

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2026

6
7 AN ORDINANCE AMENDING SECTIONS 929.07 AND
8 929.09 OF THE CODIFIED ORDINANCES OF THE CITY OF
9 CUYAHOGA FALLS, OHIO, TITLE 9, CHAPTER 929,
10 "STORM DRAINAGE UTILITY," IN THE CITY OF
11 CUYAHOGA FALLS, OHIO, AND DECLARING AN
12 EMERGENCY.

13
14 WHEREAS, the Ohio Environmental Protection Agency releases guidelines that
15 require compliance with certain storm drainage utility and storm water management
16 regulations; and

17
18 WHEREAS, amending the Codified Ordinances of the City of Cuyahoga Falls, Ohio by
19 amending Sections 929.07 and 929.09 of Title 9, Chapter 929, "Storm Drainage Utility,"
20 shall produce compliance.

21
22 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
23 County of Summit and State of Ohio, that:

24
25 Section 1, Sections 929.07 and 929.09 of Title 9, Chapter 929, "Storm Drainage
26 Utility," are hereby amended and/or supplemented as follows (new text **Bold**; deleted text
27 in strikethrough):

28
29 929.07 POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW
30 DEVELOPMENT AND REDEVELOPMENT PROJECTS.

31
32 The City Engineer is authorized to condition the issuance of an Excavation/Grading
33 Permit upon the **following**:

- 34 ~~(a) agreement of~~ **(a) The Owner of the lot or parcel affected shall establish an**
35 **agreement with the City Engineer** to implement and maintain Best
36 Management Practices (BMPs), as defined in Section 1124.032 of these
37 Ordinances, for the purpose of ~~controlling runoff~~ **providing stormwater runoff**
38 **quantity and quality control** from new development and redevelopment projects
39 for the life of such projects. The form of agreement shall be approved by the
40 Director of Law and shall be known as a Storm Water Drainage Facilities
41 Maintenance Agreement. The Agreement shall ensure adequate long-term
42 operation and maintenance of the BMPs, and shall be recordable with the intent
43 to bind subsequent owners, transferees, mortgagees, and other parties in interest.
- 44 **(b) The Owner has prepared a post-construction Long Term Maintenance Plan**
45 **as defined in Section 1124.02 and has obtained plan approval from Summit**
46 **Soil and Water Conservation District (SSWCD).**

47
48 929.09 ACTION ON APPLICATION; PERMIT ISSUANCE; PERMIT FEE

49
50 Upon receipt of the reviewed application materials, comments and/or
51 recommendations from SSWCD, the City Engineer shall grant the Excavation/Grading
52 Permit, deny the permit, or grant the permit subject to modifications appended by the
53 City Engineer. The City Engineer shall require that a permit fee of fifty dollars (\$50.00)
54 be paid to the City prior to issuing any permit under this Section. Every
55 Excavation/Grading Permit granted shall meet the following requirements:

- 56 (a) For the purpose of implementing construction site storm water runoff control, the
 57 permit shall require conformance with the requirements for Storm Water Pollution
 58 Prevention Plans set forth in the Ohio EPA General Construction Permit effective
 59 ~~April 22, 2018~~ **April 23, 2023** (Ohio EPA Permit No. OHC0000056), or successor
 60 requirements.
- 61 (b) For post-construction storm water management in new development or
 62 redevelopment projects, the permit shall require conformance with the
 63 requirements for Storm Water Pollution Prevention Plans set forth in Ohio EPA
 64 Permit No. OHC0000056, **or successor requirements**, and in Section 1124.032
 65 of these Ordinances. In the event these requirements conflict, the authority
 66 requiring the higher performance standard shall apply.
- 67 (c) For post-construction storm water management in new development or
 68 redevelopment projects, the permit shall require execution and recording of a
 69 Storm Water Drainage Facilities Maintenance Agreement, for the purpose of
 70 ensuring that Best Management Practices implemented pursuant to the permit
 71 are in place and functioning to prevent or minimize water quality impacts, for the
 72 life of the project.

73
 74
 75 Section 2. Any other ordinances or resolutions or portions of ordinances and
 76 resolutions inconsistent herewith be and the same are hereby repealed, but any
 77 ordinances and resolutions not inconsistent herewith and which have not previously been
 78 repealed are hereby ratified and confirmed.

79
 80 Section 3. It is found and determined that all formal actions of this Council
 81 concerning and relating to the passage of this ordinance were taken in an open meeting
 82 of this Council and that all deliberations of this Council and of any committees that
 83 resulted in those formal actions were in meetings open to the public, in compliance with
 84 all legal requirements including Chapter 107 of the Codified Ordinances.

85
 86 Section 4. This ordinance is hereby declared to be an emergency measure necessary
 87 for the preservation of the public peace, health, safety, convenience and welfare of the
 88 City of Cuyahoga Falls and the inhabitants thereof, for the reason that it is necessary to
 89 comply with Ohio EPA guidelines, and provided it receives the affirmative vote of two-
 90 thirds of the members elected or appointed to Council, it shall take effect and be in force
 91 immediately upon its passage and approval by the Mayor; otherwise it shall take effect
 92 and be in force at the earliest period allowed by law.

93
 94
 95 Passed: _____
 96 _____
 97 President of Council

98
 99
 100 _____
 101 Clerk of Council

102
 103 Approved: _____
 104 _____
 105 Mayor

3/23/26