

## **CODIFIED ORDINANCES OF BALTIMORE**

### **PART TWELVE - PLANNING AND ZONING CODE**

#### **TITLE TWO - Subdivision and Development Regulations**

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**CHAPTER 1202**  
**General Provisions**

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***CROSS REFERENCES***

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**1202.01 TITLE.**

This title shall be known and may be designated and cited as "The Village of Baltimore, Ohio, Subdivision and Development Regulations", and hereunto may be referred to as the Subdivision and Development Regulations, Subdivision and Development Ordinance, or Subdivision and Development Regs. Unless otherwise provided herein or by law or implication required, the same rules of construction, definition and application shall govern the interpretation of this title as those governing the interpretation of the Ohio Revised Code. (Ord. 94-08. Passed 5-9-94.)

**1202.02 AUTHORITY.**

This chapter is adopted pursuant to the authority contained in the Ohio Revised Code, Chapters 711 and 713. (Ord. 94-08. Passed 5-9-94.)

**1202.03 JURISDICTION.**

This chapter shall be applicable throughout the Village's planning jurisdiction. The Village's planning jurisdiction comprises the area within the corporate boundaries of the Village of Baltimore, Ohio and to all subdivisions and development which are subject to extraterritorial jurisdiction, which the Village may choose to exercise under the provision of Ohio R.C. 711.09. (Ord. 94-08. Passed 5-9-94.)

**1202.04 EFFECTIVE DATE.**

The provisions of these Subdivision and Development Regulations were adopted by Ordinance 94-08 on May 9, 1994. (Ord. 94-08. Passed 5-9-94.)

**1202.05 PURPOSE AND INTENT.**

(a) The purpose of this title is to establish subdivision and development standards and procedures for the Village of Baltimore, Ohio.

(b) This title is to guide and facilitate the orderly, beneficial growth of the community by assuring the orderly subdivision of land and its development, and to promote the public health, safety, convenience, comfort, prosperity and general welfare. (Ord. 94-08. Passed 5-9-94.)

**1202.06 RELATIONSHIP TO EXISTING SUBDIVISION ORDINANCE.**

These Subdivision and Development Regulations are adopted in whole and are a replacement of the Subdivision and Development Ordinance of Baltimore of 1963, as amended, which was repealed by the Village Council effective with the passage of Ord. 94-08. (Ord. 94-08. Passed 5-9-94.)

**1202.07 RELATIONSHIP TO COMPREHENSIVE PLANNING.**

It is the intention of the Village Council that this chapter shall implement the subdivision and development policies adopted by the Village Council for the Village of Baltimore, as reflected in a comprehensive plan, land-use plan, and all other planning documents formally adopted by the Village Council. While the Council reaffirms its commitment that this ordinance and any amendment to it be in conformity with adopted planning policies, the Council hereby expresses its intent that neither this Code nor any amendment to it may be challenged on the basis of any alleged nonconformity with any planning document. (Ord. 94-08. Passed 5-9-94.)

**1202.08 SEVERABILITY.**

Each chapter, section, paragraph, sentence, clause, phrase, or other divisible part of the Subdivision and Development Ordinance is hereby declared to be severable and if any such chapter, section, paragraph, sentence, clause, phrase, or other divisible part is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any of the remaining chapters, sections, paragraphs, sentences, clauses, phrases, or other divisible part of this ordinance since the same would have been enacted without the incorporation into this ordinance of such unconstitutional or invalid chapter, section, paragraph, sentence, clause, phrase, or other divisible part. (Ord. 94-08. Passed 5-9-94.)

**1202.09 PLATTING REQUIRED.**

(a) No land shall be subdivided except in compliance with this chapter and with the provisions of the Zoning Code of the Village of Baltimore.

- (b) No land shall be subdivided within the corporate limits of the Village of Baltimore until:
- (1) The subdivider shall submit plats as described in this chapter;
  - (2) Said plats have been approved as provided herein; and
  - (3) The approved plats are recorded in the County Record of Plats.

(c) No Certificate of Zoning Compliance or Certificate of Occupancy shall be issued for any parcel of land which was created by subdivision after the effective date of, and not in conformity with, the provisions of this chapter, and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with these regulations or other applicable Village Codes.  
(Ord. 94-08. Passed 5-9-94.)

**1202.10 CONFLICTING ORDINANCES.**

Where conflicts exist between requirements of these Subdivision and Development Regulations and other ordinances adopted by the Village Council, the most strict interpretation as interpreted by the Zoning Administrator shall apply and thereby supersede the less strict requirements. (Ord. 94-08. Passed 5-9-94.)

**1202.11 COORDINATION OF PLANNED DISTRICT DEVELOPMENT APPROVAL WITH SUBDIVISION APPROVAL.**

The planned district development approach is greatly encouraged for tracts of twenty (20) acres or more. It is the intent of these regulations that subdivision review may be carried out simultaneously with the review of planned district zoning applications under Chapters 1288 of the Zoning Ordinance. The subdivision regulations may be modified to the degree necessary to accomplish the objective and standards required for planned districts. Nothing within this section, however, shall exempt the developer from the requirements of subdivision plat approval as specified in this chapter. Subdivision regulations modified to the degree necessary to accomplish the objectives and standards required for planned districts must be approved by Council at the time of Council planned district approval.

**CHAPTER 1204**  
**Definitions**

1204.01 Rules of construction; words and terms defined.

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**1204.01 RULES OF CONSTRUCTION; WORDS AND TERMS DEFINED.**

(a) General. Except where specifically defined herein, all words used in these Subdivision and Development Regulations shall carry customary meanings. Words used in the present tense include the future tense; the plural includes the singular and the singular includes the plural: the word "lot" includes the word "parcel"; the word "building" includes the word "structure"; the word "shall" is mandatory, the word "may" is permissive, and the word "should" is preferred; the words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied"; and the word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. Words denoting the masculine gender shall be deemed to include the feminine and neuter genders. A general term following specific enumeration of terms is not to be limited to the class enumerated unless expressly so limited.

(b) Specific Words and Terms.

- (1) "Administrator" means the Zoning Administrator of the Village of Baltimore.
- (2) "Agent" means the representative of the applicant. The authority of the representative shall be established to the satisfaction of the Zoning Administrator.
- (3) "Alley" See "Thoroughfare".
- (4) ANSI means American National Standards Institute.
- (5) "Applicant" means the owner or authorized representative of land proposed to be subdivided. The authority of the representative shall be established to the satisfaction of the Zoning Administrator. Consent to subdivide shall be required from the legal owner of the premises.
- (6) "Architect" means an architect registered by the state of Ohio.
- (7) "Arterial street" - See "Thoroughfare".
- (8) "As built plan" means plans that have been revised to incorporate all changes that occurred during construction of the project, on matte Mylar material.
- (9) "ASTM" means American Society of Testing and Materials.
- (10) "Average daily traffic (ADT) " means the total traffic volume during a given time period in whole days greater than one day and less than one year divided by the number of days in that time period.
- (11) "AWWA" means American Water Works Association.
- (12) "Block" means all that part of one side of a street between two intersecting streets.
- (13) "Board" means the Board of Zoning Appeals established in Section 1284.08.
- (14) "Bond" means any form of security including cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Village Council.

- (15) "Buffer" means any combination of mounds, fencing, plantings, etc., intended to separate one land use for another.
- (16) "Building" means any structure having a roof supported by columns or walls designed or intended for the enclosure, shelter, or protection of persons, animals, chattels, or property.
- (17) "Caliper" means a horticultural method of measuring the diameter of nursery stock. For trees less than four inches in diameter, the measurement should be taken at six inches above ground level. For trees greater than four inches in diameter up to and including twelve inches, the caliper measurement must be taken at twelve inches above the ground level. For trees greater than twelve inches in diameter, the trunk is measured at breast height (diameter at breast height of DBH), which is 4.5 feet above the ground.
- (18) "Certificate of deposit" means a certificate held on deposit by a financial institution for the Village of Baltimore until such time as the subdivider has fulfilled his or her obligation to install the required improvements.
- (19) "Clerk-Treasurer" means the Village Clerk-Treasurer of the Village of Baltimore, Ohio.
- (20) "Collector street" - -"Thoroughfare".
- (21) "Commission" means the Planning and Zoning Commission of Baltimore, Ohio.
- (22) "Comprehensive plan" means the plan or plans made and adopted by the Village of Baltimore as may be amended, indicating the general locations recommended for the principal streets, parks, public buildings, zoning districts, character and extent of community development and other physical aspects of urban and rural planning. The Baltimore Land Use and Development Plan was adopted by ordinance 2004-33.
- (23) "Concept Plan" means written and graphic documents submitted to the Zoning Administrator as part of the subdivision process. A concept plan is submitted prior to submission of a preliminary plat. A concept plan indicates in a general way the location of existing and proposed streets right of way, location of existing improvements and buildings, location of drainage routes, streams, trees, and other natural features, location of existing easements, and location of proposed development areas.
- (24) "Conservation area" means an area designated by the Planning and Zoning Commission, Comprehensive Plan, or other officially adopted planning document, as an area where development should not occur due to the area's environmental, aesthetic, social, or cultural significance to the Village.
- (23) "Construction plans" means the maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in a subdivision.
- (24) "Council" means the Village Council of the Village of Baltimore, Ohio.
- (25) "County" means Fairfield County, Ohio.
- (26) "Cut sheets" means tabular survey information used for the purpose of construction layout staking.
- (27) "Density" means the number of dwelling units per acre of land.
  - A. "Gross Density" means the numerical value obtained by dividing the total number of dwelling units in a development by the gross area of the tract of land (in acres) within the development. This would include all non

residential land uses and private streets of the development, as well as rights-of-way of dedicated streets; the result being the number of dwelling units per gross acre of land.

