

LOGAN COUNTY STORMWATER
AND SEDIMENT CONTROL
REGULATIONS

RESOLUTION _____

The Board of County Commissioners, in and for Logan County, Ohio, met on this date of October 14, 1997, in regular session, with the full board present.

Mr. _____ moved that the following Resolution be adopted:

RE: PUBLIC HEARING ON LOGAN COUNTY'S PROPOSED STORMWATER AND SEDIMENT CONTROL REGULATIONS: RESOLUTION #_____

WHEREAS, a public hearing was held by the Logan County Commissioners on the 25th day of September, 1997 at 11:00 a.m. This is the date and time set by the Board of Logan County Commissioners to hold the first public hearing on Logan County's proposed Stormwater and Sediment Control Regulations, and

WHEREAS, a public hearing was held by the Logan County Commissioners on the 14th day of October, 1997 at 11:00 a.m. This is the date and time set by the Board of Logan County Commissioners to hold the second public hearing on Logan County's proposed Stormwater and Sediment Control Regulations, and

THEREFORE BE IT RESOLVED by the Logan County Commissioners that the Logan County Stormwater and Sediment Control Regulations be adopted.

Mr. _____ seconded the motion.

Roll call resulted as follows:

Russell Forsythe, President

George Clayton, V. President

John Bayliss, Member

I, Susan Brunner, Assistant Clerk to the Board of County Commissioners, Logan County, Ohio, do hereby certify the above is a true and correct copy of a motion as recorded in the Journal of the Board of County Commissioners under date of October 14, 1997.

Susan Brunner, Assistant Clerk

TABLE OF CONTENTS

ARTICLE 1	GENERAL PROVISIONS	1-1
Section 101	Title	1-1
Section 102	Statutory Authorization.....	1-1
Section 103	Purpose.....	1-1
Section 104	Scope.....	1-1
Section 105	Disclaimer of Liability	1-2
Section 106	Severability.....	1-2
Section 107	Effective Date.....	1-2
ARTICLE 2	DEFINITIONS	2-1
Approving Agency	.....	2-1
Channel	.....	2-1
Developer	.....	2-1
Development	.....	2-1
Development Area	.....	2-1
District	.....	2-1
Ditch	.....	2-1
Drainageway	.....	2-1
Dumping	.....	2-1
Earth-Disturbing Activity	.....	2-2
Earth Material	.....	2-2
Erosion	.....	2-2
Grassed Waterway	.....	2-2
Landslide	.....	2-2
Person	.....	2-2
Public Waters	.....	2-3
Sediment	.....	2-3
Sediment Basin	.....	2-3
Sediment Control Plan	.....	2-3
Sediment Pollution	.....	2-3
Site	.....	2-3
Slip	.....	2-3
Sloughing	.....	2-3
Soil Loss	.....	2-3
Storm Frequency	.....	2-3
Stream	.....	2-3
Topsoil	.....	2-3
ARTICLE 3	SOIL SEDIMENT POLLUTION REGULATIONS	3-1
Section 301	Criteria Requiring Plan Submittal	3-1
Section 302	Exceptions.....	3-1
Section 303	General Requirements	3-2
Section 304	Standards and Criteria	3-2
ARTICLE 4	ADMINISTRATION	4-1
Section 401	Sediment Control Plan Content and Filing.....	4-1

Section 402 Plan Review.....	4-3
Section 403 Inspection to Ensure Compliance	4-3
Section 404 Appeals.....	4-4
Section 405 Maintenance	4-4
ARTICLE 5 ENFORCEMENT	5-1

ARTICLE 1 GENERAL PROVISIONS

Section 101 Title

This resolution shall be cited as the Logan County Stormwater and Sediment Control Regulations.

Section 102 Statutory Authorization

This resolution of Logan County is adopted, in accordance with, and pursuant to, the legal grant of authority of Section 307.79 of the Ohio Revised Code to adopt rules to abate soil erosion and water pollution by soil sediment.

Therefore, the Board of Commissioners of Logan County, State of Ohio, does hereby resolve the following.

Section 103 Purpose

The purpose of this resolution is to establish standards, principles, and procedures by which Logan County can regulate construction oriented, earth-disturbing site development activities which cause or may cause adverse on-site impacts of accelerated surface water runoff, soil erosion, and sediment deposition, and thereby prevent an increase in existing off-site impact potentials at lower elevations for sedimentation of lands and drainageways, siltation of drainage waters, and the flooding of watercourses.

