

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 16-149

INTRODUCED BY: Langshaw, Muller, Petrusky  
Co-Sponsor: Marnecheck

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART FOURTEEN BUILDING AND HOUSING CODE, CHAPTER 1481 STORM WATER MANAGEMENT, BY CREATING APPENDIX I AND BY AMENDING SECTION 1481.08 MAINTENANCE OF SYSTEMS, PARAGRAPH (a), AND DECLARING AN EMERGENCY

WHEREAS: It has been determined to be necessary to amend the Codified Ordinances of the City of North Royalton, Part Fourteen Building and Housing Code, Chapter 1481 Storm Water Management, by creating Appendix I, and by amending Section 1481.08 Maintenance of Systems, Paragraph (a) in order to provide for updated language pertaining to Appendix I; and

WHEREAS: Council desires to provide for these amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part Fourteen Building and Housing Code, Chapter 1481 Storm Water Management is hereby amended by creating Appendix I which is marked as Exhibit A attached hereto and incorporated as if fully rewritten.

Section 2. Part Fourteen Building and Housing Code, Chapter 1481 Storm Water Management, Section 1481.08 Maintenance of Systems. Paragraph (a) of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

(a) Any portion of the drainage system on private property including on-site and off-site storage facilities, shall be continuously maintained by the owner of the property unless such system or portion thereof is officially accepted by the City for maintenance. The developer/owner shall cause the maintenance obligation to be inserted in the chain of title to the affected lands as a covenant running with the land in favor of the City. ***To ensure that the proper maintenance of the storm water management improvements will occur, the property owner shall execute a maintenance agreement containing those terms and provisions set forth in the maintenance agreement in substantially the same form as incorporated herein as Appendix I of this chapter. No maintenance agreement shall be executed by or on behalf of the City without first being reviewed by the City Engineer and Law Director.***

Section 3. This Ordinance shall supersede all previously adopted ordinances in direct conflict herewith.

Section 4. Chapter 1481 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of this chapter shall remain in full force and effect.

Section 5. 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.

Section 6. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend the Codified Ordinances of the City of North Royalton, Part Fourteen Building and Housing Code, Chapter 1481 Storm Water Management, by creating Appendix I, and by amending Section 1481.08 Maintenance of Systems, Paragraph (a) in order to provide for updated language pertaining to Appendix I.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz  
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz  
ACTING MAYOR

DATE PASSED: October 18, 2016

DATE APPROVED: October 19, 2016

ATTEST: /s/ Laura J. Haller  
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended  
Second reading suspended  
Third reading October 18, 2016

YEAS: Antoskiewicz, Petrusky, Langshaw,  
Marnecheck, Muller, Kasaris

NAYS: none

ABSENT: Nickell