- B. "Net Density" means the numerical value obtained by dividing the total number of dwelling units in a development by the area of the actual tract of land (in acres) upon which the dwelling units are proposed to be located and including permanent stormwater retention areas, common open space and associated recreational facilities within the area; the result being the number of dwelling units per net residential acre of land. Net density calculations exclude rights-of-way of publicly dedicated streets, as well as the land in private streets and temporary stormwater management areas. Open bodies of water such as streams, creeks, and ditches are also excluded from net density calculations.
- (28) "Developer" - See "Applicant."
- (29) "Development" means any man-made change to improved or unimproved real estate.
- (30) "Easement" means the right to use the real property of another for a specific purpose. The easement is itself a real property interest, but legal title to the underlying land is retained by the original owner for all other purposes.
- (31) "Engineer, registered" means an engineer registered by the State of Ohio.
- (32) "Engineer, project" - See "engineer, registered".
- (33) "Engineer, Village" means the Village Engineer of the Village of Baltimore.
- (34) "Erosion" means the wearing away of land surface by running water, wind, ice, or other geological agents, including such processes as gravitational creep and/or detachment and movement of soil or rock fragments by wind, water, ice, or gravity.
- (35) "Escrow" means a deposit of cash with the Village of Baltimore in lieu of an amount required and still in force on a performance or maintenance bond.
- (36) "Escrow fund" means cash placed by the subdivider in an account to be held by a financial institution in favor of the Village of Baltimore to guarantee the installation of improvements according to the provisions of this ordinance.
- (37) "Excavation" means the removal or recovery by any means whatsoever of soil, rock, mineral substances, or organic substances other than vegetation, from water or land on or beneath the surface thereof, or beneath the land service, whether exposed or submerged, whether by mechanical or manual means.
- (38) "Fire Chief" means the Fire Chief of the appropriate Fire District.
- (39) "Floodplain" means the area adjoining a water course which are expected to be flooded as a result of a severe combination of meteorological and hydrological conditions, as identified by ordinance 93-88 or its successor.
- (40) "Floodway" means the channel of the watercourse of those portions of the adjoining floodplain which are reasonably required to carry and discharge the 100 year flood, as identified by ordinance 93-88 or its successor.
- (41) "Floodway fringe" means that portion of the floodplain outside of the floodway, as identified by Ordinance 93-88 or its successor.
- (42) "Frontage" means that portion of a lot abutting on a dedicated right-of-way.
- (43) "Grade" means the slope of any surface specified in percentage terms.
- (44) "Grade, established street" means the elevation of the street, established by the Village Engineer, measured at the center line of the street.

- (45) "Grade, finished" means the elevation of the surface of the ground of any parcel of land after construction of buildings, parking, driveways, streets, the completion of all landscaping, and any other improvements.
- (46) "Grade, natural" means the elevation of the undisturbed surface of any land.
- (47) "Hillside" means an area with an average slope of more than 15%.
- (48) "IES" means Illuminating Engineering Society.
- (49) "Improvement, public" means any drainage ditch, roadway, parkway, sidewalks, pedestrian way, tree lawn, off-street parking area, lot improvement, or other facility for which the Village of Baltimore may ultimately assume the responsibility for operation and maintenance or which may effect an improvement for which the Village of Baltimore is responsible.
- (50) "Improvements" means street pavement or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, grading, and other related matters normally associated with development of raw land into building sites.
- (51) "In-lieu fees" means fees paid by a private individual or party to the Village of Baltimore to compensate for the mandatory dedication provisions of the Baltimore Zoning Code when said land dedication is waived by Village Council.
- (52) "Inspection fee" means cost to the Village of supervising construction, to be paid by the developer.
- (53) "Landscape architect" means a landscape architect registered by the State of Ohio.
- (54) "Law director" means the Law Director or Village Solicitor of the Village of Baltimore, Ohio.
- (55) "Letter of credit" means an irrevocable letter of credit issued by a bank in the Central Ohio area, subject to the provisions of Chapter 1305 of the Ohio Revised Code.
- (56) "Lot" means a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:
  - A. A single lot of record;
  - B. A portion of a lot of record;
  - C. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.
- (57) "Lot, corner" means a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.
- (58) "Lot, double frontage" means a lot, other than a corner lot, with frontage on more than one street.
- (59) "Lot improvement" means any building, structure, place, work of art, or other object or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment.
- (60) "Lot, interior" means a lot with only one frontage on a street.
- (61) "Lot, irregular" means a lot that is neither square or rectangular.



- (62) "Lot, minimum area" means the area of a lot computed exclusive of any portion of the right-of-way of any public or private street.
- (63) "Lot measurement" means a lot shall be measured as follows:
  - A. The depth of a lot shall be considered to be the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in the front to the rearmost points of the side lot lines in the rear. However, the straight line connecting the rearmost points of the side lot lines shall not be less than one-half of the length of the straight line connecting the foremost points of the side lot lines.
  - B. The width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line.
- (64) "Lot of record" means a lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been recorded.
- (65) "Lot, reverse frontage" means a double frontage lot located along a collector or arterial that derives access from an interior local street.
- (66) "Mandatory land dedication" means the required dedication of private land to the Village of Baltimore for the purpose of providing space for park, recreation, open space, and other public uses.
- (67) "Map index" means a map supplied with street improvement plans showing the street and storm sewer system at a scale of 1" = 200'.
- (68) "Map location" means a map supplied with the plat that shows legibly, by dimension and/or other means, the proposed subdivision and enough area beyond the bounds of the proposed subdivision to locate and orient the subdivision and show the relationship of the site to the community facilities that serve or influence the property, at a scale of 1" = 1000'.
- (69) "Mayor" means the Mayor of the Village of Baltimore, Ohio.
- (70) "MORPC" means Mid-Ohio Regional Planning Commission.
- (71) "Net developable site" means the remainder of a parcel of land following the subtraction of all areas designated for public and private streets and alleys, open bodies of water excluding streams, creeks and ditches, and all other dedicated rights-of-way.
- (72) "No build zone" means an area or portion of a lot that is designated by deed not to contain any buildings, structures or other built improvement on a permanent basis.
- (73) "O.D.O.T. " or "ODOT" means Ohio Department of Transportation.
- (74) "OEPA" means Ohio Environmental Protection Agency.
- (75) "Official Thoroughfare Plan" means the system of streets for the Village as adopted by the Village, on file in the Clerk-Treasurer's office, together with all amendments thereto subsequently adopted.
- (76) "Off-site" means any premises not located within the area of the property to be subdivided or improved, whether or not in the same ownership of the applicant for subdivision.
- (77) "Performance and indemnity bond or surety bond" means an agreement by and between a subdivider and a bonding company in favor of the Village of Baltimore

- for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by subdivider's agreement. (see Appendix E)
- (78) "Planning and Zoning Commission" means the Planning and Zoning Commission of the Village of Baltimore, Ohio.
  - (79) "Plan, improvement" means detailed construction drawings, maps, and other materials depicting a proposed subdivision meeting the requirements of this title.
  - (80) "Plan, sketch" means a drawing of a proposed subdivision intended to be used as a general indicator of how the proposed area may be subdivided, as per this document.
  - (81) "Plat, final" means the plat of a proposed subdivision, drawn on durable material as specified in this document and intended for recording, meeting all the requirements as herein enumerated.
  - (82) "Plat, preliminary" means the plat of a proposed subdivision that meets all of the requirements of this document.
  - (83) "Reserves" means parcels of land within a subdivision set aside for future subdivision or set aside for other purposes, as noted on the plat.
  - (84) "Right-of-way" means a strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, and bridges.
  - (85) "Sediment" means solid material both mineral or organic, that is in suspension, is being transported, or has been moved from its site or origin by surface water, and has come to rest on the earth's surface above or below ground level.
  - (86) "Sediment basin" means a barrier, dam, or other suitable detention facility built across an area of water-flow to settle and retain sediment carried by run-off waters.
  - (87) "Setback, front" means the minimum distance between the right-of-way and a building facing said right-of-way, as required by the Zoning Code.
  - (88) "Setback, platted" means the minimum distance between the building and the right-of-way, rear lot line, and/or side lot line as required by the zoning code and shown on the recorded plat of the subdivision.
  - (89) "Setback, rear" means the minimum distance between the rear lot line and a building as required by the Zoning Code.
  - (90) "Setback, side" means the minimum distance between the side lot line and a building, as required by the Zoning Code.
  - (91) "Solicitor" means the Law Director or Village Solicitor of the Village of Baltimore, Ohio.
  - (92) "Street". See Thoroughfare.
  - (93) "Structure" means that which is constructed having a location on or in the ground or attached to that having a location on or in the ground; the term shall include buildings, outdoor seating facilities, outdoor theaters, swimming pools, platforms, decks, tents, towers, bridges, poles, roadside signs.
  - (94) "Subdivider" - See "Applicant. "
  - (95) "Subdivider's agreement" means an agreement by and between a subdivider and the Village of Baltimore that sets forth the manner in which the subdivider agrees to

proceed with the construction of public improvements and the disposition of lots in the subject subdivision.

- (96) "Subdivision" means any or all of the following:
- A. The division or re-division of land into two or more parts, lots, parcels, sites, units, tracts, or interests for the purpose of transfer of ownership, lease, or building development either immediate or future;
  - B. The division or development of land whether by deed, metes and bounds description, devise, intestacy, lease, map, plat, or other recorded instrument; or
  - C. The improvement of one or more parcels of land for structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street, right-of-way, or easement; or
  - D. The re-subdivision of any lot or lots in any recorded subdivision. Provided, however, that the sale and exchange does not create additional building sites, shall not be defined as a subdivision.
- (97) "Subdivision, minor" means any subdivision of less than five acres, all of the lots of which front on an existing Village street and with which there is no new street or right-of-way required or proposed.
- (98) "Surety" means a certificate of deposit, performance bond, irrevocable letter of credit or cash escrow account in favor of the Village designed to guarantee the construction of required improvements.
- (99) "Surveyor" means a surveyor registered by the State of Ohio.
- (100) "Thoroughfare, Street, or Road" means the full width between property line bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:
- A. "Alley" means a public or private right-of-way 20 feet or less in width which affords only a secondary means of access to property abutting thereon. An alley may not be used as the sole means of access to a property under any conditions including garages.
  - B. "Arterial Street" means a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route. Traffic volumes are generally greater than 10,000 ADT.
  - C. "Collector Street" means a thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
  - D. "Cul-de-Sac" means a local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
  - E. "Dead-end Street" means a street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.
  - F. "Local Street" means a street primarily for providing access to residential or other abutting property.
  - G. "Loop Street" means a type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the 180 degree system of turns are not more than 1000 feet from the arterial or collector street, nor normally more than 600 feet from each other.

- H. "Marginal Access Street" means a local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street.)
- (101) "Tree" means any tree, shrub, or other woody plant.
- (102) "Tree lawn" means the park strip of land between the back of curb and sidewalks.
- (103) "Tree, large" means any tree species having a caliper of six inches or greater.
- (104) "Tree, significant" means any individual tree that is of cultural, historical, biological, or horticultural value as determined by the Village Council with the advice of the Planning and Zoning Commission.
- (105) "Village" means the Village of Baltimore, Ohio.
- (106) "Village Administrator" means the Village Administrator of the Village of Baltimore, Ohio.
- (107) "Village Clerk-Treasurer" means the Village Clerk-Treasurer of the Village of Baltimore, Ohio.
- (108) "Village Council" means the Village Council of the village of Baltimore, Ohio.
- (109) "Village Mayor" means the Mayor of the Village of Baltimore, Ohio.
- (110) "Village Solicitor" means the Law Director or Village Solicitor of the Village of Baltimore, Ohio.
- (111) "Zoning Administrator" means the Zoning Administrator of the Village of Baltimore, Ohio.
- (112) "Zoning Code" means the Zoning Code of the Village of Baltimore, Ohio.

**CHAPTER 1206**  
**Administration and Enforcement**

- 1206.01 Compliance required.
- 1206.02 Waivers.
- 1206.03 Plat adjustments.
- 1206.04 Testing.
- 1206.05 Vacation of plats.