Enactment of this resolution by Logan County is in partial fulfillment of its responsibility to implement non-point source control activities authorized under applicable sections of the National Clean Water Act, as amended.

Pursuant to Ohio amended substitute H.B. 513, which became effective on January 1, 1979, and amended chapters 307 and 1515 of the Ohio Revised Code, enactment by Logan County constitutes replacement of Rules 1501 :15-1-01 through 1501 :15-1-08 of the Ohio Administrative Code (OAC) which, under OAC Rules 1501 :15-1-01 and 1501: 15-1-02 (B) (4) do not apply to a municipal corporation or county that has adopted provisions with similar or greater standards for urban erosion and sediment control.

Standards in this resolution are thus intended to protect persons and property from adverse stormwater runoff and soil erosion impacts which may be incurred during or resulting from construction site development and/or subdivisions.

Section 104 Scope

This resolution shall apply to non-farm earth-disturbing activities performed on unincorporated lands of Logan County, Ohio, except those activities excluded in R.C. 307.79 as follows:

- A. Strip mining operations regulated by Section 1513.01 of the Ohio Revised Code.
- B. Surface mining operations regulated by Section 1514.01 of the Ohio Revised Code.
- C. Public highway, transportation, or drainage improvement or maintenance thereof, undertaken by a government agency or political subdivision in accordance with a statement of its standard sediment control policies that is approved by the Board of Logan County Commissioners or the State Conservationist, Soil Conservation Service.
- D. The rules shall not apply inside the limits of municipal corporations.

For developments located within a drainage basin which drains through the municipal corporation limits, the Approving Agency may confer with the municipal engineer to assist in making a determination whether to apply the county drainage standards. However, it shall be the Approving Agency's determination in all such matters.

Section 105 Disclaimer of Liability

No provision of this resolution shall limit, increase, or otherwise affect the liabilities of the person affecting the development of land for himself, or for another, nor impose any liability upon this jurisdiction not otherwise imposed by law.

Section 106 Severability

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

Section 107 Effective Date

This resolution shall become effective within Logan County on the 31st day after adoption by the Board of County Commissioners.

ARTICLE 2 DEFINITIONS

For the purpose of this resolution, certain rules or word usage apply to the text as follows:

- A. Words used in the present tense include the future tense; and the singular includes the plural, unless the context indicates the contrary.
- B. The term "shall" is always mandatory and not discretionary; the word "may" is permissive.
- C. The word or term not interpreted or defined by this article shall be used with a meaning of common or standard utilization, so as to give this resolution its most reasonable application.

Approving Agency: the governing body of the county, or its duly designated representative. The Logan County Board of Commissioners hereby designates the Office of the Logan County Engineer to be the Approving Agency for Logan County, Ohio, until further notice.

Channel: a natural stream that conveys water; a ditch or channel excavated for the flow of water.

Developer: any person commencing proceedings under this resolution to effect the development of land for himself, or for another.

Development: the division of land into two or more parcels, the carrying out of any building, or the making of any material change in the use or appearance of any structure or land through activities of construction, erection, or alteration.

Development Area: any contiguous (abutting) area owned by one person or operated as one development unit and used, or being developed for, non-farm commercial, industrial, residential, or other non-farm purposes upon which earth-disturbing activities are planned or underway.

District: a soil and water conservation district, organized under Chapter 1515 of the Ohio Revised Code.

Ditch: an open channel either dug or natural for the purpose of drainage or irrigation with intermittent flow. (See stream, drainageway and grassed waterway).

Drainageway: an area of concentrated water flow other than a river, stream ditch, or grassed waterway.

Dumping: the grading, pushing, piling, throwing, unloading, or placing of earth material.

Earth-Disturbing Activity: any grading, excavating, filling, or other alteration of the earth's surface where natural or man-made ground cover is destroyed, and which may result in or contribute to erosion and sediment pollution.

Earth Material: soil, sediment, rock, sand, gravel, and organic material or residue associated with, or attached to, the soil.

