239.00	O
15663	12/01/2016	12/01/2016	AW	NEWBURY TECHNOLOGIES	\$850.00	O
15664	12/01/2016	12/01/2016	AW	OHIO MUNICIPAL LEAGUE	\$690.00	O
15665	12/01/2016	12/01/2016	AW	RON BELL	\$525.00	O
15666	12/01/2016	12/01/2016	AW	SAM'S CLUB	\$12.36	O
15667	12/01/2016	12/01/2016	AW	SANDS TRAILER PARK & SALES INC.	\$411.27	O
15668	12/01/2016	12/01/2016	AW	STAPLES BUSINESS ADVANTAGE	\$128.26	O
15669	12/01/2016	12/01/2016	AW	Time Warner Cable	\$1,122.54	O
15670	12/01/2016	12/01/2016	AW	TREASURER, STATE OF OHIO- EPA	\$2,457.60	O
15671	12/01/2016	12/01/2016	AW	VECTOR SECURITY	\$31.56	O
15672	12/01/2016	12/01/2016	AW	VERIZON WIRELESS	\$200.75	O
15673	12/01/2016	12/01/2016	AW	VISA	\$2,225.75	O
15674	12/01/2016	12/01/2016	AW	WASTE MANAGEMENT OF OHIO INC.	\$17.90	O
Total Payments:					\$49,019.96	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$49,019.96	

Payment Register Detail

11/19/2016 to 12/2/2016

Payment Advice #: 792-2016
 Vendor / Payee: SHELL FLEET PLUS
 Type: Accounting Electronic Payment
 Purpose:

Status: Outstanding
 Post Date: 11/30/2016
 Transaction Date: 11/30/2016
 Original Amount: \$1,084.71

Detail							Unit Price	Extended Price	Invoice #
Quantity	Units	Description							
1.00		FUEL ACCOUNT					\$1,084.71	\$1,084.71	
Distribution									
Post Date	Transaction Date	Type	Charge Type	Account Code	Description		Amount	Status	
11/30/2016	11/30/2016	CH	BC 211-2016	2011-620-420-7000	Operating Supplies and Materials(FUEL)		\$30.37	O	
11/30/2016	11/30/2016	CH	BC 250-2016	2031-240-420-7000	Operating Supplies and Materials(FUEL)		\$190.54	O	
11/30/2016	11/30/2016	CH	BC 144-2016	2903-110-393-7000	Motor Vehicles(FUEL)		\$585.16	O	
11/30/2016	11/30/2016	CH	BC 217-2016	5101-533-420-7000	Operating Supplies and Materials(FUEL)		\$191.34	O	
11/30/2016	11/30/2016	CH	BC 109-2016	5201-549-420-7000	Operating Supplies and Materials(FUEL)		\$87.30	O	
								\$1,084.71	

Payment Advice #: 15624
 Vendor / Payee: CENTURY EQUIPMENT
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 11/23/2016
 Transaction Date: 11/23/2016
 Original Amount: \$10,000.00

Detail							Unit Price	Extended Price	Invoice #
Quantity	Units	Description							
1.00		DOWN PAYMENT ON POLAR TRAC GM7210					\$10,000.00	\$10,000.00	
Distribution									
Post Date	Transaction Date	Type	Charge Type	Account Code	Description		Amount	Status	
11/23/2016	11/23/2016	AW	PO 180-2016	2011-800-590-0000	Other - Capital Outlay		\$10,000.00	O	
								\$10,000.00	

Payment Advice #: 15625
 Vendor / Payee: AMERICAN FINANCIAL NETWORK, INC.
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 11/23/2016
 Transaction Date: 11/23/2016
 Original Amount: \$195.00

Detail							Unit Price	Extended Price	Invoice #
Quantity	Units	Description							
1.00		DOC FEE FOR LEASE/SIDEWALK PLOW					\$195.00	\$195.00	3350788
Distribution									
Post Date	Transaction Date	Type	Charge Type	Account Code	Description		Amount	Status	
11/23/2016	11/23/2016	AW	BC 236-2016	2011-620-399-0000	Other - Other Contractual Services		\$195.00	O	
								\$195.00	

Payment Advice #: 15636
 Vendor / Payee: ANDY'S AUTO PARTS LLC
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$86.95

Detail							Unit Price	Extended Price	Invoice #
Quantity	Units	Description							

Payment Register Detail

11/19/2016 to 12/2/2016

1.00	WATER/SI	ELEC PLY			\$33.00	\$33.00	10721
1.00	M&R	WIPER BLADES AND 2.5 GAL DIESEL EXH F			\$53.95	\$53.95	10721

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	PO 167-2016	2011-630-430-1999	Repairs and Maintenance(Plow/Maint/Snow Removal)	\$53.95	O
12/01/2016	12/01/2016	AW	BC 93-2016	5101-533-420-0000	Operating Supplies and Materials	\$16.50	O
12/01/2016	12/01/2016	AW	BC 228-2016	5201-549-420-0000	Operating Supplies and Materials	\$16.50	O
						\$86.95	

Payment Advice #: 15637
 Vendor / Payee: ANTHEM BCBS OH GROUP Status: Outstanding
 Type: Accounting Warrant Post Date: 12/01/2016
 Purpose: Transaction Date: 12/01/2016
 Original Amount: \$13,906.04

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		GROUP HEALTH INSURANCE	\$13,906.04	\$13,906.04	136161105

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 239-2016	1000-720-221-0000	Medical/Hospitalization	\$659.48	O
12/01/2016	12/01/2016	AW	BC 175-2016	1000-725-221-0000	Medical/Hospitalization	\$637.39	O
12/01/2016	12/01/2016	AW	BC 277-2016	1000-725-221-0000	Medical/Hospitalization	\$302.69	O
12/01/2016	12/01/2016	AW	BC 238-2016	1000-790-221-0000	Medical/Hospitalization	\$2,000.00	O
12/01/2016	12/01/2016	AW	BC 276-2016	1000-790-221-0000	Medical/Hospitalization	\$1,322.53	O
12/01/2016	12/01/2016	AW	BC 161-2016	2011-620-221-0000	Medical/Hospitalization	\$1,582.26	O
12/01/2016	12/01/2016	AW	BC 174-2016	2901-390-221-0000	Medical/Hospitalization	\$513.29	O
12/01/2016	12/01/2016	AW	BC 205-2016	2903-110-221-0000	Medical/Hospitalization	\$3,116.48	O
12/01/2016	12/01/2016	AW	BC 228-2016	5101-531-221-0000	Medical/Hospitalization	\$1,532.06	O
12/01/2016	12/01/2016	AW	BC 208-2016	5201-541-221-0000	Medical/Hospitalization	\$2,239.86	O
						\$13,906.04	

Payment Advice #: 15638
 Vendor / Payee: BOBBY'S SEWER & DRAIN CLEANING, INC. Status: Outstanding
 Type: Accounting Warrant Post Date: 12/01/2016
 Purpose: Transaction Date: 12/01/2016
 Original Amount: \$175.00

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	SEWER	499 EAST MAIN- BLOCKAGE IN THE MAIN/OUR MACHINE TOO BIG TO GET	\$175.00	\$175.00	5589

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 261-2016	5201-549-399-0000	Other - Other Contractual Services	\$175.00	O
						\$175.00	

Payment Advice #: 15639
 Vendor / Payee: BROOKSIDE CONSTRUCTION SERVICES INC Status: Outstanding
 Type: Accounting Warrant Post Date: 12/01/2016
 Purpose: Transaction Date: 12/01/2016
 Original Amount: \$500.00

Detail

Payment Register Detail

11/19/2016 to 12/2/2016

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	FINAL	PER CT - RELEASE THE RETAINER	\$500.00	\$500.00	11-7-2016

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 225-2016	4903-800-560-1025	Utility Distribution Systems(SOUTHERN WATER LINE PROJ	\$500.00	O
						\$500.00	

Payment Advice #: 15640 Status: Outstanding
 Vendor / Payee: CSX TRANSPORTATION, INC. Post Date: 12/01/2016
 Type: Accounting Warrant Transaction Date: 12/01/2016
 Purpose: Original Amount: \$232.70

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	ANNUAL	FEE FOR SEWER LINE CROSSING	\$232.70	\$232.70	8325481

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 104-2016	5201-542-391-0000	Dues and Fees	\$232.70	O
						\$232.70	

Payment Advice #: 15641 Status: Outstanding
 Vendor / Payee: CARTER LUMBER Post Date: 12/01/2016
 Type: Accounting Warrant Transaction Date: 12/01/2016
 Purpose: Original Amount: \$809.10

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	WWTP	NEW OFFICE TRAILER LUMBER/MATERIALS NEEDED	\$620.05	\$620.05	68652251
1.10	WWTP	NEW OFFICE TRAILER LUMBER/MATERIALS NEEDED	\$70.11	\$77.12	68652372
1.00	WWTP	NEW OFFICE TRAILER LUMBER/MATERIALS NEEDED	\$10.19	\$10.19	68652323
1.00	WWTP	NEW OFFICE TRALER LUMBER/MATERIAL NEEDED	\$101.74	\$101.74	68652371

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 279-2016	5201-800-590-0000	Other - Capital Outlay	\$809.10	O
						\$809.10	

Payment Advice #: 15642 Status: Outstanding
 Vendor / Payee: CASHEN Post Date: 12/01/2016
 Type: Accounting Warrant Transaction Date: 12/01/2016
 Purpose: Original Amount: \$253.50

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	1.5YDS	CATCH BASIN REPAIR IN W PARKWAY	\$253.50	\$253.50	26231

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 191-2016	1000-800-590-1035	Other - Capital Outlay(STORM WATER MANAGEMENT)	\$253.50	O
						\$253.50	

Payment Register Detail

11/19/2016 to 12/2/2016

Payment Advice #: 15643
 Vendor / Payee: CINTAS CORPORATION LOCATION 259 / T90
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$180.41

Quantity		Units	Description			Unit Price	Extended Price	Invoice #
1.00	MATS	SENIOR CTR				\$180.41	\$180.41	259634832
Distribution								
Post Date	Transaction Date	Type	Charge Type	Account Code	Description		Amount	Status
12/01/2016	12/01/2016	AW	BC 266-2016	2901-390-390-0327	Other Contractual Services(FLOOR MAINTENANCE)		\$180.41	O
							\$180.41	

Payment Advice #: 15644
 Vendor / Payee: CONNIE ADAMS
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$135.00

Quantity		Units	Description			Unit Price	Extended Price	Invoice #
9.00	STUDENT:	ART CLASS				\$15.00	\$135.00	100258
Distribution								
Post Date	Transaction Date	Type	Charge Type	Account Code	Description		Amount	Status
12/01/2016	12/01/2016	AW	BC 198-2016	2901-390-399-2912	Other - Other Contractual Services(INSTRUCTORS)		\$135.00	O
							\$135.00	

Payment Advice #: 15645
 Vendor / Payee: CT CONSULTANTS
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$490.65

Quantity		Units	Description			Unit Price	Extended Price	Invoice #
1.00		3 HOURS - Water Study - High service interconnection with County				\$490.65	\$490.65	160675-1
Distribution								
Post Date	Transaction Date	Type	Charge Type	Account Code	Description		Amount	Status
12/01/2016	12/01/2016	AW	PO 152-2016	5101-800-590-0000	Other - Capital Outlay		\$490.65	O
							\$490.65	

Payment Advice #: 15646
 Vendor / Payee: DENNIS SUTCLIFFE
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$100.00

Quantity		Units	Description			Unit Price	Extended Price	Invoice #
1.00	SEN CTR	"KING OF THE MOONDOGGERS" ENTERTAINMENT				\$100.00	\$100.00	11-28-16
Distribution								
Post Date	Transaction Date	Type	Charge Type	Account Code	Description		Amount	Status

Payment Register Detail

11/19/2016 to 12/2/2016

12/01/2016	12/01/2016	AW	BC 135-2016	2901-390-399-2911	Other - Other Contractual Services(ENTERTAINMENT)	\$100.00	O
						<u>\$100.00</u>	

Payment Advice #: 15647 **Status:** Outstanding
Vendor / Payee: DOMINION EAST OHIO GAS **Post Date:** 12/01/2016
Type: Accounting Warrant **Transaction Date:** 12/01/2016
Purpose: **Original Amount:** \$479.76

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	SENIOR C	4441400357579	\$65.67	\$65.67	
1.00	VILLAGE F	5441300357541	\$37.76	\$37.76	
1.00	33 LAKE S	5500063314049	\$76.40	\$76.40	
1.00	STRATTOI	9441400357567	\$100.51	\$100.51	
1.00	133 SAMU	9500034787888	\$73.90	\$73.90	
1.00	177 SAMU	7441400357585	\$64.85	\$64.85	
1.00	WATER PI	6441400357602	\$60.67	\$60.67	

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	PO 64-2016	1000-390-313-0000	Natural Gas	\$100.51	O
12/01/2016	12/01/2016	AW	PO 6-2016	1000-710-313-0000	Natural Gas	\$18.88	O
12/01/2016	12/01/2016	AW	PO 64-2016	2011-620-313-0000	Natural Gas	\$138.75	O
12/01/2016	12/01/2016	AW	PO 6-2016	2901-330-313-0000	Natural Gas	\$65.67	O
12/01/2016	12/01/2016	AW	PO 6-2016	2903-110-313-0000	Natural Gas	\$95.28	O
12/01/2016	12/01/2016	AW	PO 6-2016	5101-531-313-0000	Natural Gas	\$60.67	O
						<u>\$479.76</u>	

Payment Advice #: 15648 **Status:** Outstanding
Vendor / Payee: GAZETTE PUBLISHING **Post Date:** 12/01/2016
Type: Accounting Warrant **Transaction Date:** 12/01/2016
Purpose: **Original Amount:** \$74.19

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	LEGAL	ITEMS PASSED	\$39.19	\$39.19	117713
1.00	AD	SENIOR CTR - CHRISTMAS SURPRISE	\$35.00	\$35.00	MAD SENIOR CENTER

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 235-2016	1000-710-325-0000	Advertising	\$39.19	O
12/01/2016	12/01/2016	AW	BC 7-2016	2901-390-320-0326	Communications, Printing and Advertising(ADVERTISING)	\$35.00	O
						<u>\$74.19</u>	

Payment Advice #: 15649 **Status:** Outstanding
Vendor / Payee: GEAUGA COUNTY **Post Date:** 12/01/2016
Type: Accounting Warrant **Transaction Date:** 12/01/2016
Purpose: **Original Amount:** \$60.00

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		COLIFORM LAB	\$60.00	\$60.00	11-22-2016

Payment Register Detail

11/19/2016 to 12/2/2016

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 177-2016	5101-534-399-0202	Other - Other Contractual Services{LAB SERVICES}	\$60.00	O
						<u>\$60.00</u>	

Payment Advice #: 15650

Vendor / Payee: GRAND RIVER ASPHALT, INC.