***CROSS REFERENCES***

State law provisions - see Ohio R.C. 713.06 et seq.

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**1206.01 COMPLIANCE REQUIRED.**

Administration of these regulations shall be set forth herein and in accordance with this chapter. (Ord. 94-08. Passed 5-9-94.)

**1206.02 WAIVERS.**

The Planning and Zoning Commission and Village Council, where they find extraordinary and unnecessary hardship may result from strict compliance with these regulations as a result of topographic or other physical conditions, may waive such requirements provided that such a waiver does not violate the intent of these regulations and will not be detrimental to the public interest. Under no circumstances shall waiver be granted under this section to any requirements of the Zoning Code. (Ord. 94-08. Passed 5-9-94.)

**1206.03 PLAT ADJUSTMENTS.**

No changes shall be made to any final plat after approval by Village Council except that minor technical adjustments or corrections which do not significantly change the plat as approved may be made with the approval of the Village Administrator, Zoning Administrator, and Village Engineer. (Ord. 94-08. Passed 5-9-94.)

**1206.04 TESTING.**

Testing to ensure compliance with the standards contained herein shall be required by the Village Engineer and shall be at the expense of the subdivider. (Ord. 94-08. Passed 5-9-94.)

**1206.05 VACATION OF PLATS.**

Any plat or portion thereof may be vacated by filing a written instrument declaring said plat or portion thereof to be vacated. Such instrument shall be submitted to the Planning and Zoning Commission who shall review same and make a recommendation to the Village Council. Council may approve or reject any such instrument. A 2/3 majority vote by Council is required to overturn a recommendation by the Planning and zoning commission. Upon approval by Council, said instrument may be recorded in like manner as plats of subdivisions and shall operate to destroy the force and effect of the plat, or portion thereof, so vacated. (Ord. 94-08. Passed 5-9-94.)



**CHAPTER 1208**  
**Violations and Penalties**

- 1208.01 Violations and penalties.
- 1208.02 Appeals.
- 1208.03 Notices.

***CROSS REFERENCES***

Violation of regulations - see Ohio R.C. 711.102

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**1208.01 VIOLATIONS AND PENALTIES.**

Any person, firm, or corporation who fails to comply with, or violates, any of these Subdivision and Development Regulations or Chapter 711 of the Ohio Revised Code shall be subject to the penalties as set forth in said Chapter 711. (Ord. 94-08. Passed 5-9-94.)

**1208.02 APPEALS.**

Any person, firm, or corporation who believes he or she has been aggrieved by these regulations has all the rights of appeal as set forth in Chapter 711 of the Ohio Revised Code. (Ord. 94-08. Passed 5-9-94.)

**1208.03 NOTICES.**

The Zoning Administrator shall serve a written notice or order upon the person responsible whenever the Zoning Administrator is satisfied that any work is being done or any transactions are being made in violation of the provision of these Subdivision and Development Regulations. Such notice shall direct the discontinuance of any illegal action and the remedying of the condition that is in violation. In case such notice or order is not promptly complied with, the Administrator shall stop all services to the property where such violation is concerned and to refuse such services until the violation is corrected. The Administrator may also request the Village Solicitor to institute the appropriate action or proceeding at law or equity to restrain, correct, remove, or prosecute such violation. (Ord. 94-08. Passed 5-9-94.)

**CHAPTER 1210**  
**Application Procedure and Approval Process**

- 1210.01 Application required.
- 1210.02 Pre-application conference.
- 1210.03 Submittal of preliminary plats.
- 1210.04 Submittal of final plats.
- 1210.05 Special procedures for minor subdivisions.

***CROSS REFERENCES***

- Original plats - see Ohio R.C. 711.01 et seq.
- Vacating plats - see Ohio R.C. 711.17 et seq.
- Revision of plats - see Ohio R.C. 711.28 et seq.

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**1210.01 APPLICATION REQUIRED.**

Application for subdivision must be submitted to the Zoning Administrator and the following procedure shall be followed with regard to the submittal, review, and approval of subdivision plats. (Ord. 94-08. Passed 5-9-94.)

**1210.02 PRE-APPLICATION CONFERENCE.**

Prior to submission of a preliminary plat, the subdivider shall submit a Concept Plan to the Zoning Administrator for review. In addition to the Concept Plan, the Zoning Administrator may request other plans and data relative to the proposed development if needed. This step does not require formal application fee or filing of the plat with the Planning and Zoning Commission. (Ord. 94-08. Passed 5-9-94.)

After this data is submitted, the Zoning Administrator will arrange and conduct a joint meeting with the Village Engineer, Village Administrator, and the developer to review these pre-application documents and acquaint the developer with the Commission's requirements and to familiarize the development with the comprehensive plan, thoroughfare plan, parks and recreation master plan, zoning ordinance, and drainage, sewerage, and water systems of the Village.

**1210.03 SUBMITTAL OF PRELIMINARY PLATS.**

(a) The subdivider shall prepare and submit 15 copies of a preliminary plat, together with the supplementary material as required by Section 1206.02. Said plat shall be filed with the Zoning Administrator at least 45 days prior to the meeting at which it is to be considered.

(b) The Planning and Zoning Commission shall review the preliminary plat and act thereon. The Commission may approve the preliminary plat as submitted or modified, it may conditionally approve the plat and stipulate the conditions of such approval, or it may disapprove the plat and express the reasons therefore. The action of the Commission shall be noted on two copies of the preliminary plat. One copy shall be returned to the subdivider and the other retained on file by the Zoning Administrator.



(c) Approval of a preliminary plat shall not constitute approval of the final plat and improvement plans, but rather shall be deemed an expression of approval of the layout as guide to preparation of the final plat.

(d) Review of the preliminary plat is based on conformance with present zoning and general conformance with the improvement requirements as stipulated herein.

(e) Whether it is proposed to develop the tract in one phase or intersections or stages, layout of the entire tract is required. (Ord. 94-08. Passed 5-9-94.)

(f) All fees required for processing of a preliminary plan must be paid with the application, prior to review by the Planning and Zoning Commission or the submittal will be deemed incomplete by the Zoning Administrator and not suitable for review.

#### **1210.04 SUBMITTAL OF FINAL PLATS.**

(a) Final plats shall be subsequent to and substantially in conformance with a previously approved preliminary plat. A final plat may constitute only that portion of the project which is proposed for recording and development at the time. Final plats shall be submitted to the Zoning Administrator within 12 months after approval of the preliminary plat or such approval shall be null and void unless an extension of time has been granted by the Planning and Zoning Commission upon showing of cause. Only one extension of time may be granted for a period not to exceed 12 months.

(b) Final plats shall be prepared by a registered surveyor and 15 copies of the plat and supporting data as required in section 1212.03 shall be submitted to the Zoning Administrator at least 45 days prior to the meeting at which it is to be considered.

(c) The Planning and Zoning Commission shall, within a period of time, not longer than 90 days from the receipt of the final plat containing all revisions as required by the Planning and Zoning Commission and the Village Staff, review same and recommend either approval, approval with conditions, or disapproval. The plat together with Commissioner's recommendation shall then be immediately forwarded to Village Council, and heard by Village Council within 60 days of receipt of the plat as reviewed by the Planning and Zoning Commission.

(d) Before any plat is approved by the Planning and Zoning Commission, the developer shall give notice to the State Director of Transportation of the proposed improvements and obtain a letter for the State Director of Transportation stating that:

- (1) This property is not within 300 feet of the centerline of a proposed new highway, or within 500 feet of the centerline of a highway for which changes are proposed, or
- (2) This property is within these limits but that acquisition of the land at this time is not in the public interest. If the Director of Transportation notifies the Planning and Zoning Commission that the state shall proceed to acquire the land needed, the Planning and Zoning Commission may refuse to approve the plat, according to provisions of Section 5511.01 of the Ohio Revised Code.
  - A. At the request of the subdivider, the Planning and Zoning Commission may give conditional approval and allow the developer to proceed with completion of the plat. However, it shall be clearly at the subdivider's own risk and the

conditional approval shall be withdrawn if the State Director of Transportation proceeds to acquire the land.

- B. If the State Director of Transportation notifies the Planning and Zoning Commission that acquisition at this time is not in the public interest, or upon expiration of a 120-day period from date of notice to the State Director or any extension thereof agreed upon by the State Director of Transportation and the property owner, the Planning and Zoning Commission shall, if the plat is in conformation with all the provisions of this title, approve the plat.
- C. A copy of correspondence to the State Director shall be mailed to the Zoning Administrator. The correspondence to the State Director shall indicate the 120-day notification deadline.

(e) Village Council shall within a reasonable time (no longer than 180 days) either approve or disapprove the plat. Should Council approve the final plat, the sub-divider shall deliver to the Clerk-Treasurer a bond or other items as required by section 1216.02, 1216.03, and 1218. Upon review and approval of said items by the Village Engineer, the Village Mayor and Clerk-Treasurer shall sign the final plat and it may be recorded. The placement of the Mayor's signature on the plat shall constitute final approval of the subdivision. The required bonds shall be posted and the plat placed on record within six months from the date of Council's approval or the plat shall be null and void. Provided, however, the said time may be extended by Village Council for good cause. If the plat is disapproved by a Council, it shall be returned to the Planning and Zoning Commission with recommendations for modification. A two-thirds majority vote is required by Council to overturn a recommendation by the Planning and Zoning Commission.

(f) A copy of the final plat as recorded shall be submitted to the Zoning Administrator. Upon completion of the subdivision, "as built plans" based on Village inspection records and prepared by the developer shall be submitted to the Zoning Administrator in mylar form.

(g) Application for building permits for lots within the subdivision shall not be submitted until after the plat is recorded and either improvements completed, or a bond is posted for 100% of the estimated construction and inspection cost of the improvements. (Ord. 94-08. Passed 5-9-94.)

#### **1210.05 SPECIAL PROCEDURES FOR MINOR SUBDIVISIONS.**

(a) Minor subdivision plats may be approved for recording by the Zoning Administrator without referral to the Planning and Zoning Commission or Village Council provided that all appropriate requirements of this title are met and the plat has received a favorable review by the Village Engineer. Where there are unusual conditions associated with a proposed subdivision, the plat shall be forwarded to the Planning and Zoning Commission for review and approval.

(b) Minor subdivisions presented to the Planning and Zoning Commission shall include such information as contained in section 1212.02 and 1212.03 as deemed necessary and appropriate by the Planning and Zoning Commission.

(c) Any person aggrieved by a decision of the Zoning Administrator under this section shall have the right to appeal said decision to the Planning and Zoning Commission by filing a written appeal within ten days of the decision.

(d) Any plats approved by the Zoning Administrator according to this section shall be reported to the Planning and Zoning Commission at its first meeting following the date of said approval.

(Ord. 94-08. Passed 5-9-94.)