Erosion :

- A. The wearing away of the land surface by running water, wind, ice, or other geological agents, including such processes as gravitational creep.
- B. Detachment and movement of soil or rock fragments by wind, water, ice, or gravity.
- C. Erosion includes:
 - 1. Accelerated Erosion: erosion much more rapid than normal, natural, or geologic erosion, primarily as a result of the influence of the activities of man.
 - 2. Floodplain Erosion: abrading and wearing away of the nearly level land situated on either side of a channel, due to overflow flooding.
 - 3. Gully Erosion: the erosion process whereby water accumulates in narrow channels during and immediately after rainfall, or snow, or ice melts and actively removes the soil from this narrow area to considerable depths such that the channel would not be obliterated by normal smoothing or tillage operations.
 - 4. Natural Erosion (Geologic Erosion): the wearing away of the earth's surface by water, ice, or other natural environmental conditions of climate, vegetation, etc., undisturbed by man.
 - 5. Normal Erosion: the gradual erosion of land used by man which does not greatly exceed natural erosion.
 - 6. Rill Erosion: an erosion process in which numerous small channels only several inches deep are formed; occurs mainly on recently disturbed soils.
 - 7. Sheet Erosion: the removal of a fairly uniform layer of soil from the land surface by wind or runoff water.

Grassed Waterway: a broad and shallow natural course or constructed channel with erosion resistant grasses or similar herbaceous cover which is used to conduct surface water drainage runoff at non-erosive velocities.

Landslide: the rapid downward and outward movement of large rock material and/or soil mass under the influence of gravity in which the movement of the soil mass occurs along an interior surface of sliding.

Person: any individual, corporation, partnership, joint venture, agency subdivider, firm, association, trust, syndicate, municipal corporation, county, state agency within Ohio, the federal government, other legal entity, or any combination thereof.

Public Waters: water within rivers, streams, ditches, and lakes, except private ponds and lakes wholly within single properties, or waters leaving property on which surface water originates.

Sediment: solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, gravity, or ice, and has come to rest on the earth's surface above or below sea level.

Sediment Basin: a barrier, dam, or other suitable detention facility built across an area of waterflow to settle and retain sediment carried by surface drainage runoff waters.

Sediment Control Plan: a written description, acceptable to the Approving Agency, and the Ohio Environmental Protection Agency, of methods for controlling sediment pollution from accelerated erosion on a development area of five or more contiguous acres or from erosion caused by accelerated runoff from a development area of five or more contiguous acres.

Sediment Pollution: failure to use management or conservation practices to abate wind or water erosion of the soil, or to abate the degradation of the waters of the state by soil sediment in conjunction with land grading, excavating, filling, or other soil-disturbing activities on land used or being developed for non-farm commercial, industrial, residential, or other non-farm purposes.

Site: any lot or parcel of land, or a series of lots or parcels of land, adjoining, or contiguous, or joined together under one ownership where clearing, stripping, grading, or excavating is performed.

Slip: landslide as defined above.

Sloughing: a slip or downward movement of an extended layer of soil over a slope frequently resulting from the undermining action of surface water run-off, or the earth-disturbing activity of man.

Soil Loss: soil relocated on, or removed from, a given site, by the forces of erosion, and the redeposit of the soil at another site on land, or in a body of water.

Storm Frequency: the average period of time, in years, within which a storm of a given duration and intensity can be expected to be equalled or exceeded.

Stream: a body of water, running or flowing, on the earth's surface, or channel, in which such flow occurs. Flow is continuous or may be seasonally intermittent.

Topsoil: surface and upper surface soils which presumably are darker colored, fertile soil materials, ordinarily rich in organic matter or humus debris.

ARTICLE 3 SOIL SEDIMENT POLLUTION REGULATIONS

Section 301 Criteria Requiring Plan Submittal

No person shall cause or allow earth-disturbing activities on a development area except in compliance with the standards and criteria set out in Section 304 , and the applicable item (a) or (b) below:

- (a) When a proposed development area consists of five (5) or more contiguous acres, and earth-disturbing activities are proposed for the whole area, or any part thereof, the responsible person shall develop and submit for review an erosion and sediment control plan. Such a plan shall contain sufficient information, drawings, and notes, to describe how soil erosion and off-site sedimentation will be kept to a minimum, both during and after construction. No earth-disturbing activities shall commence prior to approval of the erosion and sediment control plan by the Approving Agency, and the issuance of a permit from the Ohio Environmental Protection Agency. The erosion and sediment control plan shall be certified by a Professional Engineer, registered in the State of Ohio.