Type: Accounting Warrant

Purpose:

Status: Outstanding

Post Date: 12/01/2016

Transaction Date: 12/01/2016

Original Amount: \$50.89

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
0.93	TON	404 ASPHALT - CULVERT REPAIR ON DAYTON (BEING REIMBURSED BY RE	\$54.51	\$50.69	GRA0012764

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 241-2016	2011-620-420-0000	Operating Supplies and Materials	\$50.69	O
						<u>\$50.69</u>	

Payment Advice #: 15651

Vendor / Payee: GUARDIAN - BETHLEHEM

Type: Accounting Warrant

Purpose:

Status: Outstanding

Post Date: 12/01/2016

Transaction Date: 12/01/2016

Original Amount: \$1,390.61

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		GROUP DENTAL/VISION BENEFITS	\$1,390.61	\$1,390.61	

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 239-2016	1000-720-221-0000	Medical/Hospitalization	\$69.21	O
12/01/2016	12/01/2016	AW	BC 277-2016	1000-725-221-0000	Medical/Hospitalization	\$138.42	O
12/01/2016	12/01/2016	AW	BC 276-2016	1000-790-221-0000	Medical/Hospitalization	\$276.84	O
12/01/2016	12/01/2016	AW	BC 278-2016	2011-620-221-0000	Medical/Hospitalization	\$138.42	O
12/01/2016	12/01/2016	AW	BC 174-2016	2901-390-221-0000	Medical/Hospitalization	\$47.80	O
12/01/2016	12/01/2016	AW	BC 205-2016	2903-110-221-0000	Medical/Hospitalization	\$441.65	O
12/01/2016	12/01/2016	AW	BC 226-2016	5101-531-221-0000	Medical/Hospitalization	\$115.95	O
12/01/2016	12/01/2016	AW	BC 206-2016	5201-541-221-0000	Medical/Hospitalization	\$162.32	O
						<u>\$1,390.61</u>	

Payment Advice #: 15652

Vendor / Payee: ILLUMINATING COMPANY

Type: Accounting Warrant

Purpose:

Status: Outstanding

Post Date: 12/01/2016

Transaction Date: 12/01/2016

Original Amount: \$5,855.90

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	ADMIN	110119583893	\$126.21	\$126.21	
1.00	MASTER /	210000420005	\$5,729.69	\$5,729.69	

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
-----------	------------------	------	-------------	--------------	-------------	--------	--------

Payment Register Detail

11/19/2016 to 12/2/2016

Date	Invoice Date	Type	PO Number	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	PO 50-2016	1000-390-311-0000	Electricity	\$96.34	O
12/01/2016	12/01/2016	AW	PO 177-2016	1000-710-311-0000	Electricity	\$882.43	O
12/01/2016	12/01/2016	AW	PO 50-2016	2011-620-311-0000	Electricity	\$81.47	O
12/01/2016	12/01/2016	AW	PO 50-2016	2901-330-311-0000	Electricity	\$819.04	O
12/01/2016	12/01/2016	AW	PO 50-2016	2903-110-311-0000	Electricity	\$131.26	O
12/01/2016	12/01/2016	AW	PO 50-2016	5101-531-311-0000	Electricity	\$929.50	O
12/01/2016	12/01/2016	AW	PO 50-2016	5201-541-311-0000	Electricity	\$2,915.86	O
						\$5,855.90	

Payment Advice #: 15653 **Status:** Outstanding
Vendor / Payee: JOSEPH PETER SZEMAN, ESQ. **Post Date:** 12/01/2016
Type: Accounting Warrant **Transaction Date:** 12/01/2016
Purpose: **Original Amount:** \$2,417.37

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
4.10	HOURS	PROSECUTION	\$125.00	\$512.50	020-2016-11
11.40	HOURS	CIVIL/ADMIN	\$150.00	\$1,710.00	020-2016-11
1.00		CERTIFIED FEE (CIVIL)	\$4.87	\$4.87	
1.00		FILING FEE (POLICE)	\$190.00	\$190.00	

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	PO 172-2016	1000-790-341-0000	Accounting and Legal Fees	\$1,714.87	O
12/01/2016	12/01/2016	AW	PO 100-2016	2903-110-341-0000	Accounting and Legal Fees	\$702.50	O
						\$2,417.37	

Payment Advice #: 15654 **Status:** Outstanding
Vendor / Payee: LAKE COUNTY DEPT OF UTILITIES **Post Date:** 12/01/2016
Type: Accounting Warrant **Transaction Date:** 12/01/2016
Purpose: **Original Amount:** \$77.49

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		SEWER - SENIOR CTR	\$77.49	\$77.49	

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 178-2016	2901-330-312-0000	Water and Sewage	\$77.49	O
						\$77.49	

Payment Advice #: 15655 **Status:** Outstanding
Vendor / Payee: LAKE COUNTY SAFETY COUNCIL **Post Date:** 12/01/2016
Type: Accounting Warrant **Transaction Date:** 12/01/2016
Purpose: **Original Amount:** \$20.00

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		M&R - MONTHLY FEE/SAFETY LUNCHEON	\$20.00	\$20.00	5328

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 156-2016	2011-620-340-0101	Professional and Technical Services(Continuing Education)	\$20.00	O

Payment Register Detail

11/19/2016 to 12/2/2016

\$20.00

Payment Advice #: 15656
 Vendor / Payee: LAKE METROPARKS
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$50.00

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	SENIOR C	HALLE'S ON THE ROAD PROGRAM	\$50.00	\$50.00	11-10-16

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 135-2016	2901-390-399-2911	Other - Other Contractual Services(ENTERTAINMENT)	\$50.00	O
						<u>\$50.00</u>	

Payment Advice #: 15657
 Vendor / Payee: LYNNE LEFFEL
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$200.00

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
8.00	HOURS	TAI-CHI CLASS	\$25.00	\$200.00	11-28-16

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 198-2016	2901-390-399-2912	Other - Other Contractual Services(INSTRUCTORS)	\$200.00	O
						<u>\$200.00</u>	

Payment Advice #: 15658
 Vendor / Payee: MADISON VILLAGE WATER/SEWER
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$48.33

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		WATER BILL FOR SENIOR CTR	\$48.33	\$48.33	

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 178-2016	2901-330-312-0000	Water and Sewage	\$48.33	O
						<u>\$48.33</u>	

Payment Advice #: 15659
 Vendor / Payee: MARS ELECTRIC
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$911.33

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		PARTS AND MATERIALS FOR HOLIDAY LIGHTING DOWNTOWN/ELECTRICA	\$911.33	\$911.33	

Payment Register Detail

11/19/2016 to 12/2/2016

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	PO 181-2016	1000-320-395-0000	Land and Improvements	\$911.33	O
						<u>\$911.33</u>	

Payment Advice #: 15660

Vendor / Payee: McMASTER-CARR SUPPLY CO.

Type: Accounting Warrant

Purpose:

Status: Outstanding

Post Date: 12/01/2016

Transaction Date: 12/01/2016

Original Amount: \$35.17

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	SENIOR C	FLUORESCENT LIGHT BULBS	\$35.17	\$35.17	88638263

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 24-2016	2901-390-431-0000	Repairs and Maintenance of Buildings and Land	\$35.17	O
						<u>\$35.17</u>	

Payment Advice #: 15661

Vendor / Payee: MELZER'S FUEL SERVICE

Type: Accounting Warrant

Purpose:

Status: Outstanding

Post Date: 12/01/2016

Transaction Date: 12/01/2016

Original Amount: \$288.07

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	16.1 GALLONS	DIESEL	\$29.80	\$29.80	1633302047
1.00	88.2 GALLONS	DIESEL + DELIVERY CHG	\$258.27	\$258.27	1633302048

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 169-2016	2011-620-420-7000	Operating Supplies and Materials(FUEL)	\$288.07	O
						<u>\$288.07</u>	

Payment Advice #: 15662

Vendor / Payee: NAPA AUTO PARTS

Type: Accounting Warrant

Purpose:

Status: Outstanding

Post Date: 12/01/2016

Transaction Date: 12/01/2016

Original Amount: \$239.00

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	M&R	WHEEL CHARGER AND BATTERY	\$239.00	\$239.00	899371

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 282-2016	2011-620-440-0000	Small Tools and Minor Equipment	\$239.00	O
						<u>\$239.00</u>	

Payment Advice #: 15663

Vendor / Payee: NEWBURY TECHNOLOGIES

Type: Accounting Warrant

Status: Outstanding

Post Date: 12/01/2016

Transaction Date: 12/01/2016

Payment Register Detail

11/19/2016 to 12/2/2016

Purpose:

Original Amount: \$850.00

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		MONTHLY I.T. CONTRACT	\$850.00	\$850.00	1453

Detail

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	PO 169-2016	1000-720-349-0300	Other - Professional and Technical Services(I.T. SERVICES)	\$47.23	O
12/01/2016	12/01/2016	AW	PO 169-2016	1000-725-349-0300	Other - Professional and Technical Services(I.T. SERVICES)	\$47.23	O
12/01/2016	12/01/2016	AW	PO 169-2016	1000-790-390-0300	Other Contractual Services(I.T. SERVICES)	\$188.92	O
12/01/2016	12/01/2016	AW	PO 169-2016	2011-620-349-0300	Other - Professional and Technical Services(I.T. SERVICES)	\$47.23	O
12/01/2016	12/01/2016	AW	BC 222-2016	2901-390-349-0300	Other - Professional and Technical Services(I.T. SERVICES)	\$47.09	O
12/01/2016	12/01/2016	AW	PO 169-2016	2903-110-349-0300	Other - Professional and Technical Services(I.T. SERVICES)	\$283.38	O
12/01/2016	12/01/2016	AW	PO 169-2016	5101-531-349-0300	Other - Professional and Technical Services(I.T. SERVICES)	\$94.46	O
12/01/2016	12/01/2016	AW	PO 169-2016	5201-549-399-0300	Other - Other Contractual Services(I.T. SERVICES)	\$94.46	O
						<u>\$850.00</u>	

Payment Advice #: 15664

Vendor / Payee: OHIO MUNICIPAL LEAGUE

Type: Accounting Warrant

Purpose:

Status: Outstanding

Post Date: 12/01/2016

Transaction Date: 12/01/2016

Original Amount: \$690.00

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		ANNUAL DUES	\$690.00	\$690.00	

Detail

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 142-2016	1000-790-391-0000	Dues and Fees	\$531.26	O
12/01/2016	12/01/2016	AW	BC 283-2016	1000-790-391-0000	Dues and Fees	\$158.74	O
						<u>\$690.00</u>	

Payment Advice #: 15665

Vendor / Payee: RON BELL

Type: Accounting Warrant

Purpose:

Status: Outstanding

Post Date: 12/01/2016

Transaction Date: 12/01/2016

Original Amount: \$525.00

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		MONTHLY LICENSED OPERATOR FEE	\$500.00	\$500.00	12.1.16
1.00		CELL PHONE ALLOWANCE	\$25.00	\$25.00	

Detail

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 255-2016	5101-531-321-3210	Telephone(CELL PHONES)	\$25.00	O
12/01/2016	12/01/2016	AW	PO 91-2016	5101-534-300-0075	Contractual Services(Licensed Operator)	\$500.00	O
						<u>\$525.00</u>	

Payment Advice #: 15666

Vendor / Payee: SAM'S CLUB

Type: Accounting Warrant

Purpose:

Status: Outstanding

Post Date: 12/01/2016

Transaction Date: 12/01/2016

Original Amount: \$12.36

Payment Register Detail

11/19/2016 to 12/2/2016

Detail								
Quantity	Units	Description			Unit Price	Extended Price	Invoice #	
1.00	SENIOR C	INTEREST DUE ON ACCOUNT			\$12.36	\$12.36		
Distribution								
Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status	
12/01/2016	12/01/2016	AW	BC 133-2016	2901-390-391-0000	Dues and Fees	\$12.36	O	
						<u>\$12.36</u>		

Payment Advice #: 15667
 Vendor / Payee: SANDS TRAILER PARK & SALES INC.
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$411.27

Detail								
Quantity	Units	Description			Unit Price	Extended Price	Invoice #	
1.00	WWTP	PANELS AND TRIM KIT FOR NEW WWTP OFFICE TRAILER			\$411.27	\$411.27	11-29-16	
Distribution								
Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status	
12/01/2016	12/01/2016	AW	BC 279-2016	5201-800-590-0000	Other - Capital Outlay	\$411.27	O	
						<u>\$411.27</u>		

Payment Advice #: 15668
 Vendor / Payee: STAPLES BUSINESS ADVANTAGE
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$128.26

Detail								
Quantity	Units	Description			Unit Price	Extended Price	Invoice #	
1.00		11X17 PAPER, COLOR PAPER, FILE POCKETS, MONTHLY INDEX CARDS, PE			\$128.26	\$128.26	8041900779	
Distribution								
Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status	
12/01/2016	12/01/2016	AW	BC 267-2016	1000-790-410-0000	Office Supplies and Materials	\$128.26	O	
						<u>\$128.26</u>		

Payment Advice #: 15669
 Vendor / Payee: Time Warner Cable
 Type: Accounting Warrant
 Purpose:

Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$1,122.54

Detail								
Quantity	Units	Description			Unit Price	Extended Price	Invoice #	
1.00	SEN CTR	01034-261592301	CABLE		\$122.67	\$122.67		
1.00	VILLAGE H	01034-326403301			\$633.50	\$633.50		
1.00	POLICE	01034-326737201			\$149.79	\$149.79		
1.00	SEN CTR	01034-326482901			\$216.58	\$216.58		
Distribution								
Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status	
12/01/2016	12/01/2016	AW	PO 52-2016	1000-710-321-0000	Telephone	\$149.95	O	
12/01/2016	12/01/2016	AW	BC 141-2016	1000-790-390-0300	Other Contractual Services(I.T. SERVICES)	\$166.80	O	

Payment Register Detail

11/19/2016 to 12/2/2016

12/01/2016	12/01/2016	AW	BC 272-2016	2901-390-319-0325	Other - Utilities(CABLE)	\$122.67	O
12/01/2016	12/01/2016	AW	BC 222-2016	2901-390-349-0300	Other - Professional and Technical Services(I.T. SERVICES)	\$216.58	O
12/01/2016	12/01/2016	AW	PO 52-2016	2903-110-321-0000	Telephone	\$149.95	O
12/01/2016	12/01/2016	AW	BC 258-2016	2903-110-349-0300	Other - Professional and Technical Services(I.T. SERVICES)	\$316.59	O
						<u>\$1,122.54</u>	

Payment Advice #: 15670
 Vendor / Payee: TREASURER, STATE OF OHIO- EPA
 Type: Accounting Warrant
 Purpose:
 Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$2,457.60

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		PUBLIC WATER SYSTEM LICENSE DUES	\$2,457.60	\$2,457.60	

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 284-2016	5101-533-391-0000	Dues and Fees	\$1,750.00	O
12/01/2016	12/01/2016	AW	BC 92-2016	5101-533-391-0000	Dues and Fees	\$682.92	O
12/01/2016	12/01/2016	AW	BC 196-2016	5101-534-300-0000	Contractual Services	\$24.68	O
						<u>\$2,457.60</u>	

Payment Advice #: 15671
 Vendor / Payee: VECTOR SECURITY
 Type: Accounting Warrant
 Purpose:
 Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$31.56