**CHAPTER 1212**  
**Plat Requirements**

- 1212.01 Plat requirements.
- 1212.02 Preliminary plat requirements.
- 1212.03 Final plat requirements.
- 1212.04 Minor subdivision plats.

***CROSS REFERENCES***

- Original plats - see Ohio R.C. 711.01 et seq.
- Vacating plats - see Ohio R.C. 711.17 et seq.
- Revision of plats - see Ohio R.C. 711.28 et seq.

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**1212.01 PLAT REQUIREMENTS.**

Plats, plans, and data submitted to the Village for review shall be in accordance with the requirements contained in the following sections for such plats. (Ord. 94-08. Passed 5-9-94.)

**1212.02 PRELIMINARY PLAT REQUIREMENTS.**

Preliminary plats shall be prepared at a scale of one inch equals 100 feet (1"= 100') and the entire project shall be displayed on a single sheet when possible. If more than two sheets are required, an index sheet must be included. Where information is required for items off-site, and access to such areas is not available to the registered surveyor, required information may be an approximate nature, based on existing plats of surrounding parcels and must be so noted. Preliminary plats shall include the following:

- (a) A location map showing the relationship of the proposed subdivision to the surrounding area.
- (b) The name of the subdivision, the name and address of the developer, the name and registration number of the registered surveyor, a north arrow, scale, and date.
- (c) The location by section, range, and township or other surveys.
- (d) Soils information, presented on a separate drawing, identical in scale to the preliminary plat. Street and lot layout shall be superimposed upon the soils information sheet. Date shall be derived from the United States Department of Agriculture soil survey.
- (e) The names and locations of all adjoining property owners and adjacent subdivisions within 150 feet of the proposed subdivision.
- (f) The current zoning of the property to be subdivided and of the contiguous properties.
- (g) The location and dimensions of all boundary lines of the property expressed in feet and decimals of a foot, and the approximate acreage of the land to be subdivided.
- (h) The location of existing water bodies, streams, drainage ditches, stands of trees and trees with a caliper more than six inches in diameter, and other pertinent features within 500 feet of the proposed subdivision.
- (i) The location, width, names, and classification of all existing and proposed streets, right-of-way, and easements, and where pertinent, their designated use within 500 feet of the proposed subdivision.
- (j) Approximate location of all existing buildings within 500 feet of the proposed

subdivision.

- (k) Location and illustration of existing storm and sanitary sewers, culverts, drainage tiles, water lines, gas lines, CATV, utility poles, and utility lines within and adjacent to the proposed subdivision.
- (l) The location of all existing wells within 300 feet of the proposed subdivision.
- (m) The approximate location, and numbering of all proposed lots.
- (n) The approximate location, dimensions, and areas of all property proposed to be set aside for parks, open space, other public or private reservation, with designation of the purpose and proposed ownership thereof.
- (o) Topography with a maximum contour interval of two feet. Elevations shall be based on mean sea level datum obtained from bench marks established by the United States Geological Survey.
- (p) Indication of the proposed use of any lot other than residential.
- (q) Lots within the subdivision including future additions shall be numbered consecutively beginning with one, and the total number of lots and their combined acreage shown on the plat.
- (r) Preliminary proposals for connection to existing water supply and sanitary sewer systems and for the collection and discharge of surface water drainage including the location and size of existing and proposed water mains, sanitary sewers and drainage facilities.
- (s) Delineation of the drainage areas involved, with a plan for draining the total upstream watershed through the development. The major storm routing path shall be delineated.
- (t) The 100-year floodplain of any stream identified as having a flood hazard area.
- (u) Written identification from the Village Administrator that capacity for both water and sanitary sewer service is available.
- (v) Where it is proposed to develop the tract in sections or stages, a tentative delineation of the sections and their phasing, including an estimated time frame. (Ord. 94-08. Passed 5-9-94.)

### **1212.03 FINAL PLAT REQUIREMENTS.**

Final plats shall be prepared and stamped by a registered surveyor. Said plats shall be a reproducible mylar and an electronic copy at a scale of no greater than one inch equals 100 feet (1" = 100'). The size of the reproducible mylar shall be 18 inches by 24 inches for subdivisions in Fairfield County. Final plats shall include the following:

- (a) A location map showing the relationship of the proposed subdivision to the surrounding area.
- (b) The name of the subdivision, north arrow, scale, and date.
- (c) The names of all adjoining property owners as shown on the preliminary plat.
- (d) The boundary lines of the area being subdivided with accurate distance and bearings, including section, corporation, and county lines.
- (e) Curve data for street including the radii, arcs, chords, chord bearings, tangent, and central angle
- (f) Accurate dimensions for all lots, reserve parcels, rights-of-way, and easements.
- (g) Accurate location of all required monuments.
- (h) A summary of the area of land used for each of the following:
  - (1) Lots
  - (2) Right-of ways

- (3) Parks
- (4) Other Open Space
- (i) Location of setback lines from all right-of-ways, public or private, and the building envelope shown on all irregular lots.
- (j) An acknowledgment by and bearing the signature of the owner that the plat was prepared with the owner's consent and approval and dedicating the streets and the appropriate areas to the Village of Baltimore.
- (k) A statement signed by the owner setting forth the rights associated with the easements and reserve parcels shown on the plat.
- (l) Certification by a registered surveyor that the information contained on the plat is true and correct and conforms to the requirements of these Subdivision Regulations.
- (m) An approval block for the endorsement of the plat by the Mayor and Clerk-Treasurer upon the approval by Village Council. The approval block and associated subdivision plat wording is shown in Appendix E. The final plat shall not be approved until the following items have been submitted to the Zoning Administrator:
  - (1) Improvement plans prepared by a registered engineer for required improvements at a scale of 1" = 50' on 24" x 36" or such other scale acceptable to the Village Engineer.
  - (2) A landscaping plan.
  - (3) An erosion and sedimentation control plan in accordance with the latest Ohio EPA requirements.
  - (4) A letter from the Village Administrator and Village Engineer approving the improvement plans for the water distribution system, the sanitary system and storm sewers system.
  - (5) Bonds or other guarantees as may be required by Chapter 1216.
  - (6) All approvals from regulatory agencies.
  - (7) Payment of all required fees.

**1212.04 MINOR SUBDIVISION PLATS.**

Minor subdivision plats shall contain information sufficient to the Zoning Administrator and Village Engineer to ensure compliance with the provisions of this chapter. (Ord. 94-08. Passed 5-9-94.)

**CHAPTER 1214**  
**Required Improvements**

- 1214.01 General.
- 1214.02 General requirements for improvement plans.
- 1214.03 Monuments.
- 1214.04 Streets.
- 1214.05 Street lighting.
- 1214.06 Signs.
- 1214.07 Water.
- 1214.08 Sanitary sewers.
- 1214.09 Drainage.
- 1214.10 Bridges.
- 1214.11 Erosion and sedimentation control.
- 1214.12 Landscaping.
- 1214.13 Subdivision information signs.
- 1214.14 Hillside regulations.
- 1214.15 Public sites and open spaces.
- 1214.16 Sewage disposal and water supply.
- 1214.17 Variances and revisions.
- 1214.18 Platted easements.
- 1214.19 Private utilities.
- 1214.20 Protection of wells.
- 1214.21 Minimum land dedication requirements for school sites.

***CROSS REFERENCES***

- Original plats - see Ohio R.C. 711.01 et seq.
- Vacating plats - see Ohio R.C. 711.17 et seq.
- Revision of plats - see Ohio R.C. 711.28 et seq.

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**1214.01 GENERAL.**

(a) Prior to final approval, the subdivider shall have installed, or furnished surety, in accordance with section 1216.02 to guarantee the installation of the improvements hereinafter required.

(b) All items of work covered and stipulated in the improvement plans, including altering or any extra work shall be performed in accordance with the lines, grades, typical cross sections and dimensions shown on the construction plans. All areas within the rights-of-way and easements shall be graded in accordance with the grading plan. All other areas shall be rough graded such that building construction (including basement excavation) will satisfy final grading in accordance with the grading plan. The setting and marking of all lines, profile and grade stakes necessary for the layout of the work in accordance with the improvement plans will be performed under the supervision of a registered engineer or registered surveyor. Should any misunderstanding arise as to the intent or meaning of the construction plans, or any discrepancy appear in same, or in the proper

method of setting and marking of the construction stakes, the decision of the Village Engineer in such cases shall be final. (Ord. 94-08. Passed 5-9-94.)

#### **1214.02 GENERAL REQUIREMENTS FOR IMPROVEMENT PLANS.**

(a) All improvement plans shall be prepared, signed, and sealed by a registered professional engineer. Plans shall include title sheet, index map, location map, typical sections, plan and profile view, bench marks, miscellaneous engineering details, and estimate of quantities. Cross sections shall be submitted upon request by the Village Engineer. All typical sections and major engineering details to be used on any particular street shall be approved in advance before completion of the improvement plans. All plans must be in compliance with the latest version of the Baltimore Construction Standard Drawings and Standard Construction Specifications.

- (1) The title sheet of the improvement plans must contain the name of the subdivision, road or street names, county and location map. Space shall be provided on the title sheet or the first sheet of the plan for signature of the Village Engineer or Village Mayor.
- (2) The necessity of guard rail, seeding, erosion control, type of backfill or other special conditions shall be determined with the assistance of the Village Engineer before completion of the improvement plans.
- (3) The improvement plans shall show the drainage area and design flow for all major culverts.
- (4) The construction plans shall be made on matte mylar material. Freehand linear drawings will not be accepted. No shading or coloring shall be allowed. The sheets upon which the construction drawings are made shall measure 24" x 36", with 2" margin border on three sides and 12" to 2" binding margin on the short left side. A poorly drawn or illegible plan is sufficient cause for rejection.
- (5) Submittal requirements include improvement plans, sanitary sewer calculations, storm drainage calculations and detention, grading plans, landscaping plans, erosion and sedimentation control plans, and lighting plans. See section 1210.04 for time frames for submittal to Zoning Administrator in conformance with policy established with the Planning and Zoning Commission.
- (6) Resubmittals of improvement plans shall clearly show all revisions made thereto, by notes in the "revision" block and outlines of the revision.
- (7) After the improvements have been constructed, a complete set of as-built plans on reproducible mylar with an electronic copy shall be submitted to the Village for Village files.

