

ORDINANCE NO. 95-25

**AN ORDINANCE AMENDING CHAPTER 1053 OF THE CODIFIED
ORDINANCES OF THE CITY OF AVON REGARDING ILLICIT
DISCHARGE & ILLEGAL CONNECTION CONTROL
AND DECLARING AN EMERGENCY**

WHEREAS, illicit discharges to the City of Avon'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 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 Black River and to protect and enhance the unique water resources of the Black 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 City of Avon to develop a Stormwater Management Program that, among other components, requires the City of Avon 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, Council has reviewed the proposed amendments to Chapter 1053 and finds that adoption of same to be in the best interests of the health, safety, and general welfare of the community

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That Chapter 1053, as amended, is hereby adopted as set forth in the attached [Exhibit A](#), which is incorporated herein by this reference. The City's codifier is hereby instructed to remove the existing Chapter 1053 and replace it with the version set forth herein.

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to adopt amendments to the Illicit Discharge & Illegal Connection Control program set forth in Chapter 1053 of the ACO; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Ordinance No. 95-25 (Con't)

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

POSTED: _____
Electronically and at City Hall as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director