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		SENIOR CENTER ALARM MONITORING	\$31.56	\$31.56	

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 213-2016	2901-390-319-0350	Other - Utilities(SEcurity SERVICES/ALARM)	\$31.56	O
						<u>\$31.56</u>	

Payment Advice #: 15672
 Vendor / Payee: VERIZON WIRELESS
 Type: Accounting Warrant
 Purpose:
 Status: Outstanding
 Post Date: 12/01/2016
 Transaction Date: 12/01/2016
 Original Amount: \$200.75

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		POLICE AIR CARDS	\$200.75	\$200.75	9775556755

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	PO 70-2016	2903-110-319-3210	Other - Utilities(CELL PHONES)	\$200.75	O
						<u>\$200.75</u>	

Payment Advice #: 15673
 Vendor / Payee: VISA
 Status: Outstanding
 Post Date: 12/01/2016

Payment Register Detail

11/19/2016 to 12/2/2016

Type: Accounting Warrant
Purpose:

Transaction Date: 12/01/2016
Original Amount: \$2,225.75

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00	#1078	SENIOR CTR - EVENTS, FUNDRAISERS, ENTERTAINMENT, JANITORIAL SUF	\$817.31	\$817.31	
1.00	#5202	ADMIN - CHAPMAN/TRAINING/PESTICIDE LICENSE RENEWAL, MR CHARGE.	\$281.26	\$281.26	
1.00	#3306	SEWER - OP SUPPLIES/PRINTER INK CARTRIDGES, JANITORIAL SUPLIES	\$345.99	\$345.99	
1.00	#2829	M&R - CEM SCREWDRIVER SET, TOTES, BATTERIES, RUG, JANITORIAL SU	\$183.82	\$183.82	
1.00	#1110	WATER - DEWALT DRILL SET, MADATORY TRAINING/RON BELL	\$595.32	\$595.32	
1.00	#2639	MAYOR - INTEREST DUE	\$2.05	\$2.05	

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	BC 204-2016	1000-320-420-0000	Operating Supplies and Materials	\$27.95	O
12/01/2016	12/01/2016	AW	BC 35-2016	1000-725-391-0000	Dues and Fees	\$2.05	O
12/01/2016	12/01/2016	AW	BC 156-2016	2011-620-340-0101	Professional and Technical Services(Continuing Education)	\$52.50	O
12/01/2016	12/01/2016	AW	BC 281-2016	2011-620-420-0000	Operating Supplies and Materials	\$228.76	O
12/01/2016	12/01/2016	AW	BC 281-2016	2011-620-420-0000	Operating Supplies and Materials	\$104.23	O
12/01/2016	12/01/2016	AW	BC 152-2016	2011-620-420-0210	Operating Supplies and Materials(JANITORIAL SUPPLIES)	\$41.66	O
12/01/2016	12/01/2016	AW	BC 75-2016	2031-240-440-0000	Small Tools and Minor Equipment	\$9.98	O
12/01/2016	12/01/2016	AW	BC 273-2016	2901-390-399-1008	Other - Other Contractual Services(TRIPS)	\$207.00	O
12/01/2016	12/01/2016	AW	BC 135-2016	2901-390-399-2911	Other - Other Contractual Services(ENTERTAINMENT)	\$7.48	O
12/01/2016	12/01/2016	AW	BC 203-2016	2901-390-399-2915	Other - Other Contractual Services(EVENTS)	\$169.86	O
12/01/2016	12/01/2016	AW	BC 248-2016	2901-390-420-0000	Operating Supplies and Materials	\$211.42	O
12/01/2016	12/01/2016	AW	BC 137-2016	2901-390-420-0210	Operating Supplies and Materials(JANITORIAL SUPPLIES)	\$53.58	O
12/01/2016	12/01/2016	AW	BC 84-2016	2903-110-420-0000	Operating Supplies and Materials	\$9.97	O
12/01/2016	12/01/2016	AW	BC 285-2016	5101-531-340-0101	Professional and Technical Services(Continuing Education)	\$190.00	O
12/01/2016	12/01/2016	AW	BC 93-2016	5101-533-420-0000	Operating Supplies and Materials	\$405.32	O
12/01/2016	12/01/2016	AW	BC 105-2016	5201-542-410-0000	Office Supplies and Materials	\$95.88	O
12/01/2016	12/01/2016	AW	BC 228-2016	5201-549-420-0000	Operating Supplies and Materials	\$178.22	O
12/01/2016	12/01/2016	AW	BC 112-2016	5201-549-440-0000	Small Tools and Minor Equipment	\$71.89	O
12/01/2016	12/01/2016	AW	Direct	9902-390-420-2950	Operating Supplies and Materials(FUNDASERS SR. CTR.)	\$158.00	O
						<u>\$2,225.75</u>	

Payment Advice #: 15674
Vendor / Payee: WASTE MANAGEMENT OF OHIO INC.
Type: Accounting Warrant
Purpose:

Status: Outstanding
Post Date: 12/01/2016
Transaction Date: 12/01/2016
Original Amount: \$17.90

Detail

Quantity	Units	Description	Unit Price	Extended Price	Invoice #
1.00		POLICE - 33 NORTH LAKE ST	\$17.90	\$17.90	5225943-1378-8+

Distribution

Post Date	Transaction Date	Type	Charge Type	Account Code	Description	Amount	Status
12/01/2016	12/01/2016	AW	PO 51-2016	2903-110-398-0000	Garbage and Trash Removal	\$17.90	O
						<u>\$17.90</u>	

Total Payments: \$49,019.96

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive

Introduced by: Mayor Britton

ORDINANCE 37 - 2016

**AN ORDINANCE ESTABLISHING A COMPENSATION
INCREASE FOR SPECIFIED EMPLOYEES OF THE VILLAGE
OF MADISON, AND DECLARING AN EMERGENCY**

WHEREAS, non-CBA Village employees have received no cost-of-living wage increases; and

WHEREAS, the fiscal year 2016 budget allows for an increase in employee compensation as and for a cost-of living adjustment; and

WHEREAS, for the foregoing reasons, it is advisable to provide as and for additional employee compensation an increase, effective as of January 1, 2016 for current employees of the Village, exclusive of those employees working pursuant to a collective bargaining agreement, the Law Director, and the Village Engineer, in the amount of 1.5% based upon their respective service and wage histories.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE AND STATE OF OHIO:

SECTION 1. That all current Village employees, excluding all employees working pursuant to a collective bargaining agreement, the Law Director, and Village Engineer, shall receive upon passage of this Ordinance, with an effective date of January 1, 2016, an increase of 1.5% in their regular wages, with back wages payable in a lump sum in the pay period immediately following the passage of this Ordinance, or, in the event the period of time is too short to permit this calculation, in the Fiscal Officer's judgment, then, at the next pay period.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety

Introduced by: Mayor Britton

and welfare of the inhabitants of the Village of Madison, and for the further reason that immediate passage is necessary so as to provide the herein contained compensation for the employees of the Village consistent with commitments made and shall, therefore, take effect and be in full force from and upon its passage.

PASSED:

Kenneth D. Takacs, President of Council

Attested:

Kristie M. Crockett, Fiscal Officer / Clerk

Approved:

Date: _____

Sam Britton Jr., Mayor

Sponsored/Introduced By: Kristie Crockett, Fiscal Officer
 and Mayor Britton

ORDINANCE NO. 38 -2016

AN ORDINANCE MAKING TEMPORARY APPROPRIATIONS FOR THE CURRENT EXPENSES AND FOR OTHER EXPENDITURES OF THE VILLAGE OF MADISON, STATE OF OHIO, FOR THE PERIOD BEGINNING JANUARY 1, 2017 TO AND INCLUDING MARCH 31, 2017 AND DECLARING AN EMERGENCY

Section 1. BE IT ORDAINED by the Council of the Village of Madison, State of Ohio, to provide for the current expenses and other expenditures of said Village of Madison during the fiscal year ending December 31, 2017, the following sums be and they are hereby set aside and appropriated as follows:

FUND	PERSONAL SERVICES	OTHER	TOTAL
Administration/General Fund (1000)	\$84,500.00	\$132,000.00	\$216,500.00
Maintenance & Repair (2011)	\$76,500.00	\$70,000.00	\$146,500.00
State Highway (2021)	\$0.00	\$4,750.00	\$4,750.00
Cemetery (2031)	\$6,500.00	\$8,300.00	\$14,800.00
SWIF Grant (2051)	\$0.00	\$5,500.00	\$5,500.00
319 Grant (2052)	\$0.00	\$55,000.00	\$55,000.00
Drug Law Enforcement (2081)	\$0.00	\$1,000.00	\$1,000.00
Law Enforcement Trust (2091)	\$0.00	\$175.00	\$175.00
Permissive Motor Vehicle (2101)	\$0.00	\$4,200.00	\$4,200.00
Police Disability & Pension (2131)	\$14,000.00	\$200.00	\$14,200.00
Enforcement & Education (2271)	\$0.00	\$175.00	\$175.00
Street Lighting (2401)	\$0.00	\$40,000.00	\$40,000.00
Senior Citizens (2901)	\$24,000.00	\$41,000.00	\$65,000.00
Mayors Ct Computer (2902)	\$0.00	\$700.00	\$700.00
Police Levy Fund (2903)	\$115,000.00	\$95,000.00	\$210,000.00
Gen Obligation Bond Retirement (3101)	\$0.00	\$0.00	\$0.00
Cemetery Capital (4901)	\$0.00	\$2,000.00	\$2,000.00
Senior Ctr Capital (4902)	\$0.00	\$2,000.00	\$2,000.00
Other Capital Projects (4903)	\$0.00	\$60,000.00	\$60,000.00
Cemetery Endowment (4951)	\$0.00	\$0.00	\$0.00
Water Operating (5101)	\$49,000.00	\$209,000.00	\$258,000.00
Sewer Operating (5201)	\$62,000.00	\$215,000.00	\$277,000.00
Garbage (5601)	\$0.00	\$1,200.00	\$1,200.00
Water Capital (5701)	\$0.00	\$115,000.00	\$115,000.00
Sewer Capital (5702)	\$0.00	\$130,000.00	\$130,000.00
W/S Deposits (5781)	\$0.00	\$1,500.00	\$1,500.00
Grand Total Temporary Appropriations	\$431,500.00	\$1,193,700.00	\$1,625,200.00

Sponsored/Introduced By: Kristie Crockett, Fiscal Officer
and Mayor Britton

Section 2. The Village Fiscal Officer is hereby authorized to draw warrants on the Village treasury for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore; approved by the board or officers authorized by law to approve the same, or an Ordinance or Resolution of Council to make the expenditures.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is declared to be and is passed as an emergency measure necessary for the immediate preservation of the peace, health, safety and welfare of the Village, and so is to provide sufficient funds for the operation of the Village; and, THEREFORE, this ordinance shall take effect as an emergency ordinance in accordance with the provision of Article V, Section 5.2 of the Madison Village Charter.

Passed _____

President of Council

ATTEST:

Kristie M. Crockett, Fiscal Officer

Approved:

Date: _____

Sam Britton Jr., Mayor

ORDINANCE NO. 41 - 2016

AN ORDINANCE ENACTING CHAPTER 905 OF PART NINE, STREETS AND UTILITIES CODE, OF THE CODIFIED ORDINANCES OF MADISON VILLAGE, OHIO, ESTABLISHING COMPREHENSIVE REGULATIONS FOR STORMWATER MANAGEMENT IN THE VILLAGE, AND DECLARING AN EMERGENCY.

WHEREAS, the Village is under legal mandate to bring its ordinances into compliance with Ohio and Federal environmental statutes; and

WHEREAS, stormwater management standards are necessary to achieve a level of quality and quantity control to minimize damage to property and degradation of water resources and to promote and maintain the health, safety, and welfare of the citizens of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. That as of the effective date of this Ordinance the following ordinances of the Village of Madison, Ohio of a general and permanent nature as arranged into component codes, titles, articles and sections are hereby approved, adopted and enacted as Chapter 905 of Part Nine – Streets and Utilities Code of the Codified Ordinances of Madison Village, Ohio:

- 905.01 Purpose and Scope.
- 905.02 Definitions.
- 905.03 Disclaimer of Liability.
- 905.04 Conflicts, Severability, Nuisances & Responsibility.
- 905.05 Development of Comprehensive Stormwater Management Plans.
- 905.06 Application Procedures.
- 905.07 Compliance with State and Federal Regulations.
- 905.08 Comprehensive Stormwater Management Plan.
- 905.09 Performance Standards.
- 905.10 Alternative Actions.
- 905.11 Easements.
- 905.12 Maintenance and Final Inspection Approval.
- 905.13 On-going Inspections.
- 905.14 Fees.

- 905.15 Bond.
- 905.16 Installation of Water Quality Stormwater Control Measures.
- 905.17 Violations.
- 905.18 Appeals.
- 905.99 Penalty.

SECTION 2. That the full, complete and accurate text of Chapter 905 of Part Nine – Streets and Utilities Code of the Codified Ordinances of Madison Village, Ohio is attached hereto as Exhibit “1” and incorporated herein as if fully re-written.

SECTION 3. That publication of these ordinances shall occur in book form containing the certification of the President of Council and Fiscal Officer of their correctness and same shall constitute the Codified Ordinances of Madison Village, Ohio, Part Nine – Streets and Utilities Code, Chapter 905.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the Village of Madison and because immediate enactment is necessary to meet EPA compliance deadlines; wherefore, this Ordinance shall take effect and be in force from and immediately upon passage.

PASSED:

 Kenneth D. Takacs
 President of Council

Attested:

 Kristie M. Crockett
 Fiscal Officer / Clerk of Council

Approved:

Date: _____

 Sam Britton, Jr.
 Mayor

**CHAPTER 905
COMPREHENSIVE STORMWATER MANAGEMENT**

905.01 PURPOSE AND SCOPE.

(A) The purpose of this Code is to establish technically feasible and economically reasonable stormwater management standards to achieve a level of stormwater quality and quantity control that will minimize damage to property and degradation of water resources and will promote and maintain the health, safety, and welfare of the citizens of the Village.

(B) This Code requires owners who develop or re-develop their property within the Village to:

- (1) Control stormwater runoff from their property and ensure that all Stormwater Control Measures (SCMs) are properly designed, constructed, and maintained.
- (2) Reduce water quality impacts to receiving water resources that may be caused by new development or redevelopment activities.
- (3) Control the volume, rate, and quality of stormwater runoff originating from their property so that surface water and groundwater are protected and flooding and erosion potential are not increased.
- (4) Minimize the need to construct, repair, and replace subsurface storm drain systems.
- (5) Preserve natural infiltration and ground water recharge, and maintain subsurface flow that replenishes water resources, except in slippage prone soils.
- (6) Incorporate stormwater quality and quantity controls into site planning and design at the earliest possible stage in the development process.
- (7) Reduce the expense of remedial projects needed to address problems caused by inadequate stormwater management.
- (8) Maximize use of SCMs that serve multiple purposes including, but not limited to, flood control, erosion control, fire protection, water quality protection, recreation, and habitat preservation.
- (9) Design sites to minimize the number of stream crossings and the width of associated disturbance in order to minimize the Village's future expenses related to the maintenance and repair of stream crossings.
- (10) Maintain, promote, and re-establish conditions necessary for naturally occurring stream processes that assimilate pollutants, attenuate flood flows, and provide a healthy water resource.