(b) Plan view of improvement plans must include the following:

- (1) Right-of-way line, centerline, departing lot lines, lot numbers, subdivision limits, and limits of construction;
- (2) Centerline curve data, including delta, radius, arc, chord, and tangent;
- (3) Radius of all curb returns to face of curb;
- (4) Approved street name;
- (5) Stations at every 100 feet of centerline. Indicate stations at points of curve and tangent at the beginning and end of all returns at centerline intersection, and at



- subdivision or section limits;
  - (6) The back of curb for full length of all streets;
  - (7) When proposed streets intersect with or join existing streets or traveled way, indicate both edges of existing pavement, surface, or curb and gutter for a minimum of 100 feet, or length of connection, whichever is the greater distance;
  - (8) All existing or proposed easements;
  - (9) All water mains, their size, valves, and fire hydrants, and location of mains to centerline of street;
  - (10) All storm sewers and appurtenances. Identify storm sewer appurtenances by type. All appurtenances shall be numbered. Indicate the top elevation of each structure. Storm sewer appurtenances and locations should be referenced to the centerline station of street;
  - (11) All sanitary sewers and appurtenances. Identify sanitary sewer appurtenances by type. All appurtenances shall be numbered;
  - (12) The location of all or any natural springs whether within or draining to the street right-of-way and indicate proposed treatment of same. All springs will be capped and piped in a minimum 6-inch diameter perforated pipe encased in washed gravel, and connected into the nearest storm manhole or curb inlet;
  - (13) Proposed stream and channel relocations. Show existing and proposed locations. Furnish detailed typical section and type of stabilization to be provided;
  - (14) Guard posts or barricade at the end of streets which are to be extended in the future. A temporary T-turnaround shall be provided for dead end streets exceeding 200 feet in length;
  - (15) Protection of ends of curb and gutter by providing for erosion control and temporary drainage where required;
  - (16) Where a special typical section is approved, provide detail on plan;
  - (17) Notes that may be necessary to explain the intent and purposes of the plan;
  - (18) Symmetrical transition of pavement at intersection with existing street;
- (c) Profile view on improvement plans must include the following:
- (1) Elevations at beginning and end of all vertical curves.
  - (2) Length of vertical curves within elevations and stations of vertical points of intersections (VPI);
  - (3) Elevations computed every 50 feet on all tangent sections, and grades computed every 25 feet in all vertical curves;
  - (4) Elevations along all curb and curb returns on intersecting streets. The grades of intersecting streets shall match at the intersections of the extensions of the respective curbs. In other words, a hypothetical curb P.I. must be established;
  - (5) Elevations at all curb inlets;
  - (6) Extension of centerline profile 300 feet beyond property line or boundary on all streets that provide for access to adjoining property;
  - (7) Existing centerline profiles for 200 feet minimum distance to insure proper grade tie, when proposed street in an extension of, or connects with an existing street or road;
  - (8) Centerline profile of existing street or road 300 feet minimum distance to right and left of proposed connection, when a proposed street intersects with an existing street or road;

- (9) All proposed water mains, storm sewers, and appurtenances;
- (10) All crossings of existing utilities;
- (11) Notes that may be necessary to explain the intent and purposes of the profile.  
(Ord. 94-08. Passed 5-9-94.)

**1214.03 MONUMENTS.**

Iron pins and permanent markers shall be set under the direction of a registered surveyor at all changes in direction of all outside boundary lines of the platted property and at all changes of direction of the rights-of-way lines. Iron pins shall be 13/16 inch inside diameter, 30 inches long with a plastic plug placed in the top bearing the initials of the surveyor. Permanent markers shall be one inch in diameter, material 30 inches long, buried one foot in depth below final grade with a plastic plug placed in the top bearing the initials of the surveyor. A minimum of four permanent markers shall be set. All monumentation shall meet the minimum standards for boundary surveys in the State of Ohio. (Ord. 94-08. Passed 5-9-94.)

**1214.04 STREETS.**

Streets shall be designed and constructed so as to meet the following criteria:

- (a) (1) Right-of-way and pavement widths shall be as shown in the following table.  
Pavement widths shall be measured face to face of curbs.

<i>Street Type</i>	<i>Minimum Right-of-Way</i>	<i>Minimum Pavement Width</i>
Arterial	100 feet	52 feet
Major Collector	80 feet	36 feet
Minor Collector	66 feet	36 feet
Local	60 feet	30 feet
Cul-de-sac	50 feet	26 feet

- (2) Turn-arounds on cul-de-sacs shall have a minimum 100' diameter right-of-way. If the turn-around includes a center island, a minimum 26' wide pavement shall be provided around the island.
- (b) The typical sections contained in the appendix of these Subdivision and Development Regulations shall be utilized.
- (c) Pavement shall meet or exceed the following criteria (all reference numbers refer to *Ohio Department of Transportation Construction and Material Specifications*, latest edition):

MINIMUM PAVEMENT COMPOSITION

	<i>Aggregate Base</i>				<i>Deep Strength</i>				<i>Concrete Base</i>		<i>Conc. Pymt.</i>
	304 *	301	458 Typ 1	458 Typ 2	301	402	404	305 **	458 Type 1	458 Type 2	452
Local street (3)	9"		2"	2"	5"		2"	6"		2"	6"
Collector street (10)	4"	3"	2"	2"	6"		2"	6"		2"	6"
Collector or arterial street (20)					6"	2"	2"	6"		2"	8"
Arterial or industrial street (75)					7"	2"	2"	8"	2"	2"	9"

\* A prime coat (Item 408)(0.35 gallon per square yard) will be required between the 304 and bituminous.

\*\* A tack coat (Item 407).(0.10 gallon per square yard) will be required between the 305 and 458 Type 2 course.

Note: The number in parenthesis is the design traffic number and is the minimum n number of 18,000 lbs. equivalent loads per day. When it is possible that this will be exceeded, the developer's engineer shall check with the County Engineering Department about changing the design.

Legend

301 = Bituminous Aggregate Base

304 = Aggregate Base

305 = Plain Portland Cement  
Concrete Pavement (5 bag)

458 Type 1 = Asphalt Concrete

458 Type 2= Asphalt concrete

407 = Tack Coat(RC-70 or RS-1)

408 = Prime Coat(RC-30, MC-70, RT-21 RS-1, RS-2)

452 = Plain Portland Cement

Pavement Class C. - ODOT Specifications

- (d) Curb and gutter with underdrains shall be constructed in accordance with Village standards. All pavement designs shall be based on a geological investigation and ASHTO pavement design.
- (e) Sub-base shall be free of topsoil, vegetation, soft clay, or other objectionable material for a minimum depth of two feet below finished sub-grade. The sub-base shall be rolled, shaped, and compacted to a minimum depth of one foot below sub-grade and to a minimum width of 18 inches beyond back of the curbs. Compaction shall be not less than 100% of maximum dry density.
- (f) The minimum radius at intersections measured at the face of curb shall be 20 feet for cul-de-sacs and local streets, 35 feet for collector streets, and 50 feet for arterial intersections.

(g) Horizontal and vertical alignment shall meet the following minimum standards:

	<i>Arterial</i>	<i>Major Collector</i>	<i>Minor Collector</i>	<i>Cul-de-sac or Local</i>
Centerline Radius	1,050'	650'	400'	200'
Minimum Gradient	0.24%	0.24%	0.24%	0.24%
Maximum Gradient	6%	6%	7%	8%
Minimum Street Intersection Angle (In Degrees)	90	90	90	90

(h) Clear sight distance (length along each approach leg) shall be a minimum of 100 feet.

(i) Intersection centerline offsets shall meet the following minimum requirements:

- (1) Local/local 150 feet
- (2) Local/collector 200 feet
- (3) Local/arterial 300 feet
- (4) Collector/collector 300 feet
- (5) Collector/arterial 320 feet
- (6) Cul-de-sac/cul-de-sac 150 feet
- (7) Cul-de-sac/local 150 feet
- (8) Cul-de-sac/collector 200 feet
- (9) Cul-de-sac/arterial not permitted

(j) (1) Vertical curves shall be provided at any change of vertical grade where the algebraic difference on grades is 1.0% or greater unless otherwise directed by the Village Engineer. Grade breaks can be used where the algebraic differences in grade is less than 1%. Sight Distance shall be measured as the line of sight from a height of 3.75 feet to 0.5 feet above the pavement.

(2) The following table shall be used as a guide for minimum lengths of vertical curves.

<i>Algebraic Difference in % Grade</i>	<i>Length of Vertical Curve</i>	
1.0 - 2.0	Crest 100'	Sag 100'
2.0 - 4.0	160'	180'
4.0 - 4.5	180'	200'
4.5 - 5.0	200'	220'
5.0 - 6.0	240'	260'
6.0 - 7.0	280'	300'

(3) All existing asphalt concrete pavements shall be saw cut before excavation. All excavation under existing pavement shall be backfilled with Low Strength Motor Backfill, ODOT Item 613, type 1. The backfill shall be extended 3 feet behind the back of curb, or edge of pavement. The pavement replacement typical shall be as

approved by the Village Engineer. All asphalt pavement joints shall be heat welded.

- (k) The maximum profile grade approach to intersections.
- (l) Sidewalks shall be installed along all streets and shall be constructed of portland cement concrete and shall be located with the outside edge six inches inside the right-of-way. Sidewalk shall be minimum width referenced in the Baltimore Standard Drawings. The minimum thickness of sidewalks shall be four inches. At driveways, and other points of vehicle crossing, the thickness shall be six inches. Sidewalks shall extend to the curbs at all intersections and shall include ADA compliant wheelchair ramps with inserted armortile. (Ord. 94-08. Passed 5-9-94.)
- (m) Sidewalks shall be maintained at all times through the construction periods, as follows:
  - (1) Temporary sidewalks, pedestrian detours and pedestrian and construction facilities shall be constructed as needed to maintain pedestrian traffic and business access, as shown on the plans or as directed by the municipality;
  - (2) Sidewalk access will be provided to abutting land users at all times, as approved by the municipality and in accordance with Village specifications and ADA requirements;
  - (3) Unobstructed walkways of four (4) feet minimum width, unless otherwise approved by the municipality, will be provided at all times;
  - (4) Temporary pedestrian walkways shall be separated from roadway and construction areas by barricades as approved by the municipality;
  - (5) The contractor shall construct a temporary walkway for any existing sidewalk closed due to construction outside of normal working hours of 7:00 AM to 6:00 PM, with all temporary sidewalks meeting ADA requirements;
  - (6) In no instance will a sidewalk be closed for more than ten (10) consecutive days, without written authorization by the Baltimore Village Administrator. (Ord. 2006-39)

#### **1214.05 STREET LIGHTING.**

Street lighting shall be required and shall be designed, selected and installed by the subdivider following the recommendation of the current Illuminating Engineering Society (IES) Handbook. Illumination provided shall be uniform and compatible with adjacent light sources. Energy efficient lamps, controlled by dusk-to-dawn photocells, are required unless otherwise directed by the Village Engineer. Selection of fixtures shall be approved by the Planning and Zoning Commission. (Ord. 94-08. Passed 5-9-94.)

#### **1214.06 SIGNS.**

All traffic and street name signs shall be installed and shall conform to the requirements as set forth by the Village Engineer. A schedule of traffic signs conforming to the current *Ohio Manual of Uniform Traffic Control Devices* shall be submitted to the Village Engineer for review and approval. (Ord. 94-08. Passed 5-9-94.)

