

RECORD OF ORDINANCES

Ordinance No. 2026-10

Passed January 21, 20 26

SPONSOR: STREETS

AN ORDINANCE AMENDING SECTION 93.70 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOGADORE, ENTITLED “ILLICIT DISCHARGE OF POLLUTANTS; ILLICIT CONNECTIONS”, AND DECLARING AN EMERGENCY.

WHEREAS, illicit discharges to the Village’s separate storm sewer system create water quality risks to public health, safety, and general welfare; and

WHEREAS, illicit discharges may necessitate repair of storm sewers and ditches; damage to public and private property; and may damage water resources by reducing water quality; and

WHEREAS, there are watershed-wide efforts to reduce illicit discharges to the Cuyahoga River and to protect and enhance the unique water resources of the Cuyahoga River watershed; and

WHEREAS, 40 C.F.R. Parts 9, 122, 123, and 124, and Ohio Administrative Code 3745-39 require designated communities, including the Village, to develop a Stormwater Management Program that, among other components, requires the Village to prohibit illicit discharges to their stormwater system and to implement appropriate enforcement procedures and actions to detect and eliminate such illicit discharges; and

WHEREAS, Article XVIII, Section 3 of the Ohio Constitution grants municipalities the legal authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary, and other similar regulations, as are not in conflict with general laws; and

WHEREAS, Section 93.70 of the Village’s Codified Ordinances, entitled “Illicit Discharge and Storm Water Connection Regulations” currently provides for the aforementioned regulation within the Village; and

WHEREAS, the Village Engineer has recommended numerous revisions to Section 93.70 of the Village’s Codified Ordinances; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and it the best interest of the Village to amend Section 93.70 of the Village’s Codified Ordinances, entitled “Illicit Discharge and Storm Water Connection Regulations” as recommended by the Village Engineer.

NOW, THEREFORE BE IT ORDAINED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

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SECTION 1: This Council hereby amends Section 93.70 of the Village's Codified Ordinances, entitled "Illicit Discharge and Storm Water Connection Regulations" as set forth on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately revising the aforementioned Section for the preservation of the Village's storm water system and the Cuyahoga River watershed, and, provided this Ordinance receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

Michael Raddish 1-21-26
President of Council Date

Mark G. K. 1-21-26
Mayor Date

Attest:

[Signature]
Clerk-Treasurer