- (b) When a proposed development area involves less than five (5) acres, it is not necessary to submit a sediment control plan; however, the responsible person must comply with the other provisions of this resolution. No earth-disturbing activities shall commence prior to the issuance of a permit from the Ohio Environmental Protection Agency, if required. Submittal of specific information may be required to determine compliance.

Section 302 Exceptions

Any person seeking approval to construct a single-family residence shall be exempted from having to prepare a sediment control plan, provided they:

- A. Construct upon one lot or parcel at a time, and there is no other construction occurring simultaneously on land or property within five hundred feet (500')

- B. Do not disrupt, alter, or expose more than ten thousand (10,000) square feet of the existing natural surface of the total development site at a time; and

Exemption under this section of any person for the preparation and submission of a sediment control plan does not, however, exempt them from complying with the other provisions of this resolution. The Approving Agency may require the responsible person to submit information deemed necessary to determine compliance.

No sediment control plan shall be required for public road, highway, other transportation, or drainage improvement, or maintenance thereof, undertaken by a government agency or entity, if such agency or entity plans to follow a statement of sediment control policy which has been submitted by the sponsoring agency or entity, and approved by the Logan County

Board of Commissioners.

Section 303 General Requirements

All earth disturbing activities covered by these regulations shall conform to the following:

1. All surface water shall be provided drainage ditch outlets, of a temporary nature during construction and shall be approved by the County Engineer. No exposed areas that pond water overnight will be permitted.
2. No more than 30% of the total area shall be exposed at any one time during construction unless proper measures are taken to prevent erosion, siltation and sedimentation.
3. No area shall be exposed any longer than necessary to recontour. Temporary vegetation and/or mulching shall be then applied for protection during the development.
4. No area shall be allowed to go into the winter season without vegetative cover on critical areas as determined by the County Engineer. Said areas shall be seeded by October 1st.
5. Sediment basins (debris basins, desilting basins or silt traps) shall be installed and maintained to remove sediment from run-off waters for land undergoing development.
6. Permanent final vegetation and drainage structures shall be installed as soon as grading is completed.
7. The development shall be fitted to the topography and soils so as to create the least erosion potential.
8. Whenever feasible, natural vegetation shall be retained and protected.

Section 304 Standards and Criteria

All standards and specifications shall conform to the "Rainwater and Land Development: Ohio's Standard for Stormwater Management Land Development and Urban Stream Protection," Ohio Department of Natural Resources, Division of Soil and Conservation Service, latest edition.

A. Control Methods

1. Sheet and Rill Erosion: To control pollution of public waters by soil sediment from accelerated sheet and rill erosion on development areas, the responsible person shall:
 - (a) Construct and maintain sediment basins sized in accordance with the "Rainwater and Land Development: Ohio's Standard for Stormwater Management Land Development and Urban Stream Protection," or
 - (b) Apply and maintain a level of management and conservation practices such that the predicted average annual soil loss, accumulated monthly in accordance with the procedure in the "Rainwater and Land Development: Ohio's Standard for Stormwater Management Land Development and Urban Stream Protection," is less than (15) tons per acre the first year commencing from the time of initial earth disturbance, ten (10) tons per acre the second year, and five (5) tons per acre for any other year of the development process. The management and conservation practices shall be designed, applied, and maintained so that the entire development area, and any part thereof, is protected from accelerated erosion in accordance with the stated criteria; or,
 - (c) Use other methods to control sediment pollution; this may include but is not limited to a combination of paragraphs (a) and (b) of this standard, provided those methods are acceptable to the Approving Agency.
2. Concentrated Water Erosion: To control pollution of public waters by soil sediment from accelerated erosion in drainageways and grassed waterways and in streams and ditches disturbed or modified in conjunction with the development process on a development area, the responsible person shall:
 - (a) Design, construct, and maintain concentrated water flow channels such that the velocity of flow does not exceed the permissible velocities listed in the Table of Permissible Velocities for Flowing Water; or,

Table of Permissive Velocities for Flowing Water			
Cover	Slope Range (percent)	Permissible Velocity*	
		Erosion Resistant Soils (ft/sec)	Easily Eroded Soils (ft/sec)
Kentucky bluegrass	0 - 5	7.0	5.0
Tall fescue	5 - 10	6.0	4.0
Smooth brome	over 10	5.0	3.0
Grass mixtures**	0 - 5	5.0	4.0
Reed canary	5 - 10	6.0	3.0
Red fescue	0 - 5	3.5	2.5

* Use velocities exceeding five (5) feet per second only where good cover, and proper maintenance can be obtained.

