

RECORD OF ORDINANCES

Ordinance No. 2026-9

Passed January 21, 20 26

SPONSOR: STREETS

AN ORDINANCE ADOPTING CHAPTER 155 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOGADORE, ENTITLED “STORMWATER MANAGEMENT”, AND DECLARING AN EMERGENCY.

WHEREAS, flooding is a significant threat to property and public health and safety and stormwater management lessens flood damage by reducing and holding runoff and releasing it slowly; and

WHEREAS, streambank erosion is a significant threat to property and public health and safety and stormwater management slows runoff and reduces its erosive force; and

WHEREAS, insufficient control of stormwater can result in significant damage to receiving water resources, impairing the capacity of these areas to sustain aquatic systems and their associated aquatic life use designations; and

WHEREAS, land development projects and associated increases in impervious cover alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, and sediment transport and deposition; and

WHEREAS, stormwater runoff contributes to increased quantities of pollutants to water resources; and

WHEREAS, stormwater runoff, stream channel erosion, and nonpoint source pollution can be controlled and minimized through the regulation of runoff from land development projects; and

WHEREAS, there are watershed-wide efforts to reduce flooding, erosion, and water quality problems in the Cuyahoga River watershed and to protect and enhance the water resources of the Cuyahoga River watershed; and

WHEREAS, the lands and waters within the Village’s borders are finite natural resources and that their quality is of primary importance in promoting and maintaining public health and safety within its borders; and

WHEREAS, this Council desires to establish standards, principles, and procedures for the regulation of soil disturbing activities that may increase flooding and erosion and may cause adverse impacts to water resources, resulting from stormwater runoff; and

WHEREAS, this Council desires to manage stormwater within the Village borders; and

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WHEREAS, 40 C.F.R. Parts 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, provides standards, principles, and procedures to regulate the quality of stormwater runoff during and after soil disturbing activities; 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, the Village Engineer has recommended that the Village adopt Chapter 155 to the Village's Codified Ordinances, entitled "Stormwater Management," for the reasons set forth above; 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 adopt Chapter 155 of the Village's Codified Ordinances, entitled "Stormwater Management," 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:

SECTION 1: This Council hereby adopts Chapter 155 of the Village's Codified Ordinances, entitled "Stormwater Management" 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 Chapter for the preservation of the Cuyahoga River watershed and the fulfillment of the Village's legal obligations, 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.

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Michael Raddish 1-21-26
President of Council Date

Min G R 1-21-26
Mayor Date

Attest:

[Signature]
Clerk-Treasurer