

23.06 Standards

The following standards shall apply to excavation, filling and grading operations:

- (a) No excavation, grading or filling shall be permitted within twenty feet of an existing or approved street right-of-way line except to conform to approximate street grade.
- (b) Finished slopes of an excavation shall not exceed 1:1 1/2 (vertical to horizontal) in undisturbed earth, 1:2 in earth fill, and 4:1 in rock cut, whether or not the ground surface shall be below water.
- (c) Vertical slopes shall be permitted if adequate protective fences are provided when needed.
- (d) Truck and equipment accessways to the site of the operation shall be safe, clean, and properly marked.
- (e) Excavations shall not interfere with public or private utility systems and shall not create or aggravate any condition detrimental to the public health and safety.
- (f) Slopes greater than 1:2 shall receive special ground cover treatment and the upper bank shall be protected by fences, railings or other means.
- (g) All work, including compaction of fill, shall be conducted in accordance with accepted and approved engineering standards.

*Note: The text on this brochure is a summary.
The full code is found in Chapter 942 Appendix A.*

Rules and Regulations

- Streams, waterways, wetlands and ditches shall remain open and free-flowing, shall not be altered without a permit, and shall not be polluted.
- Filling and grading operations and construction of ponds, bridges, culverts, and storm sewers must meet standards, and are subject to plan review and permit requirements.
- Existing bridges, culverts, and storm sewers must be properly sized and properly maintained, or may be ordered removed.
- Enforcement, appeal, and penalty provisions are in place.

Summit County Surface Water Management District

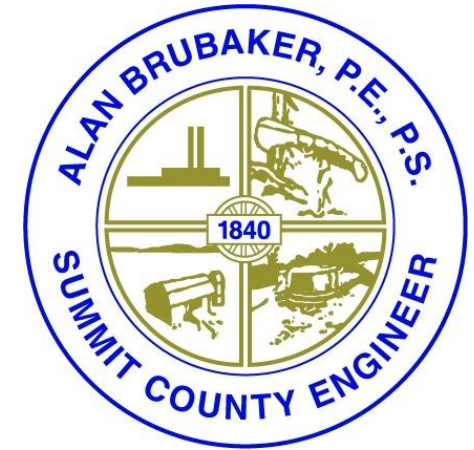
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Summit County Engineer**



A Guide to the Summit County Surface Water Management District Grading Permit

10/2020

23.01 Regulations

(a) No filling, grading, excavating, or pond construction shall be commenced in the District except as hereinafter provided, and then only in full compliance with the requirements, standards and conditions contained herein.

(b) The provisions of this Chapter shall not be construed as permitting the applicant to carry on any commercial operation or business or use any premises or buildings or structures thereon for any purpose not permitted by other provisions of this chapter or the applicable local Zoning Ordinance. For the purpose of this Section, an excavation shall not be considered a commercial operation or business if the excavation is incidental to and necessary for establishment or operation of a use permitted by the applicable zoning regulation.

(c) The provisions of this Section shall apply to all excavations, grading or filling operations which are being conducted at the time these Rules and Regulations go into effect as provided in Section 23.03 and except that any existing operation shall be completed within one year from the effective date of this Chapter, provided that written notice of intention to continue such operation for such time is filed with the County Engineer within thirty days after the effective date of this Section. No existing operation shall be extended in area or any new operation commenced after such date without first securing a permit therefor as hereinafter provided, and such operation shall be subject to all of the provisions of this Chapter.

Note: The text on this brochure is a summary. The full code is found in Chapter 942 Appendix A.

23.02 Permit Required 23.03 Exceptions 23.04 Prohibited Grading

23.02 PERMIT REQUIRED.

Except as provided in Subsection 23.03, a permit shall be required for every excavation, grading, pond or filling as defined herein.

23.03 EXCEPTIONS.

(a) No permit shall be required *however, applications for these activities shall be reviewed* for compliance with the permit requirements:

(1) Site improvements as approved under applicable land development regulations.

(2) Excavation for streets and drains when made in accordance with subdivision plans approved by the Planning Commission.

(b) The following operations shall be exempt from the requirements provided the operations do not affect a wetland and do not block or divert natural storm water flows.

(1) Foundation grading.

(2) Landscaping, installation of landscaping materials and plants and seeding or sodding.

(3) Utilities and conduits for which the necessary permits and/or work authorizations have been obtained.

(4) Farming where permitted by the local zoning code and ORC § 519.21.

(5) Land Fills.

23.04 PROHIBITED EXCAVATION, GRADING OR FILLING.

No excavation, grading, filling or pond construction shall be permitted which would interfere with the natural drainage of the site or the general area surrounding the site or interfere with the preservation of wetlands on, adjacent to, abutting or affected by the site. *Some exceptions and further restrictions may apply.*

23.05 Permit Application, Fees, Expiration

(a) Application for an excavation, grading or filling permit shall be made on forms provided by the County, accompanied by a detailed statement of proposed work and the following:

(1) Two sets of maps and plans with specifications showing the proposed excavation, grading or filling and any approvals or permits for such work required by any federal or state agency or subdivision thereof. All such plans shall be prepared by a qualified professional, where the excavation, grading or filling of more than 500 cubic yards of material is expected, and drawn to an appropriate scale which in no case shall be less than one inch equals 100 feet and shall show the following:

(2) A Performance Bond is required for applications involving lake or pond construction, wetland mitigation or excavation, grading and/or filling of more than 500 cubic yards of material; and

(3) Fees to cover the cost of plan review and inspections as follows:

A. Application and permit fee: Twenty-five dollars (\$25.00) base fee plus two dollars (\$2.00) per each 100 cubic yards of excavation, filling and/or grading or fraction thereof.

B. The application and permit fee shall be increased by two percent (2%) of the estimated construction cost of any storm water structure, utility line, pavement or other structure involved in the work.

(b) Upon receipt of the application and plan, the County Engineer shall establish the amount of the performance bond, if any, and if such application and plan complies with the standards contained in this Chapter, the County Engineer shall issue a permit in accordance therewith. In acting on such an application and plan, the County Engineer shall be guided by and shall take into consideration the public health, safety and general welfare.

(c) A permit issued under this section shall expire one year from the date of issuance, unless extended by the County Engineer.