

Ordinance 14-11

By: Richard Sharp

An Ordinance to provide post-construction storm water best management practices by implementing the Operation and Maintenance Plan as outlined below for standards in the City of Bexley, Ohio.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY

Section 1. Operation and Maintenance Plan

- a) The developer/property owner shall prepare an Operation and Maintenance Plan meeting the minimum requirements of the latest version of the Ohio EPA NPDES Construction Storm Water Permit for redevelopment and new development projects wherein construction activities will result in the disturbance of one or more acres.
- b) The Operation and Maintenance Plan shall be submitted by the developer/property owner to City of Bexley for review and approval prior to the City issuing the building permit.
- c) The Operation and Maintenance Plan must be a stand-alone document containing the following:
 - 1) Designate the entity associated with providing the Best Management Practices (BMPs) inspection and maintenance.
 - 2) Indicate routine and non-routine maintenance tasks to be undertaken.
 - 3) Indicate a schedule for inspection and maintenance tasks.
 - 4) Provide proof of any necessary legally binding maintenance easements and agreements that are necessary to properly inspect and maintain the BMP(s).
 - 5) Provide a map showing the location of the BMP(s) that are indicated on the City of Bexley approved Storm Water Pollution Prevention Plan (SWPPP) and any necessary access and maintenance easements.
 - 6) Provide detailed BMP drawings and inspection and maintenance procedures.

- 7) Ensure that the collected pollutants resulting from BMP maintenance activities are disposed of in accordance with local, state and federal guidelines.

Section 2. Inspection and Maintenance Agreement

- a) An Inspection and Maintenance Agreement shall be made between the Owner and the City of Bexley ensuring that the BMP(s) shall be properly inspected and maintained and shall be included within the Operation and Maintenance Plan.

Section 3. Inspection

- a) Personnel identified within the Operation and Maintenance Plan shall inspect the BMP(s) to ensure proper functionality and determine if maintenance is necessary.
- b) At a minimum, inspections are to be conducted annually, or more frequently as specified within the Operation and Maintenance Plan.
- c) Written inspection reports summarizing the BMP(s) inspection observations and maintenance requirements are to be submitted to the City of Bexley within thirty days after each inspection.

Section 4. Maintenance

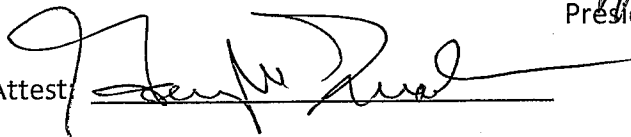
- a) All BMPs are to be maintained according to the measures outlined within the Operation and Maintenance Plan.
- b) Ensure that the collected pollutants resulting from BMP maintenance activities are disposed of in accordance with local, state and federal guidelines.
- c) The Owner shall make necessary repairs within ten days of their discovery as identified within the inspection reports or through a request from the City of Bexley resulting from City conducted inspections.
- d) Maintenance activities performed are to be documented on a written report and submitted to the City of Bexley.
- e) The Owner shall grant permission to the City of Bexley to enter the property and inspect the BMP(s) whenever the City deems necessary. In an event of any default or failure by the Owner in properly maintaining the BMP(s) in accordance with the approved Operation and Maintenance Plan, or, in the event of an emergency as determined by the City of Bexley, it is the sole discretion of the City, after providing reasonable notice to the Owner, to enter the property and take whatever steps necessary to correct deficiencies and to charge the cost of such repairs to the Owner. Nothing herein shall obligate the City to maintain the BMP(s).

Section 5. That this ordinance shall go into effect and be in force from and after the earliest period allowed by law.

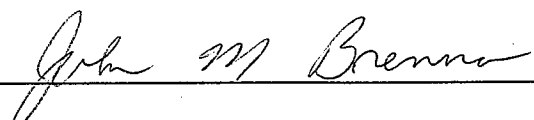
Passed: June 14, 2011



President of Council

Attest: 

Approved: 614, 2011



John M. Brennan, Mayor

First Reading: April 26, 2011

Second Reading May 10, 2011

Third Reading May 24th, 2011

TABLED May 24, 2011

Removed from Table 6-14-11

PASSED - 6-14-11