(C) This Code shall apply to all parcels used or being developed, either wholly or partially, for new or relocated projects involving highways and roads; subdivisions or larger common plans of development; industrial, commercial, institutional, or residential projects; building activities on farms; redevelopment activities; grading; and all other uses that are not specifically exempted in § 905.01.

(D) Public entities, including the State of Ohio, Lake County, and the Village shall comply with this Code for roadway projects initiated after the effective date of this Code and, to the maximum extent practicable, for projects initiated before that time.

(E) This Code does not apply to activities regulated by, and in compliance with, the Ohio Agricultural Sediment Pollution Abatement Rules.

(F) This Code does not require a Comprehensive Stormwater Management Plan for linear construction projects, such as pipeline or utility line installation, that do not result in the installation of impervious surface as determined by the Village Engineer. Such projects must be designed to minimize the number of stream crossings and the width of disturbance. Linear construction projects must comply with the requirements of Chapter 1106, Erosion and Sediment Control.

905.02 DEFINITIONS.

For the purpose of this Code, the following terms shall have the meaning herein indicated:

(A) "As-built survey" means a survey shown on a plan or drawing prepared by a registered Professional Surveyor indicating the actual dimensions, elevations, and locations of any structures, underground utilities, swales, detention facilities, and sewage treatment facilities after construction has been completed.

(B) "Best management practices (BMPs)" also "stormwater control measure (SCMs)" means a schedule of activities, prohibitions of practices, operation and maintenance procedures, treatment requirements, and other management practices (both structural and non-structural) to prevent or reduce the pollution of water resources and to control stormwater volume and rate. This includes practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. For guidance, see U.S. EPA's National Menu of BMPs at <http://water.epa.gov/polwaste/npdes/swbmp/index.cfm>, and as amended from time to time.

(C) "Clean Water Act" means Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483, Pub. L. 97-117, and Pub. L. 100-4, 33 U.S.C. 1251 et seq., and as amended from time to time. Referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972.

(D) "Comprehensive stormwater management plan" means the written document and plans meeting the requirements of this Code that sets forth the plans and practices to minimize stormwater runoff from a development area, to safely convey or temporarily store and release post-development runoff at an allowable rate to minimize flooding and stream bank erosion, and to protect or improve stormwater quality and stream channels.

(E) "Critical storm" means a storm that is determined by calculating the percentage increase in volume of runoff by a proposed development area for the 1 year 24 hour event. The critical storm is used to calculate the maximum allowable stormwater discharge rate from a developed site.

(F) "Development area" means a parcel or contiguous parcels owned by one person or persons, or operated as one development unit, and used or being developed for commercial, industrial, residential, institutional, or other construction or alteration that changes runoff characteristics.

(G) "Development drainage area" means a combination of each hydraulically unique watershed with individual outlet points on the development area.

(H) "Disturbed area" means an area of land subject to erosion due to the removal of vegetative cover and/or soil disturbing activities.

(I) "Drainage" means the removal of excess surface water or groundwater from land by surface or subsurface drains.

(J) "Erosion" means the process by which the land surface is worn away by the action of wind, water, ice, gravity, or any combination of those forces.

(K) "Extended detention facility" means a stormwater control measure that replaces and/or enhances traditional detention facilities by releasing the runoff collected during the stormwater quality event over at least 24 to 48 hours, retarding flow and allowing pollutants to settle within the facility.

(L) "Final stabilization" means all soil disturbing activities at the site have been completed and a uniform perennial vegetative cover with a density of at least eighty (80%) percent coverage for the area has been established or equivalent stabilization practices, such as the use of mulches or geotextiles, have been employed.

(M) "Grading" means the process in which the topography of the land is altered to a new slope.

(N) "Green infrastructure" means wet weather management approaches and technologies that utilize, enhance, or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse.

(O) "Hydrologic unit code" means a cataloging system developed by the United States Geological Survey and the Natural Resource Conservation Service to identify watersheds in the United States.

(P) "Impervious cover" means any surface that cannot effectively absorb or infiltrate water. This may include roads, streets, parking lots, rooftops, sidewalks, and other areas not covered by vegetation.

(Q) "Infiltration control measure" means a stormwater control measure that does not discharge to a water resource during the stormwater quality event, requiring collected runoff to

either infiltrate into the groundwater and/or be consumed by evapotranspiration, thereby retaining stormwater pollutants in the facility.

(R) "Larger common plan of development" means a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

(S) "Low impact development (LID)" means a site design approach which seeks to integrate hydrologically functional design with pollution prevention measures to compensate for land development impacts on hydrology and water quality. LID's goal is to mimic natural hydrology and processes by using small-scale, decentralized practices that infiltrate, evaporate, detain, and transpire stormwater. LID stormwater control measures (SCMs) are uniformly and strategically located throughout the site.

(T) "Maximum extent practicable" means the level of pollutant reduction that operators of small municipal separate storm sewer systems regulated under 40 C.F.R. Parts 9, 122, 123, and 124, referred to as NPDES Stormwater Phase II, must meet.

(U) "Municipal separate storm sewer system (MS4)" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that are:

(1) Owned or operated by the federal government, state, municipality, township, county, district, or other public body (created by or pursuant to state or federal law) including a special district under state law such as a sewer district, flood control district or drainage districts, or similar entity, or a designated and approved management agency under § 208 of the Clean Water Act that discharges into water resources; and

(2) Designed or used for collecting or conveying solely stormwater, which is not a combined sewer; and

(3) Which is not a part of a publicly owned treatment works.

(V) "National Pollutant Discharge Elimination System (NPDES)" means a regulatory program in the Federal Clean Water Act that prohibits the discharge of pollutants into surface waters of the United States without a permit.

(W) "Nonstructural stormwater control measure (SCM)" means any technique that uses natural processes and features to prevent or reduce the discharge of pollutants to water resources and control stormwater volume and rate.

(X) "Post-development" means the conditions that exist following the completion of soil disturbing activity in terms of topography, vegetation, land use, and the rate, volume, quality, or direction of stormwater runoff.

(Y) "Pre-construction meeting" means a meeting prior to construction between all parties associated with the construction of the project including government agencies, contractors and owners to review agency requirements and plans as submitted and approved.

(Z) "Pre-development" means the conditions that exist prior to the initiation of soil disturbing activity in terms of topography, vegetation, land use, and the rate, volume, quality, or direction of stormwater runoff.

(AA) "Professional Engineer" means a Professional Engineer registered in the State of Ohio with specific education and experience in water resources engineering, acting in conformance with the Code of Ethics of the Ohio State Board of Registration for Engineers and Surveyors.

(BB) "Redevelopment" means a construction project on land that has been previously developed and where the new land use will not increase the runoff coefficient used to calculate the water quality volume. If the new land use will increase the runoff coefficient, then the project is considered to be a new development project rather than a redevelopment project.

(CC) "Riparian area" means land adjacent to any brook, creek, river, or stream having a defined bed and bank that, if appropriately sized, helps to stabilize streambanks, limit erosion, reduce flood size flows, and/or filter and settle out runoff pollutants, or performs other functions consistent with the purposes of this regulation.

(DD) "Riparian and wetland setback" means the real property adjacent to a water resource on which soil disturbing activities are limited, all as defined by the Zoning Code.

(EE) "Runoff" means the portion of rainfall, melted snow, or irrigation water that flows across the ground surface and is eventually returned to water resources.

(FF) "Sediment" means the soils or other surface materials that can be transported or deposited by the action of wind, water, ice, or gravity as a product of erosion.

(GG) "Sedimentation" means the deposition of sediment in water resources.

(HH) "Site owner/operator" means any individual, corporation, firm, trust, commission, board, public or private partnership, joint venture, agency, unincorporated association, municipal corporation, county or state agency, the federal government, other legal entity, or an agent thereof that is responsible for the overall construction site.

(II) "Soil disturbing activity" means clearing, grading, excavating, filling, or other alteration of the earth's surface where natural or human made ground cover is destroyed that may result in, or contribute to, increased stormwater quantity and/or decreased stormwater quality.

(JJ) "Stabilization" means the use of Best Management Practices or Stormwater Control Measures that reduce or prevent soil erosion by stormwater runoff, trench dewatering, wind, ice, gravity, or a combination thereof.

(KK) "Stormwater" or "storm water" is defined at 40 CFR 122.26(b)(13) and means stormwater runoff, snow melt runoff and surface runoff and drainage.

(LL) "Stormwater control measure (SCM)" (also, "Best Management Practice (BMP)") means the schedule of activities, prohibitions of practices, operation and maintenance procedures, treatment requirements, and other management practices (both structural and non-structural) to prevent or reduce the pollution of water resources and to control stormwater

volume and rate. This includes practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. For guidance, please see U.S. EPA's National Menu of BMPs at <http://water.epa.gov/polwaste/npdes/swbmp/index.cfm>, and as amended from time to time.

(MM) "Structural storm water management practice" or "stormwater control measure (SCM)" means any constructed facility, structure, or device that prevents or reduces the discharge of pollutants to water resources and controls stormwater volume and rate.

(NN) "Surface water of the State" (also "water resource") means any stream, lake, reservoir, pond, marsh, wetland, or other waterway situated wholly or partly within the boundaries of the State, except those private waters which do not combine or affect a junction with surface water. Waters defined as sewerage systems, treatment works, or disposal systems in § 6111.01 of the Ohio Revised Code are not included.

(OO) "Total maximum daily load" means the sum of the existing and/or projected point source, nonpoint source, and background loads for a pollutant to a specified watershed, water body, or water body segment. A TMDL sets and allocates the maximum amount of a pollutant that may be introduced into the water and still ensure attainment and maintenance of water quality standards.

(PP) "Water quality volume (WQv)" means the volume of stormwater runoff which must be captured and treated prior to discharge from the developed site after construction is complete. WQv is based on the expected runoff generated by the mean storm precipitation volume from post-construction site conditions at which rapidly diminishing returns in the number of runoff events captured begins to occur.

(QQ) "Water resource" (also, "surface water of the State") means any stream, lake, reservoir, pond, marsh, wetland, or waterway situated wholly or partly within the boundaries of the state, except those private waters which do not combine or affect a junction with surface water. Waters defined as sewerage systems, treatment works or disposal systems in § 6111.01 of the Ohio Revised Code are not included.

(RR) "Water resource crossing" means any bridge, box, arch, culvert, truss, or other type of structure intended to convey people, animals, vehicles, or materials from one side of a watercourse to another. This does not include private, non-commercial footbridges or pole mounted aerial electric or telecommunication lines, nor does it include below grade utility lines.

(SS) "Watershed" means the total drainage area contributing stormwater runoff to a single point.

(TT) "Wetland" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas (40 CFR 232, as amended).

905.03 DISCLAIMER OF LIABILITY.

Compliance with the provisions of this Code shall not relieve any person from responsibility for damage to any person otherwise imposed by law. The provisions of this Code are promulgated to promote the health, safety, and welfare of the public and are not designed for the benefit of any individual or any particular parcel of property. By approving a Comprehensive Stormwater Management Plan under this Code, the Village does not accept responsibility for the design, installation, and operation and maintenance of SCMs.

905.04 CONFLICTS, SEVERABILITY, NUISANCES & RESPONSIBILITY.

(A) Where this Code is in conflict with other provisions of law, the most restrictive provisions, as determined by the Village Engineer, shall prevail.

(B) If any clause, section, or provision of this Code is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.

(C) This Code shall not be construed as authorizing any person to maintain a nuisance on their property and compliance with the provisions of this Code shall not be a defense in any action to abate such a nuisance.

(D) Failure of the Village to observe or recognize hazardous or unsightly conditions or to recommend corrective measures shall not relieve the site owner from the responsibility for the condition or damage resulting therefrom, and shall not result in the Village, its officers, employees, or agents being responsible for any condition or damage resulting therefrom.

905.05 DEVELOPMENT OF COMPREHENSIVE STORMWATER MANAGEMENT PLANS.

(A) This Code requires that a Comprehensive Stormwater Management Plan be developed and implemented for all soil disturbing activities disturbing one (1) or more acres of total land, or less than one (1) acre if part of a larger common plan of development or sale disturbing one (1) or more acres of total land, and on which any regulated activity of § 905.01 is proposed. A Comprehensive Stormwater Management Plan must be developed and implemented for all commercial and industrial site development. The Village Engineer may require a comprehensive stormwater management plan on sites disturbing less than one (1) acre.

(B) The Village shall administer this Code, shall be responsible for determination of compliance with this Code, and shall issue notices and orders as may be necessary. The Village may consult with the Lake County SWCD, state agencies, private engineers, stormwater districts, or other technical experts in reviewing the Comprehensive Stormwater Management Plan.

905.06 APPLICATION PROCEDURES.

(A) Pre-Application Meeting: The applicant shall attend a Pre-Application Meeting with the Village Engineer to discuss the proposed project, review the requirements of this Code, identify unique aspects of the project that must be addressed during the review process, and establish a preliminary review and approval schedule.

(B) Preliminary Comprehensive Stormwater Management Plan: The applicant shall submit two (2) sets of a Preliminary Comprehensive Stormwater Management Plan (Preliminary Plan) and the applicable fees to the Village Engineer and/or the Village Administrator. The Preliminary Plan shall show the proposed property boundaries, setbacks, dedicated open space, public roads, water resources, stormwater control facilities, and easements in sufficient detail and engineering analysis to allow the Village Engineer to determine if the site is laid out in a manner that meets the intent of this Code and if the proposed SCMs are capable of controlling runoff from the site in compliance with this Code. The applicant shall submit two (2) sets of the Preliminary Plan and applicable fees as follows:

(1) For subdivisions: In conjunction with the submission of the preliminary subdivision plan.

(2) For other construction projects: In conjunction with the application for a zoning permit or site development plan approval, as applicable.

(3) For general clearing projects: In conjunction with the application for a zoning permit.

(C) Final Comprehensive Stormwater Management Plan. The applicant shall submit two (2) sets of a Final Comprehensive Stormwater Management Plan (Final Plan) and the applicable fees to the Village Engineer and/or the Village Administrator in conjunction with the submittal of the final plat, improvement plans, or application for a building or zoning permit for the site. The Final Plan shall meet the requirements of § 905.08 and shall be approved by the Village Engineer prior to approval of the final plat and/or before issuance of a zoning permit by the Zoning Inspector or building permit by the Building Inspector, as applicable.

(D) Review and Comment. The Village Engineer shall review the Preliminary and Final Plans submitted, and shall approve or return for revisions with comments and recommendations for revisions. A Preliminary or Final Plan rejected because of deficiencies shall receive a narrative report stating specific problems and the procedures for filing a revised Preliminary or Final Plan.

(E) Approval Necessary. Land clearing and soil-disturbing activities shall not begin and zoning and/or building permits shall not be issued without an approved Comprehensive Stormwater Management Plan.