** Do not use on slopes steeper than ten percent (10%) except for vegetated side slopes in combination with a stone, concrete, or highly resistant vegetative center section.

- (b) Design, construct, and maintain sediment basins sized in accordance with the "Rainwater and Land Development: Ohio's Standard for Stormwater Management Land Development and Urban Stream Protection," or
 - (c) Use other methods to control sediment pollution; this may include, but is not limited to a combination of paragraphs (a) and (b) of this standard, provided those methods are acceptable to the Approving Agency.
3. Controlling increases in stormwater runoff peaks and volumes: Methods for controlling increases in stormwater runoff peaks and volumes may include, but are not limited to:
- (a) Retarding flow velocities by increasing friction; for example, grassed road ditches rather than paved street gutters where practical (low density development areas, access roads, etc.); discharging runoff water to vegetated areas; or grass and rock lined drainage channels;
 - (b) Grading and construction of terraces and diversions to slow runoff and use of grade control structures to provide a level of control in flow paths and stream gradients;
 - (c) Induced infiltration of increased stormwater runoff into the soil where practical; for example, constructing special infiltration areas where soils are suitable; retaining topsoil for all areas to be revegetated; or providing good infiltration areas with proper emergency overflow

facilities; and,

- (d) Provisions for detention and retention; for example, permanent ponds and lakes with stormwater basins provided with proper drainage, multiple use areas for stormwater detention and recreation, wildlife, transportation, fire protection, aesthetics, or subsurface storage areas.

B. General Design Criteria

1. Critical Storm:

Critical Storms shall be calculated using the criteria established in the Mid-Ohio Regional Planning Commission Stormwater Design Manual, 1977. Storage facilities and control structures shall be designed such that the post development runoff rate is equal to a one year predevelopment runoff rate up to the critical storm. For all storms greater than or equal to the critical storm, the rate of runoff shall be controlled to limit the peak rate of runoff to the predevelopment peak rate from the same frequency storm.

The permissible peak rate shall be determined as follows:

- a. Determine the total volume of runoff from a 1-year frequency 24-hour storm, occurring over the area before and after development.
- b. Determine the percent of increase in volume due to development and using this percentage, pick the critical storm from the following table:

If the Percentage of increase in volume of runoff is		The critical storm for discharge limitation will be
equal to or greater than	and less than	
-	10	1 year
10	20	2 years
20	50	5 years
50	100	10 years
100	250	25 years
250	500	50 years
500	-	100 years

Recurrence Interval Years	24-Hour Rainfall Total Inches
1	2.35
2	2.55
5	3.30
10	3.80
25	4.30
50	4.75
100	5

2. **Drainage Field Ditches:**

Drainage field ditches are shallow graded ditches with flat side slopes which do not interfere with tillage operations. Generally, the side slopes range from 8:1 to 15:1. The purpose of drainage ditches is to collect water from depressional or nearly flat areas within a field and remove it to a stable outlet.

Generally, erosive velocities will not be a problem because of the low gradient of fields in which drainage field ditches are used, and because of the shallow side slopes. Maximum velocities shall be limited to 2.5 feet/second unless on-site studies show that higher velocities will not result in erosive conditions.

3. **Maximum Velocities for Vegetated Stream Channels**

(a) The maximum permissible design velocity shall be based on site conditions and shall be such as to result in stability of the ditch bottoms and side slopes. Maximum permissible velocities will be computed using bank-full stage or ten (10) year frequency stage, whichever is lower. The following table will be used as maximum velocity for all drainage main or lateral designs. Vegetation will be established immediately after construction.