#### **1214.07 WATER.**

Evidence that the construction plans of the water supply system have been approved by the Village Administrator and the Village Engineer shall be submitted to the Zoning Administrator prior to approval of the final plat. Adequate public water service shall be provided for all lots in conformance with the following criteria:

- (a) All water mains shall be ductile iron, HDPE, or PVC.

- (b) All water mains and appurtenances shall be constructed in accordance with the rules, standards, and specifications of the Village of Baltimore and shall be reviewed, tested, and approved by the Village Engineer and/or Village Administrator prior to acceptance by the Village.
- (c) Service connections, corporation stops, and curb stops shall be provided for each lot. Curb stops shall be ball type valves. At intersections and at cul-de-sac turnarounds the service connections shall be installed at the time the water main is installed.
- (d) The standard minimum size of mains shall be 8-inch. Line sizes may need to be larger than the minimums to be in conformance with the proposed master plan sizes of the Village or to provide the needed fire hydrant flows.
- (e) Minimum cover shall be 4 ½ feet. All waterlines shall be laid on 6" of aggregate bedding.
- (f) Water mains shall be laid at least ten feet horizontally from any existing or proposed sanitary sewer or force main. The distance shall be measured edge to edge. In cases where it is not practical to maintain a ten-foot separation, the Village may allow deviation on a case-by-case basis as approved by the Village Engineer, provided that the bottom of the water main is at least 18 inches above the top of the sewer.
- (g) Water mains crossing sewers shall be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer. This shall be the case where the water main is either above or below the sewer. At crossings, one full length of water pipe should be located so both points will be as far from the sewer as possible. Special structural support for the water and sewer pipes may be required. At all crossings of water mains and other utilities, compacted granular material is required between the deeper and shallower pipe.
- (h) The following requirements shall be met for fire protection:
  - (1) In a residential single family area, there shall be a minimum distribution of fire hydrants on a ratio of one to each 120, 000 square feet of area. The distance between fire hydrants shall not exceed 400 feet, and one hydrant shall be placed within 200 feet of the end of a cul-de-sac or dead-end street.
  - (2) In commercial, business, industrial, and multi-family areas, there shall be a distribution of public, and/or private fire hydrants on a ratio of one to each 80,000 square feet of area. A minimum, of one hydrant shall be provided within 300 feet of every building or part thereof with a minimum of one additional hydrant within 500 feet of every building or part thereof.
  - (3) Fire hydrants shall be placed two feet clear behind the back of the curb, whenever possible, or eight feet clear behind the edge of pavement in uncurbed streets. Fire hydrants shall be placed a minimum of 40 feet from buildings protected whenever possible.
  - (4) Fire hydrants shall be located in the center of the frontage of any proposed lot.
  - (5) Computations may be required to verify that the minimum fire hydrant flow in the proposed improvement meets the requirements for the appropriate insurance ratings. The computations shall be based on a Hazen Williams coefficient of 100. For residential, (single family) areas, the fire flow should be 1,000 gpm at 20 pounds per square inch (psi). For industrial, multi-family, or commercial areas, the fire flow should be a minimum of 2,000 gpm at 20 psi. Higher flows may be required depending on the type of use. Fire flows shall be provided in addition to maximum

daily requirements.

- (6) Fire hydrants shall conform to AAA C502 and shall be Mueller Company Super Centurian 250 fire hydrants with Stortz connection with a 5.25" valve opening and a 6"x13" anchor coupling. All outlet nozzles shall have National Standard threads. Hydrants shall be furnished with a five-foot bury depth unless otherwise shown on the plans. Hydrants shall be self-draining. A drainage sump two feet in diameter and two feet deep shall be excavated below each hydrant and filled with coarse gravel or stone, compacted in place, under and around the shoe of the hydrant and to a level of six inches above the waste opening. No drainage sump shall be connected to a sanitary sewer. The operating nut shall be 7/8" square. A hydrant wrench shall be furnished with each five hydrants or less furnished.
- (i) Valves shall be placed outside the pavement wherever practical. In general, two valves shall be installed at every main line tee, and three valves shall be placed at every main line cross. The maximum distance between main line valves shall be 1,000 feet.
- (j) At high points in water mains where air can accumulate, provisions shall be made to remove the air by means of hydrants or manual air/vacuum valves as approved by the Village Engineer.
- (k) All tees, bends, plugs, and hydrants, shall be provided with concrete reaction blocking, tie rods, or joints designed to prevent movement. Tie rods shall be coated with epoxy or two coats of bitumastic material equal to Intertol No. 49 Thick.
- (l) Meter shall be supplied by the Village and paid for by the customer.
- (m) The subdivider shall provide the Village with all required Ohio EPA approvals and pay all Ohio EPA review fees. (Ord. 94-08. Passed 5-9-94.)

#### **1214.08 SANITARY SEWERS.**

Each lot shall be served by an adequate sanitary sewage collection and disposal system. Evidence that the sewer construction plans have been reviewed and approved by the Village Engineer shall be submitted to the Zoning Administrator prior to approval of the final plat.

- (a) All sanitary sewer pipe shall be HDPE or polyvinyl chloride (minimum SDR 35). All pipe shall have sufficient strength to withstand an HS-20 live load. If PVC pipe is used, a mandrel test and video tape (DVD format) is required thirty (30) days after construction and just prior to expiration of the 1-year guarantee to assure maximum deflection of 5% has not been exceeded. Any pipe that fails these tests will be replaced at the subdivider's expense.
- (b) All sanitary sewage collection systems shall be constructed in accordance with the rules, regulations, standards, and specifications of the Village of Baltimore, OEPA, and the Ohio Department of Health.
- (c) Only under circumstances of extreme hardship shall individual household sewage disposal systems be permitted and only with the approval of the Village Engineer, the Fairfield County Board of Health, and the Village of Baltimore. Where approved, such systems shall meet the standards and specifications of the Village Engineer, the Fairfield County Board of Health, and the Village of Baltimore.
- (d) A map must provide delineating the contributing area in acres to the sanitary sewer system. All sanitary sewer manholes shall be numbered, consistent with the numbering on

- the improvement plans. A copy of location map may be used for this purpose.
- (e) Sanitary sewers shall be designed in accordance with Exhibit A, "Sanitary Sewer Design Criteria."
    - (1) Exhibit A is based on a population density of 8.4 persons per acre (single family, residential density) with a per capita flow of 100 gallons per day (gpd).
    - (2) For areas of greater population density than 8.4 person per acre, the design flow shall be determined on a basis of population instead of area.
    - (3) The sanitary sewer design shall be in accordance with the current edition of the "Ten States - Recommended Standards for Sewage Works" and the requirements of the Ohio Environmental Protection Agency (Ohio EPA).
  - (f) The subdivider shall provide the Village with all required Ohio EPA approvals and pay all Ohio EPA review fees.
  - (g) Minimum line size shall be 8-inch. Downstream sanitary sewer pipe sizes shall be greater than or equal to the upstream size unless otherwise approved by the Village. The flow lines of pipes shall be set such that either the crown, or the 0.8 depth points at junctions are the same elevation. However, the crown of the outlet pipe may be lower.
  - (h) All sanitary sewer manholes shall be precast concrete and shall be spaced at maximum intervals of 300 feet.
  - (i) Services shall be provided for each lot. If basement service is not provided, it shall be so noted on the sanitary sewer improvement plans and on the plat. Risers shall be provided where the service is greater than 12 feet deep, provided that basement service will still be provided.
  - (j) All sanitary sewers shall be videotaped in DVD format after construction prior to acceptance of the sewers of the Village. The videotape shall remain the property of the Village. The videotape shall clearly identify the location of the camera within the sewer, date and time of the videotape, and be of sufficient quality to determine the condition of the sewers.
  - (k) Upon completion, all sanitary sewers shall be hydro tested or air tested to meet the City of Columbus Standards. (Ord. 94-08. Passed 5-9-94.)

#### **1214.09 DRAINAGE.**

An adequate storm drainage system shall be provided for each subdivision. The design of said system shall be prepared using the Rational method and shall be based on a minimum two-year frequency. Rainfall intensity, runoff coefficients, and concentration time used in computing flows and structure sizes shall be in accordance with the tables, charts, and the data established by the Village Engineer for such calculations. All areas which contribute storm water to the proposed drainage system must be considered on the determination of the sizes of structures and channels.

- (a) (1) A separate grading plan shall be submitted at a scale of 1" = 50' or 1" = 100'. The grading plan shall indicate ground elevations with existing and proposed contours shown at intervals of not more than five feet where the slope is greater than 10% and not more than 2 feet where the slope is less than 10%. Sufficient proposed elevations shall be shown such as at all lot corners, etc. in order to explain the proposed grading. First floor elevations of all existing and proposed structures shall be included. Routing of the major storm shall be shown. Sanitary sewer and storm, sewer top of castings must be shown on the grading plan.
- (2) The minimum building elevation adjacent to the 100-year routing path shall be set a



minimum of one foot above the 200-year flood elevation. No basement entrances, windows, or basement level garages shall be permitted adjacent to and below the 100-year routing path.

(3) Swales necessary to carry surface water must have a minimum gradient of 1.0%.

(b) Storm Sewer Requirements.

(1) Minimum cover for storm sewer pipe shall be one foot clear from the bottom of the curb and gutter or from the bottom of the underdrain to the outside top of the pipe except as approved by the Village. Maintain a minimum of 2 feet of cover from the finished ground surface to the outside top of the pipe for any storm sewer system located beyond the limits of street right-of-way.

(2) Standard headwalls are to be constructed at the inlet and outfall of all storm sewers, and shall be shown on the plan and profile.

(3) The invert of the first storm sewer appurtenance shall be above the computed floodplain elevation, unless otherwise permitted by the Village Engineer.

(4) Pipe for storm sewers shall not be less than 12 inches in diameter. All storm sewer pipe shall be reinforced concrete, HDPE-N-12, or PVC. All pipe shall be mandrel tested thirty (30) days after construction. All pipe shall have sufficient strength to withstand an HS-20 live load.

(5) All drainage calculations, drainage area outlines, and contributing areas used in drainage design shall be furnished on a print of the grading plan.

(6) The inverts of all curb inlets, manholes, yard inlets, and other appurtenances shall be formed to reduce turbulence to a minimum.

(7) Manholes shall be provided at all changes in alignment and grade of storm sewers and at such other locations as necessary to maintain a maximum interval of 300 feet between manholes or storm sewers.

(8) Storm inlet or catch basin grates shall be of a type to permit safe crossing by bicycles as approved by the Village Engineer.

(9) The maximum distance for overland flow shall be 300 feet before entering a surface yard inlet or 425 feet before entering a curb inlet. Except, that the maximum overland drainage area tributary to any yard inlet or curb inlet shall not exceed 1.5 acres. The maximum spacing for curb inlets shall not exceed 400 feet unless approved by the Village.