(F) Valid for Two Years. Approvals issued in accordance with this Code shall remain valid for two (2) years from the date of approval.

905.07 COMPLIANCE WITH STATE AND FEDERAL REGULATIONS.

Approvals issued in accordance with this Code do not relieve the applicant of responsibility for obtaining all other necessary permits and/or approvals from other federal, state, and/or county agencies. If requirements vary, the most restrictive shall prevail. These permits may include, but are not limited to, those listed below. Applicants are required to show proof of compliance with these regulations before the Village will issue a building or zoning permit.

(A) Ohio Environmental Protection Agency (Ohio EPA) National Pollutant Discharge Elimination System (NPDES) Permits authorizing stormwater discharges associated with construction activity or the most current version thereof: Proof of compliance with these requirements shall be the applicant's Notice of Intent (NOI) number from Ohio EPA, a copy of the Ohio EPA Director's Authorization Letter for the NPDES Permit, or a letter from the site owner certifying and explaining why the NPDES Permit is not applicable.

(B) Section 401 of the Clean Water Act: Proof of compliance shall be a copy of the Ohio EPA Water Quality Certification application tracking number, public notice, project approval, or a letter from the site owner certifying that a qualified professional has surveyed the site and determined that § 401 of the Clean Water Act is not applicable. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time of application of this Code.

(C) Ohio EPA Isolated Wetland Permit: Proof of compliance shall be a copy of Ohio EPA's Isolated Wetland Permit application tracking number, public notice, project approval, or a letter from the site owner certifying that a qualified professional has surveyed the site and determined that Ohio EPA's Isolated Wetlands Permit is not applicable. Isolated wetlands shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time of application of this Code.

(D) Section 404 of the Clean Water Act. Proof of compliance shall be a copy of the U.S. Army Corps of Engineers Individual Permit application, public notice, or project approval, if an Individual Permit is required for the development project. If an Individual Permit is not required, the site owner shall submit proof of compliance with the U.S. Army Corps of Engineer's Nationwide Permit Program. This shall include one of the following:

(1) A letter from the site owner certifying that a qualified professional has surveyed the site and determined that § 404 of the Clean Water Act is not applicable.

(2) A site plan showing that any proposed fill of waters of the United States conforms to the general and special conditions specified in the applicable Nationwide Permit. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time of application of this Code.

(E) Ohio Dam Safety Law. Proof of compliance shall be a copy of the ODNR Division of Soil and Water Resources permit application tracking number, a copy of the project approval letter from the ODNR Division of Soil and Water Resources, or a letter from the site owner certifying and explaining why the Ohio Dam Safety Law is not applicable.

905.08 COMPREHENSIVE STORMWATER MANAGEMENT PLAN.

(A) Comprehensive Stormwater Management Plan Required. The applicant shall develop a Comprehensive Stormwater Management Plan describing how the quantity and quality of stormwater will be managed after construction is completed for every discharge from the site and/or into a water resource or small municipal separate storm sewer system (MS4). The Plan will illustrate the type, location, and dimensions of every structural and non-structural SCM incorporated into the site design, and the rationale for their selection. The rationale must address how these SCMs will address flooding within the site as well as flooding that may be caused by the development upstream and downstream of the site. The rationale will also describe how the SCMs minimize impacts to the physical, chemical, and biological characteristics of on-site and downstream water resources and, if necessary, correct current degradation of water resources that is occurring or take measures to prevent predictable degradation of water resources.

(B) Preparation by Professional Engineer. The Comprehensive Stormwater Management Plan shall be prepared by a registered Professional Engineer and include supporting calculations, plan sheets, and design details. To the extent necessary, as determined by the Village Engineer, a site survey shall be performed by a registered Professional Surveyor to establish boundary lines, measurements, or land surfaces.

(C) Community Procedures. The Village Engineer shall prepare and maintain procedures providing specific criteria and guidance to be followed when designing the stormwater management system for the site. These procedures may be updated from time to time, at the discretion of the Village Engineer based on improvements in engineering, science, monitoring, and local maintenance experience. The Village Engineer shall make the final determination of whether the practices proposed in the Comprehensive Stormwater Management Plan meet the requirements of this Code. The Village Engineer may also maintain a list of acceptable SCMs that meet the criteria of this Code to be used in the Village.

(D) Contents of Comprehensive Stormwater Management Plan. The Comprehensive Stormwater Management Plan shall contain an application, narrative report, construction site plan sheets, a long-term Inspection and Maintenance Plan and Inspection and Maintenance Agreement, and a site description with the following information provided:

(1) Site description:

(a) A description of the nature and type of the construction activity (e.g. residential, shopping mall, highway, etc.).

(b) Total area of the site and the area of the site that is expected to be disturbed (i.e. grubbing, clearing, excavation, filling or grading, including off-site borrow areas).

(c) A description of prior land uses at the site.

(d) An estimate of the impervious area and percent imperviousness created by the soil-disturbing activity at the beginning and at the conclusion of the project.

- (e) Selection (source and justification) and/or calculations of runoff coefficients for water quality volume determination, peak discharge control (curve number/critical storm method), and rational method.
 - (f) Existing data describing the soils throughout the site, including soil map units including series, complexes, and association, hydrologic soil group, porosity, infiltration characteristics, depth to groundwater, depth to bedrock, and any impermeable layers.
 - (g) If available, the quality of any known pollutant discharge from the site such as that which may result from previous contamination caused by prior land uses.
 - (h) The location and name of the immediate water resource(s) and the first subsequent water resource(s).
 - (i) The aerial (plan view) extent and description of water resources at or near the site that will be disturbed or will receive discharges from the project.
 - (j) If applicable, identify the point of discharge to a municipal separate storm sewer system and the location where that municipal separate storm sewer system ultimately discharges to a stream, lake, or wetland. The location and name of the immediate receiving stream or surface water(s) and the first subsequent receiving water(s) and the aerial extent and description of wetlands or other special aquatic sites at or near the site which will be disturbed or which will receive discharges from undisturbed areas of the project.
 - (k) TMDLs applicable for the site [refer to TMDL community identifier table at <http://www.nehiostormwater.com/>]; demonstrate that appropriate (SCMs) have been selected to address these TMDLs.
 - (l) For each SCM, identify the drainage area, percent impervious cover within the drainage area, runoff coefficient for water quality volume, peak discharge, and the time of concentration for each subwatershed per Appendix 1 of Ohio's stormwater manual, *Rainwater and Land Development*. Pervious and impervious areas should be treated as separate subwatersheds unless allowed at the discretion of the community engineer. Identify the SCM surface area, discharge and dewatering time, outlet type and dimensions. Each SCM shall be designated with an individual identification number.
 - (m) Describe the current condition of water resources including the vertical stability of stream channels and indications of channel incision that may be responsible for current or future sources of high sediment loading or loss of channel stability.
- (2) Site map showing:
- (a) Limits of soil-disturbing activity on the site.

- (b) Soils map units for the entire site, including locations of unstable or highly erodible soils.
 - (c) Existing and proposed one-foot (1') contours. This must include a delineation of drainage watersheds expected before, during, and after major grading activities as well as the size of each drainage watershed in acres.
 - (d) Water resource locations including springs, wetlands, streams, lakes, water wells, and associated setbacks on or within two hundred (200) feet of the site, including the boundaries of wetlands or streams and first subsequent named receiving water(s) the applicant intends to fill or relocate for which the applicant is seeking approval from the Army Corps of Engineers and/or Ohio EPA.
 - (e) Existing and planned locations of buildings, roads, parking facilities, and utilities.
 - (f) The location of any in-stream activities including stream crossings.
- (3) Contact information. Company name and contact information as well as contact name, addresses, and phone numbers for the following:
- (a) The Professional Engineer who prepared the Comprehensive Stormwater Management Plan.
 - (b) The site owner.
- (4) Phase, if applicable, of the overall development plan.
- (5) List of subplot numbers if project is a subdivision.
- (6) Ohio EPA NPDES Permit Number and other applicable state and federal permit numbers, if available, or status of various permitting requirements if final approvals have not been received.
- (7) Location, including complete site address and subplot number, if applicable.
- (8) Location of any easements or other restrictions placed on the use of the property.
- (9) A site plan sheet showing:
- (a) The location of each proposed post-construction SCMs.
 - (b) The geographic coordinates of the site and each proposed practice in North American Datum Ohio State Plane North.

It is preferred that the entire site be shown on one plan sheet to allow a complete view of the site during plan review. If a smaller scale is used to accomplish

this, separate sheets providing an enlarged view of areas on individual sheets should also be provided.

(10) Inspection and Maintenance Agreement. The Inspection and Maintenance Agreement required for SCMs under this Code is a stand-alone document between the Village and the applicant. A copy of this agreement should be attached to the property deed. The agreement shall contain the following information and provisions:

(a) Identification of the landowner(s), organization, or municipality responsible for long-term inspection and maintenance, including repairs, of the SCMs.

(b) The landowner(s), organization, or municipality shall maintain SCMs in accordance with this Code.

(c) The Village has the authority to enter upon the property to conduct inspections as necessary, with prior notification of the property owner, to verify that the SCMs are being maintained and operated in accordance with this Code.

(d) The Village shall maintain public records of the results of site inspections, shall inform the landowner(s), organization, or municipality responsible for maintenance of the inspection results, and shall specifically indicate in writing any corrective actions required to bring the SCMs into proper working condition.

(e) If the Village notifies the landowner(s), organization, or municipality responsible for maintenance of the maintenance problems that require correction, the specific corrective actions shall be taken within a reasonable time as determined by the Village.

(f) The Village is authorized to enter upon the property and perform the corrective actions identified in the inspection report if the landowner(s), organization, or municipality responsible for maintenance does not make the required corrections in the specified time period. The Village shall be reimbursed by the landowner(s), organization, or municipality responsible for maintenance for all expenses incurred within ten (10) days of receipt of invoice from the Village, or more with written approval from the Village Engineer.

(g) The method of funding long-term maintenance and inspections of all SCMs.

(h) A release of the Village from all damages, accidents, casualties, occurrences, or claims that might arise or be asserted against the Village from the construction, presence, existence, or maintenance of the SCMs.

(11) Inspection and Maintenance Plan. This plan will be developed by the applicant and reviewed by the Village. Once the Inspection and Maintenance Plan is approved, a recorded copy of the Plan must be submitted to the Village as part of the final inspection approval as described in § 905.12. The plan will include at a minimum:

- (a) The location of each SCM and identification of the drainage area served by each SCM.
- (b) Photographs of each SCM, including all inlets and outlets upon completion of construction.
- (c) Schedule of inspection.
- (d) A schedule for regular maintenance for each aspect of the stormwater management system and description of routine and non-routine maintenance tasks to ensure continued performance of the system as is detailed in the approved Comprehensive Stormwater Management Plan. A maintenance inspection checklist written so the average person can understand it shall be incorporated. The maintenance plan will include a detailed drawing of each SCM and outlet structures with the parts of the outlet structure labeled. This schedule may include additional standards, as required by the Village Engineer, to ensure continued performance of SCMs permitted to be located in, or within fifty (50) feet of, water resources.
- (e) The location and documentation of all access and maintenance easements on the property.

Alteration or termination of these stipulations is prohibited.

(12) Required Calculations. The applicant shall submit calculations for projected stormwater runoff flows, volumes, and timing into and through all SCMs for flood control, channel protection, water quality, and the condition of the habitat, stability, and incision of each water resource and its floodplain, as required in § 905.09 of this Code. These submittals shall be completed for both pre- and post-development land use conditions and shall include the underlying assumptions and hydrologic and hydraulic methods and parameters used for these calculations. The applicant shall also include critical storm determination and demonstrate that the runoff from offsite areas have been considered in the calculations.

(13) List of all contractors and subcontractors before construction. Prior to construction or before the pre-construction meeting, provide the list of all contractors and subcontractors and their names, addresses, and phones involved with the implementation of the Comprehensive Stormwater Management Plan including a written document containing signatures of all parties as proof of acknowledgment that they have reviewed and understand the requirements and responsibilities of the Comprehensive Stormwater Management Plan.

(14) Existing and proposed drainage patterns. The location and description of existing and proposed drainage patterns and SCMs, including any related SCMs beyond the development area and the larger common development area.

- (15) For each SCM to be employed on the development area, include the following:
- (a) Location and size, including detail drawings, maintenance requirements during and after construction, and design calculations, all where applicable.
 - (b) Final site conditions including stormwater inlets and permanent nonstructural and structural SCMs. Details of SCMs shall be drawn to scale and shall show volumes and sizes of contributing drainage areas.
 - (c) Any other structural and/or non-structural SCMs necessary to meet the design criteria in this regulation and any supplemental information requested by the Village Engineer.
 - (d) Each SCM shall be designated with an individual identification number.

905.09 PERFORMANCE STANDARDS.

(A) General. The stormwater system, including SCMs for storage, treatment and control, and conveyance facilities, shall be designed to prevent structure flooding during the 100-year, 24-hour storm event; to maintain predevelopment runoff patterns, flows, and volumes; and to meet the following criteria:

- (1) Integrated practices that address degradation of water resources. The SCMs shall function as an integrated system that controls flooding and minimizes the degradation of the physical, biological, and chemical integrity of the water resources receiving stormwater discharges from the site. Acceptable practices shall:
- (a) Not disturb riparian areas, unless the disturbance is intended to support a watercourse restoration project and complies with the Zoning Code.
 - (b) Maintain predevelopment hydrology and groundwater recharge on as much of the site as practicable.
 - (c) Only install new impervious surfaces and compact soils where necessary to support the future land use.
 - (d) Compensate for increased runoff volumes caused by new impervious surfaces and soil compaction by reducing stormwater peak flows to less than predevelopment levels.
 - (e) Be designed according to the methodology included in the most current edition of *Rainwater and Land Development* or another design manual acceptable for use by the Village and Ohio EPA.

SCMs that meet the criteria in this Code, and additional criteria required by the Village Engineer, shall comply with this Code.