Subsoil Texture	Maximum Velocity * (ft/sec)
Sand and sandy loam (non colloidal)	2.5
Silt loam (also high lime clay)	3.0
Sandy clay loam	3.5
Clay loam	4.0
Stiff clay, fine gravel, & gravel loam to gravels	5.0
Graded silt to cobbles (colloidal)	5.5
Shale, hardpan, coarse gravel	6.0

* Channels that cannot be designed to meet the maximum velocity limitations must be stabilized with materials other than vegetation. Such materials include crushed rock, concrete, gabions, etc.

(b) **Channel velocities for newly constructed channels with drainage areas**

in excess of one square mile shall meet special stability requirements contained in U.S. Soil Conservation Service Technical Guide (Technical Release 25, Planning and Design of Open Channels).

ARTICLE 4 ADMINISTRATION

Section 401 Sediment Control Plan Content and Filing

Every person required to submit a sediment control plan pursuant to Section 301 (a) of these Regulations shall submit one (1) original and one (1) copy of such plan to the Approving Agency and obtain the authorizations required by these Regulations prior to entering into any earth-disturbing activity.

Filing Location -

- (a) Plans filed in conjunction with a proposed subdivision, shall be filed thirty (30) days in advance of submitting preliminary plans for approval. This plan shall be submitted to the office of the Logan-Union-Champaign County Planning Commission, located at East Foundry Street, East Liberty, Ohio 43319.
- (b) Plans filed for all other types of development shall be filed no later than the filing of actual construction plans to the Logan County Engineer's Office, located at 1991 C.R. 13, P.O. Box 427, Bellefontaine, Ohio 43311.

Such plan shall include the following information:

- (a) a map or maps of the proposed development area or areas, drawn to a scale of one inch (1") equals one hundred feet (100')
- (b) Location of the area and its relation to its general surroundings including, but not limited to:
 - 1. Off-site areas susceptible to sediment deposits or to erosion caused by accelerated run-off,
 - 2. Off-site areas affecting potential accelerated runoff and erosion control;
- (c) Existing topography of the developmental area and adjacent land within one hundred feet (100') of the boundaries. The topographic map shall contain existing contours at an interval of not greater than two feet (2') if the slope of the ground is twelve percent (12%) or less, and not greater than five feet (5') where the slope is more than twelve percent (12%) to clearly portray the conformation and drainage pattern of the area;
- (d) The location of existing buildings, structures, utilities, waterbodies, drainage facilities, vegetative cover, paved areas (roads, streets, driveways, sidewalks, etc.) and other significant natural or man-made features on the development area and adjacent land within one hundred feet (100') of the boundaries;
- (e) A general description of the predominant soil types, their location, and their

limitations for the proposed use (refer to the Soil Survey of Logan County, Ohio, latest edition);

- (f) Proposed use of the development area including present development and ultimate utilization with detail on soil cover, both vegetative and impervious;
- (g) All proposed earth disturbance including:
 - 1. Areas of excavation, grading, and filling;
 - 2. The finished grade, stated in feet horizontal to feet vertical, of cut and fill slopes;
 - 3. Kinds of utilities and proposed areas of installation;
 - 4. Proposed paved and covered areas in square feet, or to scale on a plan map;
 - 5. Makeup of proposed surface soil (upper six inches) on areas not covered by buildings, structures, or pavement. Description shall be in such terms as: original surface soil, subsoil, sandy, heavy clay, stony, etc.
 - 6. Proposed kind of cover on areas not covered by buildings, structures, or pavement. Description shall be in such terms as: lawn, turfgrass, shrubbery, trees, forest cover, rip-rap, mulch, etc.
- (h) Provisions for temporary and permanent erosion control:
- (i) Provisions for the management of stormwater, derived both on-site, and from upper watershed areas, including the control of accelerated on-site runoff, to a stable receiving outlet;
- (j) Provisions for maintenance of control facilities, including easements, or agreements to insure short-term, as well as long-term erosion and sediment pollution control, and stormwater management;
- (k) Proposed construction sequence - a time schedule for all earth disturbing activities and installation of provisions for erosion and stormwater management;
- (l) Design computations and applicable assumptions for all structural measures for erosion and sediment pollution control and water management. Volume and velocity of flow must be given for all surface water conveyance. This information shall also be provided for surface water outlets;
- (m) Seeding mixtures and rates, lime and fertilizer application rates, and kind and quantity of mulching for both temporary and permanent vegetative control

measures;

- (n) Estimate of cost of erosion and sediment control, and water management structures;
- (o) Title, written and graphic scale, direction, legend, and date of all plan maps;
- (p) Names and address of the person(s) preparing the plan, the owner(s), and the person responsible for the development area;
- (q) Certification that all earth disturbance, construction, and development will be done pursuant to the plan;
- (r) Certification by a Professional Engineer.