(10) All stormwater runoff shall be conducted through storm drainage systems up to and including the equivalent of a 72-inch diameter pipe.

(11) The flow lines of pipes shall be set such that either the crown, or the 0.8 depth points, at junctions, are at the same elevation. However, the crown of the outlet pipe may be lower.

(12) Where an open watercourse (swales and open channels) is approved by the Village Engineer, an easement shall be provided at least equal to the area required for the 100-year rainfall. Also, the easement shall be shown on the final plat as a "Watercourse and Utility Easement." Restrictions as to the use of this easement shall be shown on the final plat.

(13) No water will be allowed to cross a street intersection unless it is carried in a storm drain.

(c) Storm Drain Design Criteria.

(1) The method outlines herein will provide a general guide as to the criteria and

procedures to be used for storm drain design.

- A. The rational method shall be used for all stormwater drainage design for areas up to 200 acres. Storm drains shall be designed to carry a two-year storm flowing full  $Q = CIA$ , in which

$Q$  = quantity of stormwater runoff in cubic feet per second

$C$  = Coefficient of runoff (0.4 for single-family residential areas)

$I$  = Average rainfall intensity in inches per hour for the period of concentration to the point under consideration. The minimum length of time of concentration is 10 minutes to a curb inlet or 15 minutes to a ditch catch basin.

$A$  = Drainage area in acres tributary to the point of concentration

- B. For drainage areas over 200 acres, the method explained in "Urban Hydrology for Small Watershed, Technical Release No. 55" (can be obtained from the Soil Conservation Service, U. S. Department of Agriculture) shall be used.

- (2) The minimum time of concentration to the first curb inlet shall be ten minutes. The minimum time of concentration to the first catch basin shall be 15 minutes.
- (3) Storm drain pipe sizes are to be determined by using Manning's Formula with a minimum coefficient of roughness of  $n = .013$  for the type of pipe material to be used.
- (4) The minimum allowable velocity shall be three feet per second (fps) in pipe. The maximum allowable velocity shall be 10 fps.
- (5) A hydraulic grade line check based on a five-year storm may be required, at the discretion of the Village Engineer.

(d) Open Watercourses.

- (1) Access to storm drainage ditches and channels shall be assured by means of maintenance easements. Such maintenance easements shall not be less than 20 feet in width, measured horizontally from the top of the bank, exclusive of the width of the ditch, or channel, and shall be provided on each side of the ditch. Maintenance easements are to be kept free of obstructions. Detailed provisions regarding the entities to be responsible for maintenance of the facility shall be submitted in text form with the subdivision plat. As applicable, notes regarding maintenance shall be made on the plat.
- (2) Design storm frequency for open channels shall be based on bank full for 10-year storm, with a one foot freeboard.
- (3) The minimum velocity for open channels, not including creeks or rivers, shall be two feet per second. The maximum velocity is dependent on the type of channel protection provided. The desirable minimum grade for open channel is 0.4%.
- (4) The Manning "n" Values shall be as follows:

Sod or jute mat lining	0.05
Paved lining	0.015
Rock Protection	0.08

Manning "n" values for other lining materials will be reviewed by the Village

Engineer on a case by case basis.

- (5) The minimum side slope shall be 3:1 for unprotected slopes and 2:1 for slopes protected with riprap. Flatter slopes are more desirable. Steeper slopes for materials other than riprap will be reviewed on a case by case basis.
- (6) If the proposed improvements are located in a floodplain area as defined by the Federal Emergency Management Agency, the limits of this floodway and floodway fringe must be shown on the improvement plans and must comply with Chapter 1274 of the Zoning Code.

(e) Roadway Culverts.

- (1) Single span culverts, including concrete box or slab top, should always be considered in lieu of multiple cell pipe culverts in order to meet the physical requirements introduced by rigid headwater controls.
- (2) The plan for each culvert shall indicate the drainage area in acres and the design discharge in cubic feet per second.
- (3) The culvert invert elevation should be set such that it will be deep enough to provide an adequate outlet for future storm sewer improvements upstream.
- (4) The design storm frequency for culverts is 25 years, or as otherwise approved as required, with a maximum allowable headwater of 12 inches below edge of pavement, with consideration for effects on upstream property.
- (5) The Manning's "n" values shall be as follows:
 

Box culvert	0.011
Slab top culvert	0.03 to 0.05
Smooth pipe	Dependent on pipe material
- (6) The minimum cover to subgrade shall be nine inches from top of pipe to bottom of subgrade. The structural design of culverts shall be the same as that required by the Ohio Department of Transportation.

(f) Stormwater Detention.

- (1) If the post-development runoff volume is greater than the pre-development runoff volume, stormwater detention must be provided in accordance with the following table:

<i>Increase in 2-Year Volume of Runoff</i>	<i>Control Design Frequency (Critical Storm)</i>
1 - 2 times	10-year
2 - 3 times	25-year
3 - 4 times	50-year
over 4 times	100-year

- (2) The maximum allowable release rate shall be based on the two-year storm under pre-developed site conditions, for all rainfall events up to and including the critical storm. The maximum allowable release rate for storms greater than the critical storm shall not exceed the predeveloped rate for the same frequency storm, for storms up to and including the 100-year storm.

- (3) Exhibit B, "Total Runoff Volume Computations Worksheet," should be used to determine predeveloped and postdeveloped runoff volumes for critical storm, and required detention volume calculations.
- (4) Detention basins shall have a minimum 1% slope.
- (5) All control facilities shall be designed with overflow provisions to handle the developed 100-year discharge.  
(Ord. 94-08. Passed 5-9-94.)

**1214.10 BRIDGES.**

Bridges over walkways or watercourses shall be designed to ODOT standards. Calculations shall be submitted to the Village Engineer to demonstrate that these standards have been met.  
(Ord. 94-08. Passed 5-9-94.)

**1214.11 EROSION AND SEDIMENTATION CONTROL.**

(a) Measures shall be taken to minimize erosion and its impact during subdivision construction activity. Prior to construction, a copy of the Notice of Intent (NOI) to use the Ohio EPA's General Construction Permit shall be submitted with the improvement plans for review by the Municipality. All erosion control devices must be in place at the start of construction and maintained by the subdivider at all times, and other measures implemented according to the approved time schedule. Such erosion control devices, techniques and other measures shall be maintained and not be removed and/or disturbed until earth disturbing activities on the site have been concluded, and final approval has been given by the municipality.

(b) Erosion control plans shall be based upon controlling erosion onsite, with the object of eliminating or minimizing erosion or sedimentation impacts off-site. Techniques, devices, or measures used shall be in accordance with the Village of Baltimore Erosion and Sediment Pollution Control Regulations and the Ohio Environmental Protection Agency (OEPA) General Construction Permit and approved by the Village Engineer.

(c) Erosion and sedimentation control techniques will be inspected by the Municipality to ensure compliance with the Village of Baltimore Erosion and Sediment Pollution Control Regulations and the OEPA NOI. The cost for this inspection will be included in the retainer for inspection supervision. Failure to maintain erosion and sedimentation control measures as approved by the Municipality is a violation of these Regulations.

(d) In addition to the required fees for processing a subdivision application and for inspection supervision, said fees determined by Council, the Developer shall be responsible for the following:

**VILLAGE OF BALTIMORE  
EROSION AND SEDIMENT POLLUTION CONTROL REGULATIONS**

This regulation has been adopted to implement pollutant reduction programs on construction sites in the Village of Baltimore and other appropriate premises per the provisions defined in the Village of Baltimore Codes.

Earth and land distributing activities associates with construction contribute to the pollution of

public waters through soil erosion and sedimentation. Control programs designed to minimize these problems should incorporate the following planning, enforcement requirements and best management practices.

## **ARTICLE 1. DEFINITIONS**

For the purpose of this regulation, certain rules of word usage apply to the text as follows:

- a. Words used in the present tense include the future tense; and the singular includes the plural, unless the context clearly indicates the contrary.
- b. The term "shall" is always mandatory and is not discretionary; the word "may" is permissive.
- c. The word or term not interpreted or defined by this article or otherwise defined in Village of Baltimore Codes, shall be used with a meaning of common or standard utilization, so as to give the regulation it's most reasonable application.

Applicant: Any person submitting an erosion and sediment control plan for approval or requesting the issuance of a permit, when required, authorizing land-distributing activities to commence.

Approving Agent: The governing body of the Village of Baltimore or its duly designated representative being the Village Administrator.

Best Management Practices (BMP's): Means schedules of activities, prohibition of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters. BMP's also include treatment requirements, operating procedures, and practices to control construction runoff, or drainage from material storage.

Channel: A natural stream that conveys water, a ditch excavated and/or constructed for the flow of water.

Clearing: The cleaning, grubbing, scraping, scalping, removal of trees and stumps, and removing and disposing of vegetation and debris within the site, and shall include the conditions resulting there from.

Construction: The erection, alteration, repair, renovation, demolition, or removal of any building or structure; and the clearing, stripping, excavating, filling, grading, and regulation of sites with connection therewith.

Detention: The capture, collection, and subsequent slow release of stormwater runoff; the primary purpose of which is to mitigate increases in stormwater runoff rates, providing protection, whether complete or partial, to down-slope areas, from the adverse effects of increased runoff rates. This can be accomplished through the use of a stormwater management facility, including, but not limited to one or more of the following methods.

Dry Detention: A basin or storage area, generally man-made, that is designed to

normally drain completely between storm events.

Wet Detention: A basin or storage area, generally man-made, that is designed to drain down to a level that is normally wetted; that is, to a normal pool level, below which there is no outlet other than through infiltration into the ground. These facilities do not normally drain completely dry.

Developer: Any individual, sub divider, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect the development of land for himself or for another.

Development: Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Development Area: Any contiguous (abutting) area owned by one person or developed as a single phase or multiple phases (units) and used or being developed or redeveloped, for non-farm commercial, industrial, residential, or other non-farm purposes upon which earthdisturbing/land-disturbance activities are planned or underway.

Ditch: An open channel with intermittent flow, either man-made or natural, for the purpose of drainage or irrigation. (See also channel and stream.)

Dumping: Grading, pushing, piling, throwing, unloading, or placing of fill material, composed of earth, soil, rock, sand, gravel, or demolition material.

Earth-Disturbing Activity: Any grading, excavating, filling, or other alteration of the earth's surface where natural or man-made ground cover is destroyed and which may result in or contribute to erosion and sediment pollution.