- (2) Practices designed for final use. SCMs shall be designed to achieve the stormwater management objectives of this Code, to be compatible with the proposed post-construction use of the site, to protect the public health, safety, and welfare, and to function safely with routine maintenance.
- (3) Stormwater management for all lots. Areas developed for a subdivision, as defined in the Zoning Code, shall provide stormwater management and water quality controls for the development of all subdivided lots. This shall include provisions for lot grading and drainage that prevent structure flooding during the 100-year, 24-hour storm; and maintain, to the extent practicable, the pre-development runoff patterns, volumes, and peaks from each lot.
- (4) Stormwater facilities in water resources. SCMs and related activities shall not be constructed in water resources unless the applicant shows proof of compliance with all appropriate permits from the Ohio EPA, the U.S. Army Corps, and other applicable federal, state, and local agencies as required in § 905.07 of this Code, and the activity is in compliance with Chapter 1106 and the Zoning Code, all as determined by the Village Engineer.
- (5) Stormwater ponds and surface conveyance channels. All stormwater pond and surface conveyance designs must provide a minimum of one (1) foot freeboard above the projected peak stage within the facility during the 100-year, 24-hour storm. When designing stormwater ponds and conveyance channels, the applicant shall consider public safety as a design factor and alternative designs must be implemented where site limitations would preclude a safe design.
- (6) Exemption. The site where soil-disturbing activities are conducted shall be exempt from the requirements of § 905.09 if it can be shown to the satisfaction of the Village Engineer that the site is part of a larger common plan of development where the stormwater management requirements for the site are provided by an existing SCMs, or if the stormwater management requirements for the site are provided by practices defined in a regional or local stormwater management plan approved by the Village Engineer.
- (7) Maintenance. All SCMs shall be maintained in accordance with the Inspection and Maintenance Plan and Agreements approved by the Village Engineer as detailed in § 905.08.
- (8) Ownership. Unless otherwise required by the Village, SCMs serving multiple lots in subdivisions shall be on a separate lot held and maintained by an entity of common ownership or, if compensated by the property owners, by the Village. SCMs serving single lots shall be placed on these lots, protected within an easement, and maintained by the property owner.
- (9) Preservation of Existing Natural Drainage. Practices that preserve and/or improve the existing natural drainage shall be used to the maximum extent practicable. Such practices may include minimizing site grading and compaction; protecting and/or restoring water resources, riparian areas, and existing vegetation and vegetative buffer

strips; phasing of construction operations in order to minimize the amount of disturbed land at any one time, and designation of tree preservation areas or other protective clearing and grubbing practices; and maintaining unconcentrated stormwater runoff to and through these areas. Post-construction stormwater practices shall provide perpetual management of runoff quality and quantity so that a receiving stream's physical, chemical and biological characteristics are protected and ecological functions are maintained.

(10) Preservation of Wetland Hydrology. Concentrated stormwater runoff from SCMs to wetlands shall be converted to diffuse flow before the runoff enters the wetlands in order to protect the natural hydrology, hydroperiod, and wetland flora. The flow shall be released such that no erosion occurs down slope. Practices such as level spreaders, vegetative buffers, infiltration basins, conservation of forest covers, and the preservation of intermittent streams, depressions, and drainage corridors may be used to maintain the wetland hydrology.

If the applicant proposes to discharge to natural wetlands, a hydrological analysis shall be performed to demonstrate that the proposed discharge matches the pre-development hydroperiods and hydrodynamics that support the wetland.

(11) Soil Preservation and Post-Construction Soil Restoration. To the maximum extent practicable leave native soil undisturbed and protect from compaction during construction. Except for areas that will be covered by impervious surface or have been incorporated into an SCM, the soil moisture-holding capacity of areas that have been cleared and graded must be restored to that of the original, undisturbed soil to the maximum extent practicable. Areas that have been compacted or had the topsoil or duff layer removed should be amended using the following steps: (1) till subsoil to a depth of 15-18 inches, (2) incorporate compost through top 12 inches, and (3) replace with stockpiled site or imported suitable topsoil to a minimum depth of 4 inches.

(B) Stormwater Conveyance Design Criteria. All SCMs shall be designed to convey stormwater to allow for the maximum removal of pollutants and reduction in flow velocities. This shall include but not be limited to:

(1) Surface water protection. The Village Engineer may allow modification to streams, rivers, lakes, wetlands or other surface waters only if the applicant shows proof of compliance with all appropriate permits from the Ohio EPA, the U.S. Army Corps, and other applicable federal, state, and local agencies as required in § 905.07 of this Code, and the activity is in compliance with Chapter 1106 and the Zoning Code, all as determined by the Village Engineer. At a minimum, stream relocation designs must show how the project will minimize changes to the vertical stability, floodplain form, channel form, and habitat of upstream and downstream channels on and off the property.

(2) Off-site stormwater discharges. Off-site stormwater runoff that discharges to or across the applicant's development site shall be conveyed through the stormwater conveyance system planned for the development site at its existing peak flow rates during each design storm. Off-site flows shall be diverted around stormwater quality control facilities or, if this is not possible, the stormwater quality control facility shall be sized to treat the off-site flow. Comprehensive Stormwater Management Plans will not be approved until it is demonstrated to the satisfaction of the Village Engineer that off-

site runoff will be adequately conveyed through the development site in a manner that does not exacerbate upstream or downstream flooding and erosion.

(3) Sheet flow. The site shall be graded in a manner that maintains sheet flow over as large an area as possible. The maximum area of sheet flow shall be determined based on the slope, the uniformity of site grading, and the use of easements or other legally-binding mechanisms that prohibit re-grading and/or the placement of structures within sheet flow areas. In no case shall the sheet flow length be longer than 300 feet, nor shall a sheet flow area exceed 1.5 acres. Flow shall be directed into an open channel, storm sewer, or other SCMs from areas too long and/or too large to maintain sheet flow, all as determined by the Village Engineer.

(4) Open channels. Unless otherwise allowed by the Village Engineer, drainage tributary to SCMs shall be provided by an open channel with vegetated banks and designed to carry the 10-year, 24-hour stormwater runoff from upstream contributory areas.

(5) Open drainage systems. Open drainage systems shall be preferred on all new development sites to convey stormwater where feasible. Storm sewer systems shall be allowed only when the site cannot be developed at densities allowed under Village zoning or where the use of an open drainage system affects public health or safety, all as determined by the Village Engineer. The following criteria shall be used to design storm sewer systems when necessary:

(a) Storm sewers shall be designed such that they do not surcharge from runoff caused by the 5-year, 24-hour storm, and that the hydraulic grade line of the storm sewer stays below the gutter flow line of the overlying roadway, or below the top of drainage structures outside the roadway during a 10-year, 24-hour storm. The system shall be designed to meet these requirements when conveying the flows from the contributing drainage area within the proposed development and existing flows from offsite areas that are upstream from the development.

(b) The minimum inside diameter of pipe to be used in public storm sewer systems is twelve (12) inches. Smaller pipe sizes may be used in private systems, subject to the approval of the Village Engineer.

(c) All storm sewer systems shall be designed taking into consideration the tail water of the receiving facility or water resource. The tail water elevation used shall be based on the design storm frequency. The hydraulic grade line for the storm sewer system shall be computed with consideration for the energy losses associated with entrance into and exit from the system, friction through the system, and turbulence in the individual manholes, catch basins, and junctions within the system.

(d) The inverts of all curb inlets, manholes, yard inlets, and other structures shall be formed and channelized to minimize the incidence of quiescent standing water where mosquitoes may breed.

- (e) Headwalls shall be required at all storm sewer inlets or outlets to and from open channels or lakes.
- (6) Water Resource Crossings. The following criteria shall be used to design structures that cross a water resource in the Village:
- (a) Water resource crossings other than bridges shall be designed to convey the stream's flow for the minimum 25-year, 24-hour storm.
 - (b) Bridges, open bottom arch, or spans are the preferred crossing technique and shall be considered in the planning phase of the development. Bridges and open spans should be considered for all State Scenic Rivers, cold water habitat, exceptional warm water habitat, seasonal salmonid habitat streams, and Class III headwater streams. The footers or piers for these bridges and open spans shall not be constructed below the ordinary high water mark.
 - (c) If a culvert or other closed bottom crossing is used, twenty-five (25%) percent of the cross-sectional area or a minimum of one (1) foot of box culverts and pipe arches must be embedded below the channel bed. The conduit or conveyance must be sized to carry the 25-year storm under these conditions.
 - (d) The minimum inside diameter of pipes to be used for crossings shall be twelve (12) inches.
 - (e) The maximum slope allowable shall be a slope that produces a 10-fps velocity within the culvert barrel under design flow conditions. Erosion protection and/or energy dissipaters shall be required to properly control entrance and outlet velocities.
 - (f) All culvert installations shall be designed with consideration for the tail water of the receiving facility or water resource. The tail water elevation used shall be based on the design storm frequency.
 - (g) Headwalls shall be required at all culvert inlets or outlets to and from open channels or lakes.
 - (h) Streams with a drainage area of five (5) square miles or larger shall incorporate floodplain culverts at the bankfull elevation to restrict head loss differences across the crossing so as to cause no rise in the 100-year storm event.
 - (i) Bridges shall be designed such that the hydraulic profile through a bridge shall be below the bottom chord of the bridge for either the 100-year, 24-hour storm, or the 100-year flood elevation as determined by FEMA, whichever is more restrictive.
- (7) Overland flooding. Overland flood routing paths shall be used to convey stormwater runoff from the 100-year, 24-hour storm event to an adequate receiving

water resource or SCM such that the runoff is contained within the drainage easement for the flood routing path and does not cause flooding of buildings or related structures. The peak 100-year water surface elevation along flood routing paths shall be at least one (1) foot below the finished grade elevation of all structures. When designing the flood routing paths, the conveyance capacity of the site's storm sewers shall be taken into consideration.

(8) Compensatory flood storage mitigation. In order to preserve floodplain storage volumes and thereby avoid increases in water surface elevations, any filling within floodplains approved by the Village must be compensated by providing an equivalent storage volume. First consideration for the location(s) of compensatory floodplain volumes should be given to areas where the stream channel will have immediate access to the new floodplain within the limits of the development site. Consideration will also be given to enlarging existing or proposed retention basins to compensate for floodplain fill if justified by a hydraulic analysis of the contributing watershed. Unless otherwise permitted by the Village, reductions in volume due to floodplain fills must be mitigated within the legal boundaries of the development. Embankment slopes used in compensatory storage areas must reasonably conform to the natural slopes adjacent to the disturbed area. The use of vertical retaining structures is specifically prohibited.

(9) Velocity dissipation. Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall to provide non-erosive flow velocity from the structure to a water resource so that the natural physical and biological characteristics and functions of the water resource are maintained and protected.

(C) Stormwater Quality Control.

(1) Direct runoff to an SCM. The site shall be designed to direct runoff to one or more of the following SCMs. These practices are listed in Table 2 of this Code and shall be designed to meet the following general performance standards:

(a) Extended detention facilities that detain stormwater; settle or filter particulate pollutants; and release the controlled stormwater to a water resource.

(b) Infiltration facilities that retain stormwater; promote settling, filtering, and biodegradation of pollutants; and infiltrate captured stormwater into the ground. The Village Engineer may require a soil engineering report to be prepared for the site to demonstrate that any proposed infiltration facilities meet these performance standards.

For sites less than five (5) acres, but required to create a comprehensive stormwater management plan, the Village Engineer may approve other SCMs if the applicant demonstrates to the Village Engineer's satisfaction that these SCMs meet the objectives of this regulation as stated in § 905.09.

(c) For sites greater than five (5) acres, or less than five (5) acres but part of a larger common plan of development or sale which will disturb five (5) or more acres, the Village Engineer may approve other SCMs if the applicant demonstrates to the Village Engineer's satisfaction that these SCMs meet the objectives of this Code as stated in § 905.09 and has prior written approval from the Ohio EPA.

(d) For the construction of new roads and roadway improvement projects by public entities (i.e. the state, counties, townships, cities, or villages), the Village Engineer may approve SCMs not included in Table 2 of this regulation, but must show compliance with the current version of the Ohio Department of Transportation "*Location and Design Manual, Volume Two Drainage Design.*"

(2) Criteria applying to all SCMs. SCMs chosen must be sized to treat the water quality volume (WQv) and to ensure compliance with Ohio Water Quality Standards (OAC Chapter 3745-1).

(a) The WQv shall be equal to the volume of runoff from a 0.75 inch rainfall event and shall be determined according to one of the following methods:

(i) Through a site hydrologic study approved by the Village Engineer that uses continuous hydrologic simulation; site-specific hydrologic parameters, including impervious area, soil infiltration characteristics, slope, and surface routing characteristics; proposed SCMs controlling the amount and/or timing of runoff from the site; and local long-term hourly records, or

(ii) Using the following equation: $WQ_v = C \cdot P \cdot A / 12$; where terms have the following meanings:

- WQ_v = water quality volume in acre-feet
- C = runoff coefficient appropriate for storms less than 1 in.
- P = 0.75 inch precipitation depth
- A = area draining into the stormwater practice, in acres.

Runoff coefficients required by the Ohio Environmental Protection Agency (Ohio EPA) for use in determining the WQv can be determined using the list in Table 1 or using the following equation to calculate the runoff coefficient:

$$C = 0.858i^3 - 0.78i^2 + 0.774i + 0.04, \text{ where:}$$

i = fraction of the drainage area that is impervious

Table 1: Runoff Coefficients Based on the Type of Land Use

Land Use	Runoff Coefficient
Industrial & Commercial	0.8
High Density Residential (>8 dwellings/acre)	0.5
Medium Density Residential (4 to 8 dwellings/acre)	0.4
Low Density Residential (<4 dwellings/acre)	0.3
Open Space and Recreational Areas	0.2
Where land use will be mixed, the runoff coefficient should be calculated using a weighted average. For example, if 60% of the contributing drainage area to the stormwater treatment structure is Low Density Residential, 30% is High Density Residential, and 10% is Open Space, the runoff coefficient is calculated as follows $(0.6)(0.3)+(0.3)(0.5)+(0.1)(0.2) = (0.35)$	

- (b) An additional volume equal to twenty (20%) percent of the WQv shall be incorporated into the stormwater practice for sediment storage. This volume shall be incorporated into the sections of stormwater practices where pollutants will accumulate.
- (c) Each individual SCM must be sized to treat the WQv associated with its entire contributing drainage area. Exceptions to this may be granted by the Village Engineer and/or the OEPA on a case-by-case basis.
- (d) Stormwater quality management practices shall be designed such that the drain time is long enough to provide treatment and protect against downstream bank erosion, but short enough to provide storage available for successive rainfall events as defined in Table 2.
- (e) Sites within watersheds of coldwater habitat streams shall include SCMs to infiltrate the water quality volume or reduce the temperature of discharged runoff. SCMs that reduce the temperature of discharged runoff include bioretention, permeable pavement, underground detention, and incorporation of shading and infiltration in parking lot design.
- (f) Each practice shall be designed to facilitate sediment removal, vegetation management, debris control, and other maintenance activities defined in the Inspection Plan and Maintenance Agreement for the site.

Table 2: Draw Down Times for Stormwater Control Measure:

Stormwater Control Measure	Drain Time of WQ _v
Infiltration Basin or Trench ¹	48 hours
Permeable Pavement – Infiltration ¹	48 hours
Permeable Pavement – Extended Detention	24 hours
Extended Detention Facilities	
▪ Dry Extended Detention Basin ²	48 hours
▪ Wet Extended Detention Basin ³	24 hours
▪ Constructed Wetlands (above permanent pool) ⁴	24 hours
▪ Bioretention Area/Cell ^{5,6}	24 hours
▪ Sand and other Media Filtration ⁵	24 hours
▪ Pocket Wetland ⁷	24 hours
¹ Practices designed to fully infiltrate the WQ _v shall empty within 48 hours to provide storage for subsequent storm events. ² The use of a forebay and micropool is required on all dry extended detention basins. Each is to be sized at a minimum 10% of the WQ _v . ³ Provide both a permanent pool and an extended detention volume above the permanent pool, each sized with at least 0.75*WQ _v . ⁴ Extended detention shall be provided for the WQ _v above the permanent water pool. ⁵ The surface ponding area shall completely empty within 24 hours so that there is no standing water. Shorter drawdown times are acceptable as long as design criteria in <i>Rainwater and Land Development</i> have been met. ⁶ This includes grassed linear bioretention, which was previously titled enhanced water quality swale. ⁷ Pocket wetlands must have a wet pool equal to the WQ _v , with 25% of the WQ _v in a pool and 75% in marshes. The ED _v above the permanent pool must be equal to the WQ _v .	