The Approving Agency may waive specific requirements for plan detail, or may require additional information to show that work will conform to basic requirements of this resolution.

The Approving Agency shall, within (5) calendar days of submission of such plan, transmit copies thereof to the Logan Soil and Water Conservation District.

Within fifteen (15) calendar days of receipt of each such plan, the Logan Soil and Water Conservation District shall submit to the Approving Agency its comments.

Section 402 Plan Review

The Approving Agency shall, within thirty (30) calendar days of receipt of a sediment control plan, indicate its status of compliance or non-compliance to the person who filed the plan. Indication of non-compliance shall include the plan deficiencies, and the procedures for filing a revised plan. Pending preparation and determination of a status of compliance of a revised plan, earth-disturbing activities shall proceed only in accordance with conditions outlined by the Approving Agency.

Section 403 Inspection to Ensure Compliance

The Approving Agency shall inspect development areas to determine compliance with these Regulations. If it is determined that a violation of these Regulations exists, the owner or his appointed representative shall be notified of the deficiencies or non-compliance by the Approving Agency in writing, by certified mail. If within two (2) weeks after receipt of such letter, the deficiency or non-compliance has not been corrected, or plans have not been approved by the Approving Agency for its correction, said deficiency or non-compliance shall be reported to the Logan County Board of Commissioners for consideration.

If the Logan County Board of Commissioners determines that a violation exists and requests the Prosecuting Attorney of Logan County in writing, the Prosecuting Attorney shall seek an injunction or other appropriate relief to abate excessive erosion or

sedimentation and secure compliance with these Regulations. In granting relief, the court may order the construction of sediment control improvements or implementation of other control measures.

A final inspection shall be made to determine if the criteria of these Regulations have been satisfied.

Section 404 Appeals

Any person aggrieved by an order, requirement, determination, or any other action or inaction in relation to this regulation may appeal to the Court of Common Pleas. Such an appeal shall be made within thirty (30) days of the date of an order or decision and shall specify the grounds for appeal.

Section 405 Maintenance

When permanent runoff control installations are necessary, the maintenance responsibility shall be determined by the Approving Agency. The maintenance responsibility of said installation(s) will be either by Logan County, through appropriate sections of the Ohio Revised Code, or privately maintained by the property owner, or a group of property owners.

- A. Maintenance by Logan County: When determined appropriate by the Approving Agency, the person(s) developing a site shall petition the County for the maintenance of permanent runoff control installations through Chapter 6131 of the Ohio Revised Code, provided such required installation:
 - 1. Benefit two or more property owners; and
 - 2. Are designed for cost-effective maintenance.

- B. Maintenance by the Property Owner or Group of Property Owners: When determined appropriate by the Approving Agency, permanent runoff control installations which are to be privately maintained by the property owner, or group of property owners shall be:
 - 1. Designed and constructed by the person(s) developing the site with easements or agreements sufficient to allow adequate access for inspections and corrective actions, if necessary, by the Approving Agency;
 - 2. Regularly inspected by the Approving Agency to insure that privately maintained installations are properly maintained, and, if not, maintained at the expense of the responsible owner(s) by order of the Approving Agency. In any controversy arising between the owner(s) and the Approving Agency regarding the maintenance of said installations, the decision of the Approving Agency shall be final; and

3. Maintained as installed by the person(s) developing the site according to the approved design, and not altered unless approved by the Approving Agency.

Should the maintenance of any permanent runoff control installations be within a subdivision plat, the maintenance responsibilities shall be described on the record plat of said subdivision.

ARTICLE 5 ENFORCEMENT

Enforcement of the provisions of this resolution is limited to a judicially imposed injunction or other appropriate relief, including court-ordered implementation of sediment control measures. However, nothing herein contained shall prevent Logan County from taking such other lawful action as is necessary to prevent or remedy any violation.