

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 05-24

INTRODUCED BY: Uffman-Kirsch, Stefanik, Bobulsky,  
Gentile, Koch

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 14 BUILDING AND HOUSING CODE, CHAPTER 1481 STORM WATER MANAGEMENT AND URBAN SEDIMENT POLLUTION ABATEMENT, SECTION 1481.08 MAINTENANCE OF SYSTEMS, BY AMENDING PARAGRAPH (a), AND DECLARING AN EMERGENCY

WHEREAS: The City of North Royalton has enacted a Storm Water Management and Urban Sediment Pollution Abatement Code; and

WHEREAS: It has been determined to be necessary to amend this code so that it applies to continuous maintenance of drainage systems on all private property; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 14 Building and Housing Code, Chapter 1481 Storm Water Management and Urban Sediment Pollution Abatement, Section 1481.08 Maintenance of Systems, by amending paragraph (a).

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

Section 1. Council hereby amends the Codified Ordinances of the City of North Royalton, Part 14 Building and Housing Code, Chapter 1481 Storm Water Management and Urban Sediment Pollution Abatement, Section 1481.08 Maintenance of Systems, Paragraph (a) which shall hereinafter read as follows:

1481.08 MAINTENANCE OF SYSTEMS.

(a) Any portion of the drainage system *on private property*, including on-site and off-site storage facilities, ~~that is constructed by the developer will~~ *shall* be continuously maintained by the owner of *the property* ~~a residential development or subsequently through a homeowners association in title of the affected lands~~, 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.

Section 2. Section 1481.08 of the Codified Ordinances is hereby amended as provided for herein and all other provisions of Chapter 1481 shall remain in full force and effect.

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

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.

Section 5. 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 Council has determined that it is immediately necessary to provide for these amendments so that the code applies to continuous maintenance of drainage systems on all private property.

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/ Robert A. Stefanik  
PRESIDENT OF COUNCIL

APPROVED: /s/ Cathy Luks  
MAYOR

DATE PASSED: March 1, 2005

DATE APPROVED: March 3, 2005

First reading suspended  
Second reading suspended  
Third reading March 1, 2005

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

YEAS: Stefanik, Bobulsky, Gentile, Willey,  
Koch, Zaccardelli, Uffman-Kirsch

NAYS: none