(3) Additional criteria applying to infiltration facilities.

- (a) Infiltration facilities should be designed to meet all criteria in *Rainwater and Land Development*.
- (b) All runoff directed into an infiltration basin must first flow through a pretreatment practice such as a grass channel or filter strip to remove coarser sediments that could cause a loss of infiltration capacity.
- (c) During construction, all runoff from disturbed areas of the site shall be diverted away from the proposed infiltration basin site. No construction equipment shall be allowed within the infiltration basin site to avoid soil compaction.

(4) Additional criteria for extended detention facilities.

- (a) The outlet shall be designed to not release more than the first half of the water quality volume in less than one-third (1/3) of the drain time. The outlet shall

be designed to minimize clogging, vandalism, maintenance, and promote the capture of floatable pollutants.

(b) The basin design shall incorporate the following features to maximize multiple uses, aesthetics, safety, and maintainability:

(i) Basin side slopes above the permanent pool shall have a run to rise ratio of 4:1 or flatter.

(ii) The perimeter of all permanent pool areas deeper than four (4) feet shall be surrounded by an aquatic bench that extends at least eight (8) feet and no more than fifteen (15) feet outward from the normal water edge. The eight (8) feet wide portion of the aquatic bench closest to the shoreline shall have an average depth of six (6) inches below the permanent pool to promote the growth of aquatic vegetation. The remainder of the aquatic bench shall be no more than fifteen (15) inches below the permanent pool to minimize drowning risk to individuals who accidentally or intentionally enter the basin, and to limit growth of dense vegetation in a manner that allows waves and mosquito predators to pass through the vegetation. The maximum slope of the aquatic bench shall be 10 (H) to 1 (V). The aquatic bench shall be planted with native plant species comparable to wetland vegetation that are able to withstand prolonged inundation. The use of invasive plant species is prohibited.

(iii) A forebay designed to allow larger sediment particles to settle shall be placed at basin inlets. The forebay and micropool volume shall be equal to at least ten (10%) percent of the water quality volume (WQv).

(iv) Detention basins shall be provided with an emergency drain, where practicable, so that the basin may be emptied if the primary outlet becomes clogged and/or to drain the permanent pool to facilitate maintenance. The emergency drain should be designed to drain by gravity where possible.

(5) Criteria for the Acceptance of Alternative post-construction SCMs. The applicant may request approval from the Village Engineer for the use of alternative structural post-construction SCMs if the applicant shows to the satisfaction of the Village Engineer that these SCMs are equivalent in pollutant removal and runoff flow/volume reduction effectiveness to those listed in Table 2. If the site is greater than five (5) acres, or less than five (5) acres but part of a larger common plan of development or sale which will disturb five (5) or more acres, prior approval from the Ohio EPA is necessary. To demonstrate the equivalency, the applicant must show:

(a) The alternative SCM has a minimum total suspended solid (TSS) removal efficiency of eighty (80%) percent, using the Level II Technology Acceptance Reciprocity Partnership (TARP) testing protocol.

(b) The water quality volume discharge rate from the selected SCM is reduced to prevent stream bed erosion, unless there will be negligible hydrologic impact to the receiving surface water of the State. The discharge

rate from the SCM will have negligible impacts if the applicant can demonstrate one of the following conditions:

- (i) The entire water quality volume is recharged to groundwater.
- (ii) The development will create less than one acre of impervious surface.
- (iii) The development project is a redevelopment project with an ultra-urban setting, such as a downtown area, or on a site where one hundred (100%) percent of the project area is already impervious surface and the stormwater discharge is directed into an existing storm sewer system.
- (iv) The stormwater drainage system of the development discharges directly into a large river of fourth order or greater or to a lake, and where the development area is less than five (5%) percent of the water area upstream of the development site, unless a TMDL has identified water quality problems in the receiving surface water of the State.

(D) Stormwater Quantity Control. The Comprehensive Stormwater Management Plan shall describe how the proposed SCMs are designed to meet the following requirements for stormwater quantity control for each watershed in the development:

- (1) The peak discharge rate of runoff from the Critical Storm and all more frequent storms occurring under post-development conditions shall not exceed the peak discharge rate of runoff from a 1-year, 24-hour storm occurring on the same development drainage area under pre-development conditions.
- (2) Storms of less frequent occurrence (longer return periods) than the Critical Storm, up to the 100-year, 24-hour storm shall have peak runoff discharge rates no greater than the peak runoff rates from equivalent size storms under pre-development conditions. The 1, 2, 5, 10, 25, 50, and 100-year storms shall be considered in designing a facility to meet this requirement.
- (3) The Critical Storm for each specific development drainage area shall be determined as follows:
 - (a) Determine, using a curve number-based hydrologic method or other hydrologic method approved by the Village Engineer, the total volume (acre-feet) of runoff from a 1-year, 24-hour storm occurring on the development drainage area before and after development. These calculations shall meet the following standards:
 - (i) Calculations shall include the lot coverage assumptions used for full build out as proposed.
 - (ii) Calculations shall be based on the entire contributing watershed to the development area.

(iii) Model pervious, directly connected impervious and disconnected impervious areas as separate subwatersheds.

(iv) Drainage area maps shall include area, curve number, time of concentrations. Time of concentration shall also show the flow path and the separation in flow type.

(v) Rainfall Depth. For the most accurate, up-to-date, location-specific rainfall data for stormwater design, use the Precipitation-Frequency Atlas of the United States, NOAA Atlas 14, Vol 2(3). [available online: <http://hdsc.nws.noaa.gov/hdsc/pfds/>.]

(vi) Temporal Distribution. Use the SCS Type II rainfall distribution for all design events with a recurrence interval greater than one (1) year. Include lot coverage assumptions used for full build out of the proposed condition.

(vii) Curve numbers for the pre-development condition shall reflect the average type of land use over the past ten (10) years and not only the current land use.

(1) Pre-development Curve Numbers. For wooded or brushy areas, use listed values from TR-55 NRCS USDA Urban Hydrology for Small Watersheds, 1986 in good hydrologic condition. For meadows, use listed values. For all other areas (including all types of agriculture), use pasture, grassland, or range in good hydrologic condition.

(2) Post-development Curve Numbers. Open space areas shall use post-construction HSGs from *Rainwater and Land Development* unless the soil is amended after development according to the following protocol: till the subsoil to 15-18 inches, then till using a chisel, spader, or rotary tillage and incorporate compost through top 12 inches, replace topsoil to a minimum depth of 4 inches. All undisturbed areas or open space with amended soils shall be treated as "open space in good condition."

(viii) Time of Concentration. Use velocity based methods from (TR-55 NRCS USDA Urban Hydrology in Small Watersheds, 1986) to estimate travel time (Tt) for overland (sheet) flow, shallow concentrated flow and channel flow.

(1) Maximum sheet flow length is one hundred (100) feet.

(2) Use the appropriate "unpaved" velocity equation for shallow concentrated flow from Soil Conservation Service National Engineer Handbook Section 4 - Hydrology (NEH-4).

(ix) The volume reduction provided by permeable pavement, bioretention, or other LID SCMs may be subtracted from the post development stormwater volume. Volume reductions for these practices may be demonstrated using methods outlined in *Rainwater and Land Development* or a hydrologic model acceptable to the Village Engineer.

(b) To account for future post-construction improvements to the site, calculations shall assume an impervious surface such as asphalt or concrete for all parking areas and driveways, regardless of the surface proposed in the site description except in instances of engineered permeable pavement systems. From the volume determined in § 905.09(D)(3)(a), determine the percent increase in volume of runoff due to development. Using the percentage, select the 24-hour Critical Storm from Table 3.

Table 3: 24-Hour Critical Storm

If the Percentage of Increase in Volume of Runoff is:		The Critical Storm will be:
Equal to or Greater Than:	and Less Than:	
----	10	1 year
10	20	2 year
20	50	5 year
50	100	10 year
100	250	25 year
250	500	50 year
500	---	100 year

For example, if the percent increase between the pre- and post-development runoff volume for a 1-year storm is 35%, the Critical Storm is a 5-year storm. The peak discharge rate of runoff for all storms up to this frequency shall be controlled so as not to exceed the peak discharge rate from the 1-year frequency storm under pre-development conditions in the development drainage area. The post-development runoff from all less frequent storms need only be controlled to meet pre-development peak discharge rates for each of those same storms.

E. Stormwater Management on Redevelopment Projects.

(1) Comprehensive Stormwater Management Plans for redevelopment projects must accomplish one of the following options:

(a) Reduce existing site impervious areas by at least twenty-five (25%) percent, a one-for-one credit towards the twenty-five (25%) percent net reduction of impervious area can be obtained through the use green roofs.

- (b) Infiltrate at least twenty-five (25%) percent of the WQv.
- (c) Capture, treat and release fifty (50%) percent of the WQv.

(2) Where projects are a combination of new development and redevelopment, the total water quality volume required to be treated shall be calculated by a weighted average based on acreage, with the new development at one hundred (100%) percent water quality volume and redevelopment at twenty-five (25%) percent infiltration of the WQv or fifty (50%) percent treatment of the WQv.

(3) Where conditions prevent impervious area reduction or on-site stormwater management for redevelopment projects, practical alternatives as detailed in § 905.10 may be approved by the Village Engineer.

905.10 ALTERNATIVE ACTIONS.

(A) When the Village determines that site constraints compromise the intent of this Code, off-site alternatives may be used that result in an improvement of water quality and a reduction of stormwater quantity. Such alternatives shall meet the following standards:

- (1) Shall achieve the same level of stormwater quantity and quality control that would be achieved by the on-site controls required under this Code.
- (2) Implemented in the same Hydrologic Unit Code (HUC) 12 watershed unit as the proposed development project.
- (3) The mitigation ratio of the water quality volume is 1.5 to 1 or the water quality volume at the point of retrofit, whichever is greater.
- (4) An inspection and maintenance agreement as described in § 905.08(D)(10) is established to ensure operations and treatment in perpetuity.
- (5) Obtain prior written approval from Ohio EPA.

(B) Alternative actions may include, but are not limited to the following. All alternative actions shall be approved by the Village Engineer:

- (1) Fees, in an amount specified by the Village to be applied to community-wide SCMs.
- (2) Implementation of off-site SCMs and/or the retrofit of an existing practice to increase quality and quantity control.
- (3) Stream, floodplain, or wetland restoration.
- (4) Acquisition or conservation easements on protected open space significantly contributing to stormwater control such as wetland complexes.

905.11 EASEMENTS.

Access to SCMs as required by the Village Engineer for inspections and maintenance shall be secured by easements. The following conditions shall apply to all easements:

- (A) Easements shall be included in the Inspection and Maintenance Agreement submitted with the Comprehensive Stormwater Management Plan.
- (B) Easements shall be approved by the Village Law Director prior to approval of a final plat and shall be recorded with the Lake County Recorder and on all property deeds.
- (C) Unless otherwise required by the Village Engineer, access easements between a public right-of-way and all SCMs shall be no less than 25-feet wide. The easement shall also incorporate the entire practice plus an additional 25-foot wide band around the perimeter of the SCM.
- (D) The easement shall be graded and/or stabilized as necessary to allow maintenance equipment to access and manipulate around and within each facility, as defined in the Inspection and Maintenance Agreement for the site.
- (E) Easements to structural SCMs shall be restricted against the construction therein of buildings, fences, walls, and other structures that may obstruct the free flow of stormwater and the passage of inspectors and maintenance equipment; and against the changing of final grade from that described by the final grading plan approved by the Village. Any re-grading and/or obstruction placed within a maintenance easement may be removed by the Village at the property owners' expense.

905.12 MAINTENANCE AND FINAL INSPECTION APPROVAL.

To receive final inspection and acceptance of any project, or portion thereof, the following must be completed by the applicant and provided to the Village Engineer:

- (A) Final stabilization must be achieved and all permanent SCMs must be installed and made functional, as determined by the Village Engineer and per the approved Comprehensive Stormwater Management Plan.
- (B) An As-Built Certification, including As-Built Survey and Inspection, must be sealed, signed and dated by a Professional Engineer and a Professional Surveyor with a statement certifying that the stormwater control measures, as designed and installed, meet the requirements of the Comprehensive Stormwater Management Plan approved by the Village Engineer. In evaluating this certification, the Village Engineer may require the submission of a new set of stormwater practice calculations if he/she determines that the design was altered significantly from the approved Comprehensive Stormwater Management Plan. The As-Built Survey must provide the location, dimensions, and bearing of such practices and include the entity responsible for long-term maintenance as detailed in the Inspection and Maintenance Agreement.

(C) A copy of the complete and recorded Inspection and Maintenance Plan and Inspection and Maintenance Agreement as specified in § 905.08 must be provided to the Village Engineer and Law Director.

905.13 ON-GOING INSPECTIONS.

The owner shall inspect SCMs regularly as described in the Inspection and Maintenance Plan and Inspection and Maintenance Agreement. The Village has the authority to enter upon the property to conduct inspections as necessary, with prior notification of the property owner, to verify that the SCMs are being maintained and operated in accordance with this Code. Upon finding a malfunction or other need for maintenance or repair, the Village shall provide written notification to the responsible party, as detailed in the Inspection and Maintenance Agreement, of the need for maintenance. Upon notification, the responsible party shall have five (5) working days, or other mutually agreed upon time, to makes repairs or submit a plan with detailed action items and established timelines. Should repairs not be made within this time, or a plan approved by the Village Engineer for these repairs not in place, the Village may undertake the necessary repairs and assess the responsible party.

905.14 FEES.

The Comprehensive Stormwater Management Plan review, filing, and inspection fee is part of a complete submittal and is required to be submitted to the Village before the review process begins. The Village Engineer shall establish a fee schedule based upon the actual estimated cost for providing these services.

905.15 BOND.

(A) If a Comprehensive Stormwater Management Plan is required by this Code, soil-disturbing activities shall not be permitted until a cash bond of five (5%) percent of the total project cost has been deposited with the Village Fiscal Officer. This bond shall be posted for the Village to perform the obligations otherwise to be performed by the owner of the development area as stated in this Code and to allow all work to be performed as needed in the event that the applicant fails to comply with the provisions of this Code. The stormwater bond will be returned, less Village administrative fees as detailed in the Zoning Code, when the following three criteria are met:

- (1) After eighty (80%) percent of the lots of the project have been complete or one hundred (100%) percent of the total project has been permanently stabilized or three (3) years from the time of permanent stabilization have passed.
- (2) An As-Built Inspection of all stormwater control measures as described in § 905.12 is approved by the Village Engineer.
- (3) An Inspection and Maintenance Plan has been approved by the Village and Inspection and Maintenance Agreement has been signed by the developer, the contractor, the Village, and the private owner or homeowners association who will take long term responsibility for these SCMs, is accepted by the Village Engineer.

(B) Once these criteria are met, the applicant shall be reimbursed all bond monies that were not used for any part of the project. If all of these criteria are not met after three (3) years of permanent stabilization of the site, the Village may use the bond monies to fix any outstanding issues with all stormwater management structures on the site and the remainder of the bond shall be given to the private lot owner/homeowners association for the purpose of long term maintenance of the project.

905.16 INSTALLATION OF WATER QUALITY STORMWATER CONTROL MEASURES.

The applicant may not direct runoff through any water quality structures or portions thereof that would be degraded by construction site sediment until the entire area tributary to the structure has reached final stabilization, as determined by the Village Engineer. This occurs after the completion of the final grade at the site, after all of the utilities are installed, and the site is subsequently stabilized with vegetation or other appropriate methods. The developer must provide documentation acceptable to the Village Engineer to demonstrate that the site is completely stabilized. Upon this proof of compliance, the water quality structure(s) may be completed and placed into service. Upon completion of installation of these practices, all disturbed areas and/or exposed soils caused by the installation of these practices must be stabilized within two (2) days.

905.17 VIOLATIONS.

No person shall violate or cause or knowingly permit to be violated any of the provisions of this Code, or fail to comply with any of such provisions or with any lawful requirements of any public authority made pursuant to this Code, or knowingly use or cause or permit the use of any lands in violation of this Code or in violation of any permit granted under this Code.

905.18 APPEALS.

Any person aggrieved by any order, requirement, determination, or any other action or inaction by a Village officer in relation to this Code may appeal to the court of common pleas of Lake County. Such an appeal shall be made in conformity with Chapter 2506 of the Ohio Revised Code. Written notice of appeal shall be served on the Village in conformity with law.

905.99 PENALTY.

(A) Any person, firm, entity or corporation; including but not limited to, the owner of the property, his/her agents and assigns, occupant, property manager, and any contractor or subcontractor who violates or fails to comply with any provision of this Code is guilty of a misdemeanor of the third degree and shall be fined no more than five hundred dollars (\$500.00) or imprisoned for no more than sixty (60) days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(B) The imposition of any other penalties provided herein shall not preclude the Village instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful development, or to restrain, correct, or abate a violation, or to require compliance with the provisions of this Code or other applicable laws, ordinances, rules, or regulations, or the orders of Village officials made pursuant to same.

ORDINANCE NO. 42 - 2016

AN ORDINANCE ENACTING CHAPTER 906 OF PART NINE, STREETS AND UTILITIES CODE, OF THE CODIFIED ORDINANCES OF MADISON VILLAGE, OHIO, ESTABLISHING COMPREHENSIVE REGULATIONS AGAINST ILLICIT DISCHARGE AND ILLEGAL CONNECTIONS TO THE VILLAGE SEPARATE STORM SEWER SYSTEM, AND DECLARING AN EMERGENCY.

WHEREAS, the Village is under legal mandate to bring its ordinances into compliance with Ohio and Federal environmental statutes; and

WHEREAS, illicit discharges and illegal connections to the Village separate storm sewer system damages property and degrades water resources and is injurious to the health, safety, and welfare of the citizens of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. That as of the effective date of this Ordinance the following ordinances of the Village of Madison, Ohio of a general and permanent nature as arranged into component codes, titles, articles and sections are hereby approved, adopted and enacted as Chapter 906 of Part Nine – Streets and Utilities Code of the Codified Ordinances of Madison Village, Ohio:

906.01	Purpose and Scope.
906.02	Applicability.
906.03	Definitions.
906.04	Disclaimer of Liability.
906.05	Conflicts, Severability, Nuisances & Responsibility.
906.06	Responsibility for Administration.
906.07	Discharge and Connection Prohibitions.
906.08	Monitoring of Illicit Discharges and Illegal Connections.
906.09	Enforcement.
906.99	Penalty.

SECTION 2. That the full, complete and accurate text of Chapter 906 of Part Nine – Streets and Utilities Code of the Codified Ordinances of Madison Village, Ohio is attached hereto as Exhibit “1” and incorporated herein as if fully re-written.

SECTION 3. That publication of these ordinances shall occur in book form containing the certification of the President of Council and Fiscal Officer of their correctness and same shall constitute the Codified Ordinances of Madison Village, Ohio, Part Nine – Streets and Utilities Code, Chapter 906.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the Village of Madison and because immediate enactment is necessary to meet EPA compliance deadlines; wherefore, this Ordinance shall take effect and be in force from and immediately upon passage.

PASSED:

Kenneth D. Takacs
President of Council

Attested:

Kristie M. Crockett
Fiscal Officer / Clerk of Council

Approved:

Date: _____

Sam Britton, Jr.
Mayor

**CHAPTER 906
ILLICIT DISCHARGE AND ILLEGAL CONNECTION CONTROL**

906.01 PURPOSE AND SCOPE.

The purpose of this Code is to provide for the health, safety, and general welfare of the citizens of the Village through the regulation of illicit discharges to the municipal separate storm sewer system (MS4). This Code establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process as required by the Ohio Environmental Protection Agency (Ohio EPA). The objectives of this Code are:

- (1) To prohibit illicit discharges and illegal connections to the MS4.
- (2) To establish legal authority to carry out inspections, monitoring procedures, and enforcement actions necessary to ensure compliance with this Code.

906.02 APPLICABILITY.

This Code shall apply to all residential, commercial, industrial, or institutional facilities responsible for discharges to the MS4 and on any lands in the Village, except for those discharges generated by the activities detailed in § 906.07(A)(1) to (A)(3) of this Code.

906.03 DEFINITIONS.

The words and terms used in this Code, unless otherwise expressly stated, shall have the following meaning:

- (A) "Best Management Practices (BMPs)" means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to storm water. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.
- (B) "Floatable material" means any foreign matter that may float or remain suspended in the water column, and includes but is not limited to: plastic, aluminum cans, wood products, bottles, and paper products.
- (C) "Hazardous material" means any material including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- (D) "Illicit discharge" is as defined at 40 C.F.R. 122.26(b)(2), and as amended from time to time, means any discharge to an MS4 that is not composed entirely of storm water, except for those discharges to an MS4 pursuant to a NPDES permit or noted in § 906.07 of this Code.

(E) "Illegal connection" means any drain or conveyance, whether on the surface or subsurface, that allows an illicit discharge to enter the MS4.

(F) "Municipal Separate Storm Sewer System (MS4)" is defined at 40 C.F.R. 122.26(b)(8), and as amended from time to time, and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(1) Owned or operated by a State, city, town, borough, county, parish, district, municipality, township, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over sewage, industrial wastes, including special districts under State law such as a sewer district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges to waters of the United States;

(2) Designed or used for collecting or conveying storm water;

(3) Which is not a combined sewer; and

(4) Which is not part of a Publicly Owned Treatment Works (POTW), as defined at 40 C.F.R. 122.2.

(G) "National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit" means a permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area wide basis.

(H) "Off-lot discharging home sewage treatment system" means a system designed to treat home sewage on-site and discharges treated wastewater effluent off the property into a storm water or surface water conveyance or system.

(I) "Owner/Operator" means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or on the owner's behalf.

(J) "Pollutant" means anything that causes or contributes to pollution. Pollutants may include, but are not limited to, paints, varnishes, solvents, oil and other automotive fluids, non-hazardous liquid and solid wastes, yard wastes, refuse, rubbish, garbage, litter or other discarded or abandoned objects, floatable materials, pesticides, herbicides, fertilizers, hazardous materials, wastes, sewage, dissolved and particulate metals, animal wastes, residues that result from constructing a structure, and noxious or offensive matter of any kind.

(K) "Storm water" means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

(L) "Wastewater" means the spent water of a community. From the standpoint of a source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions.

906.04 DISCLAIMER OF LIABILITY.

Compliance with the provisions of this Code shall not relieve any person from responsibility for damage to any person otherwise imposed by law. The provisions of this Code are promulgated to promote the health, safety, and welfare of the public and are not designed for the benefit of any individual or for the benefit of any particular parcel of property.

906.05 CONFLICTS, SEVERABILITY, NUISANCES & RESPONSIBILITY.

(A) Where this Code is in conflict with other provisions of law, the most restrictive provisions, as determined by the Village, shall prevail.

(B) If any clause, section, or provision of this Code is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.

(C) This Code shall not be construed as authorizing any person to maintain a nuisance on their property, and compliance with the provisions of this Code shall not be a defense in any action to abate such a nuisance.

(D) Failure of the Village to observe or recognize hazardous or unsightly conditions or to recommend corrective measures shall not relieve the site owner from the responsibility for the condition or damage resulting there from, and shall not result in the Village, its officers, employees, or agents being responsible for any condition or damage resulting there from.

906.06 RESPONSIBILITY FOR ADMINISTRATION.

The Village Administrator shall administer, implement, and enforce the provisions of this Code.

906.07 DISCHARGE AND CONNECTION PROHIBITIONS.

(A) Prohibition of Illicit Discharges. No person shall discharge, or cause to be discharged, an illicit discharge into the MS4. The commencement, conduct, or continuance of any illicit discharge to the MS4 is prohibited except as described below:

- (1) Water line flushing; landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration; uncontaminated pumped ground water; discharges from potable water sources; foundation drains; air conditioning condensate; irrigation water; springs; water from crawl space pumps; footing drains; lawn watering; individual residential car washing; flows from riparian habitats and wetlands; dechlorinated swimming pool discharges; street wash water; and discharges or flows from firefighting activities. These discharges are exempt until such time as

they are determined by the Village to be significant contributors of pollutants to the MS4.

(2) Discharges specified in writing by the Village as being necessary to protect public health and safety.

(3) Discharges from off-lot discharging home sewage treatment systems permitted by the Lake County Board of Health for the purpose of discharging treated sewage effluent in accordance with Ohio Administrative Code 3701-29, or other applicable Lake County Board of Health regulations, until such time as the Ohio Environmental Protection Agency issues an NPDES permitting mechanism for Household Sewage Treatment Systems existing prior to January 1, 2007. These discharges are exempt unless such discharges are deemed to be creating a public health nuisance by the Lake County Board of Health.

In compliance with the Lake County Stormwater Management Program, discharges from all off-lot discharging home sewage treatment systems must either be eliminated or have coverage under an appropriate NPDES permit issued and approved by the Ohio Environmental Protection Agency. When such permit coverage is available, discharges from off-lot discharging home sewage treatment systems will no longer be exempt from the requirements of this Code.

(B) Prohibition of Illegal Connections. The construction, use, maintenance, or continued existence of illegal connections to the MS4 is prohibited.

(1) This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(2) A person is considered to be in violation of this Code if the person connects a line conveying illicit discharges to the MS4, or allows such a connection to continue.

906.08 MONITORING OF ILLICIT DISCHARGES AND ILLEGAL CONNECTIONS.

(A) Establishment of an Illicit Discharge and Illegal Connection Monitoring Program. The Village shall establish a program to detect and eliminate illicit discharges and illegal connections to the MS4. This program shall include the mapping of the MS4, including MS4 outfalls and home sewage treatment systems, the routine inspection of storm water outfalls to the MS4, and the systematic investigation of potential residential, commercial, industrial, and institutional facilities for the sources of any dry weather flows found as the result of these inspections.

(B) Inspection of Residential, Commercial, Industrial, or Institutional Facilities.

(1) The Village shall be permitted to enter and inspect facilities subject to this Code as often as may be necessary to determine compliance with this Code.

(2) The Village shall have the right to set up at facilities subject to this Code such devices as are necessary to conduct monitoring and/or sampling of the facility's storm water discharge, as determined by the Village.

(3) The Village shall have the right to require the facility owner/operator to install monitoring equipment as necessary. This sampling and monitoring equipment shall be maintained at all times in safe and proper operating condition by the facility owner/operator at the owner/operator's expense. All devices used to measure storm water flow and quality shall be calibrated by the Village to ensure their accuracy.

(4) Any temporary or permanent obstruction to safe and reasonable access to the facility to be inspected and/or sampled shall be promptly removed by the facility's owner/operator at the written or oral request of the Village and shall not be replaced. The costs of clearing such access shall be borne by the facility owner/operator.

(5) Unreasonable delays in allowing the Village access to a facility subject to this Code for the purposes of illicit discharge inspection is a violation of this Code.

(6) If the Village is refused access to any part of the facility from which storm water is discharged, and the Village demonstrates probable cause to believe that there may be a violation of this Code, or that there is a need to inspect and/or sample as part of an inspection and sampling program designed to verify compliance with this Code or any order issued hereunder, or to protect the public health, safety, and welfare, the Village may seek issuance of a search warrant, civil remedies including but not limited to injunctive relief, and/or criminal remedies from any court of appropriate jurisdiction.

(7) Any costs associated with these inspections shall be assessed to the facility owner/operator.

906.09 ENFORCEMENT.

(A) Notice of Violation. When the Village finds that a person has violated a prohibition or failed to meet a requirement of this Code, the Village may order compliance by written Notice of Violation. Such notice must specify the violation and shall be hand delivered, and/or sent by registered mail, to the owner/operator of the facility. Such notice may require the following actions:

- (1) The performance of monitoring, analyses, and reporting;
- (2) The elimination of illicit discharges or illegal connections;
- (3) That violating discharges, practices, or operations cease and desist;
- (4) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; or

(5) The implementation of source control or treatment BMPs.

(B) If abatement of a violation and/or restoration of affected property is required, the Notice of Violation shall set forth a deadline within which such remediation or restoration must be completed. Said Notice shall further advise that, should the facility owner/operator fail to remediate or restore within the established deadline, a legal action for enforcement may be initiated.

(C) Any person receiving a Notice of Violation must meet compliance standards within the time established in the Notice of Violation.

(D) Any person aggrieved by any order, requirement, determination, or any other action or inaction by a Village officer in relation to this Code may appeal to the court of common pleas of Lake County. Such an appeal shall be made in conformity with Chapter 2506 of the Ohio Revised Code. Written notice of appeal shall be served on the Village in conformity with law.

(E) Injunctive Relief. It shall be unlawful for any owner/operator to violate any provision or fail to comply with any of the requirements of this Code. If an owner/operator has violated or continues to violate the provisions of this Code, the Village may petition for a preliminary or permanent injunction restraining the owner/operator from activities that would create further violations or compelling the owner/operator to perform abatement or remediation of the violation.

906.99 PENALTY.

(A) Any person, firm, entity or corporation; including but not limited to, the owner of the property, his/her agents and assigns, occupant, property manager, and any contractor or subcontractor who violates or fails to comply with any provision of this Code is guilty of a misdemeanor of the third degree and shall be fined no more than five hundred dollars (\$500.00) or imprisoned for no more than sixty (60) days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(B) The imposition of any other penalties provided herein shall not preclude the Village instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful development, or to restrain, correct, or abate a violation, or to require compliance with the provisions of this Code or other applicable laws, ordinances, rules, or regulations, or the orders of Village officials made pursuant to same.