Erosion:

- a. The wearing away of the land surface by running water, wind, water, other geological agents, including such processes as gravitational creep.
- b. Detachment and movement of soil or rock fragments by wind, water, ice, or gravity.
- c. Erosion includes:
  1. accelerated erosion much more rapid than normal, natural or geological erosion, primarily as a result of the influence of the activities of man;
  2. floodplain erosion - abrading and wearing away of the nearly level land situation on either side of a channel due to overflow flooding;
  3. gully erosion - a type of erosion caused by water accumulating in narrow channels and over short periods during and immediately after rainfall or snow or ice melt

- activity, which removes soil such that channels become considerably deeper than what would otherwise result by normal smoothing or tilling operations;
4. natural (geological) erosion - the wearing away of the earth's surface by water, ice or other natural agents under natural environmental conditions of climate, vegetation, etc., undisturbed by man;
  5. normal erosion - the gradual erosion of land used by man which does greatly exceed natural erosion;
  6. rill erosion - an erosion process in which numerous small channels only several inches deep are formed; occurs mainly on recently disturbed soils;
  7. sheet erosion - the removal of a fairly uniform layer of soil from the land surface by wind or runoff water;
  8. stream bank erosion - erosion of the stream bank or channel bottom due to high velocity of flow within the stream

Exemptions: Those activities that are not subject to the erosion and sediment control requirements contained in this regulation.

Final Stabilization: Means that all soil disturbing activities at the site have been completed and that a uniform perennial vegetation cover with a density of at least 70% of the cover for the disturbed area has been established or equivalent stabilization measures (such as the use of mulches or geotextiles) have been employed.

Finished Grade: The final grade or elevation of the ground surface conforming to the site grading plan.

First Order Stream: Means all streams identified on a U.S.G.S. 7.5 minute topographic map by either a dashed or solid blue line.

Grading: The stripping, cutting, filling, stockpiling, or any combination thereof of earth disturbing activities, including land in its cut or filled conditions.

Grubbing: Any activity which removes or significantly disturbs the root matter within the ground.

Hazard: Any danger to the public health, welfare and safety including exposure to risk or damage to property or liability for personal injury; or risk of harm to land, air or water resulting in environmental degradation. Hazardous can include flooding and ponding, compaction and settling, landslides, earthquakes, toxic chemicals, radiation, fire and disease.

Land-Disturbing Activities: Any land change that may result in soil erosion from water or wind and the movement of sediment into waters or onto lands, including but not limited to, clearing, grading, excavating, transporting and filling of land, except that the term shall not include:

- a. minor land-disturbing activities such as home gardens and individual home landscaping, repairs and maintenance work;
- b. individual service connections;

- c. installation, maintenance or repair of any underground public utility lines when such activity occurs on an existing hard surfaced road, street or sidewalk (provided the land-disturbing activity is confined to the area of the road, street or sidewalk that is hard surfaced), and does not involve dewatering operations that produce sediment-laden effluent discharging to surface-lands and/or surface-waters;
- d. septic tank lines or drainage fields, unless included in an overall plan for landdisturbing activity relating to the construction of the building to be served by the septic tank systems;
- e. tilling, planting or harvesting of agricultural, horticultural or forest crops or livestock feedlot operations; including soil conservation operations related to agriculture as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing and land drainage and land irrigation which does not cause an increase in stormwater runoff and does not exacerbate erosion and sedimentation.
- f. Repair or rebuilding of the tracks within the right-of-way of a railroad company;
- g. Emergency work to protect life, limb or property and emergency repairs; however, if the land-disturbing activity would have required an approved erosion and sediment control plan, if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of the Village of Baltimore.

Mulching: The application of suitable materials on the soil surface to conserve moisture, hold soil in place. and aid in establishing plant cover.

Nuisance: A public nuisance as known by common law or in equity jurisprudence. One-hundred-year Floodplain: Any land area which is susceptible to being inundated by water caused by a flood event having a one (1) percent chance of being equaled or exceeded in any given year.

One-hundred-year Floodplain: Any land area which is susceptible to being inundated by water caused by a flood event having a one (1) percent chance of being equaled or exceeded in any given year.

Owner: The person in whom is vested the fee ownership, dominion, or title of property, i.e., the proprietor. The word "owner", when applied to property, shall include any part-owner or joint owner of the whole or any part of such property.

Permittee: Any person to whom approval of an erosion and sediment control plan according and pursuant to this standard is granted, or who is subject to inspection under it.

Plan: As used in this regulation, "Plan" shall mean the Erosion and Sediment Control Plan.

Pollution: The man-made or man-induced alteration of the chemical, physical, biological or radiological integrity of air and water resources.

Public Waters: Those waters within lakes (except private ponds and lakes on single properties), rivers, streams, ditches, and/or waters leaving property on which surface water originates.



Retention: The collection and storage of stormwater runoff without subsequent discharge other than through infiltration into the ground, or evaporation.

Runoff: The portion of rainfall, melted snow or irrigation water that flows across the ground surface and eventually is returned to streams, rivers, lakes and ponds.

- a. accelerated runoff - increased rate and volume of runoff due to less permeable surface or reduced time of concentration primarily caused by urbanization;
- b. peak rate of runoff - the maximum rate of runoff for any 24-hour storm of a given frequency.

Sediment: Solid material, both mineral and organic, that is or was in suspension, is being or has been transported, or has been moved from its site of origin by air, water, gravity, or ice, and has come to rest on earth's surface whether above or below water.

Sediment Basin: A facility such as a depression storage area, a pond or trap, barrier, dam or other suitable detention facility built across an area of water-flow to settle and retain sediment carried by surface drainage runoff water.

Sediment Control Plan: A written description, in graphical and descriptive terms, subject to review and approval by the approving agency, of methods for controlling sediment pollution from accelerated erosion of a development area of one or more contiguous acres.

Site: Any lot or parcel, or a series of lots or parcels of land adjoining or contiguous or joined together under one ownership where clearing, stripping, grading or excavating is performed.

Slip: Landslide; the rapid downward and outward movement of large rock material and/or soil mass under the influence of gravity in which the movement of soil mass occurs along an interior surface of sliding.

Sloughing: A slip or downward movement of an extended layer of soil resulting from the undermining action of water of the earth-disturbing activity of man.

Soil Loss: Soil relocated on or removed from a given site by the forces of erosion and the redeposit of the soil at another site on land or in a body of water.

Stabilization: The prevention of soil movement by any vegetation and/or structural means.

Storm Frequency: The average period of time within which a storm of a given duration and intensity can be expected to be equaled or exceeded.

Stormwater: Water runoff resulting from storm events, including snow melt, surface water runoff and drainage.

Stream: A body of water running or flowing on the earth's surface or channel in which such flow occurs. Flow may be seasonally intermittent.

Stripping: Any activity which removes or significantly disturbs the vegetative surface cover.

Subdivision:

- a. The division or re-division of land into two or more parts, lots, parcels, sites, units, tracts, or interests for the purpose of transfer of ownership, lease, or building development either immediate or future;
- b. The division or development of land whether by deed, metes and bounds description, devise, intestacy, lease, map, plat, or other recorded instrument; or
- c. The improvement of one or more parcels of land for structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street, right-of-way, or easement; or
- d. The re-subdivision of any lot or lots in any recorded subdivision. Provided, however, that the sale and exchange does not create additional building sites, shall not be defined as a subdivision.

Topsoil: Surface and upper surface soils which presumably are darker colored, fertile soil materials, ordinarily rich in organic matter or humus debris.

Waiver: A permit of conditional exemption from the regulation in part or in whole, as specified by the approving agent, in a formal written statement. A waiver from the regulation shall not be assumed to be in effect, without the express written statement from the Village of Baltimore.

Watercourse: Any natural or artificial waterway (including, but not limited to, streams, rivers, creeks, drainage ways, waterways, gullies, ravines, or washes) in which water flow in a definite direction or course, either continually or intermittently; and including any area adjacent thereto which is subject to inundation ~ reason of overflow of flood.

## **ARTICLE 2. GENERAL PROVISIONS**

2.1 Title: Village of Baltimore Erosion and Sediment Pollution Control Regulation.

2.2 Statutory Authorization: This regulation of the Village of Baltimore is adopted pursuant to Village of Baltimore Ordinance No 2008-65 as passed by Village Council, effective on December 8, 2008.

2.3 Purpose: This erosion and sediment pollution control regulation is adopted for the purpose of controlling the pollution of public waters by sediment from accelerated soil erosion and stormwater runoff caused by earth and land disturbing activities and land use changes associated with construction activities. Control of such pollution will promote and maintain the health, safety and general well-being of all life and inhabitants within the Village of Baltimore.

## **ARTICLE 3. SCOPE AND INTENT**

3.1 Objectives: This regulation of the Village of Baltimore shall apply to earth-disturbing and

land-disturbing activities, as defined in Article I, on areas designated below which are within the jurisdiction of the Village of Baltimore. unless otherwise excluded within this regulation or unless expressly excluded by state law.

3.2 Disclaimer of Liability: Neither submission of a plan under provisions of this regulation, nor compliance with provisions of this regulation shall relieve any person from responsibility for damage to any person or property otherwise imposed by law, nor impose any liability upon the Village of Baltimore for damage to any person or property.

3.3 Severability: If any clause, section, or provision of this regulation is declared invalid or unconstitutional by a court of competent jurisdiction, validity of the remainder shall not be affected.

3.4 Requirements: (Regulation applicability) No person shall cause or allow earth- and/or land-disturbing activities on a development area except in compliance with the standards set out in this regulation and the applicable items below.

- a. An erosion and sediment control plan shall be submitted and approved prior to any land-disturbing activities on development areas involving earth disturbance of one (1) or more acres, including those development areas being a part of a larger common plan of development or sale. The person proposing such land-disturbing activities shall develop and submit for approval a plan containing erosion and sediment pollution control practices so that compliance with other provisions of this regulation will be achieved during and after development. Such a plan shall address specific requirements established by the Village of Baltimore as set out in Articles 4, 5, and 6 of this regulation. The person proposing land- disturbing activities shall submit the plan, and supporting information, as outlined in Article 6, to the following office:

Village Administrator  
Village of Baltimore  
103 W. Market Street  
Baltimore, Ohio 43105

- b. For proposed development area involving land-disturbance of less than one (I) acre that is not part of a larger common plan of development of sale, it is not necessary to submit an erosion and sediment control plan; however the person proposing such land-disturbing activities must comply with all other provisions of this regulation. All land-disturbing activities shall be subject to inspection and site investigation by the Village of Baltimore to determine compliance with standards and regulations.

3.5 Exemptions: Development activities that are exempt from this regulation include the following:

- a. An erosion and sediment control plan shall not be required for public road, highway, or other transportation, or drainage improvement, or maintenance thereof, undertaken by a government agency or entity if such agency or entity plans to follow a statement

of erosion and sediment control policy which has been submitted by the sponsoring agency or entity and approved by the Village of Baltimore.

- b. Clearing and grading activities that disturbs less than 2000 square feet and are situated no closer than 50 feet to a first order stream.
- c. Regular farming activities on land intended for such use, except when these activities involve practices which increase stormwater runoff and exacerbate erosion and sedimentation.
- d. Emergency work to ensure health, safety and property and emergency repairs. However, if the land-disturbing activity were not an emergency would have required an approved erosion and sediment control plan if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of this regulation.

### 3.6 Waivers:

- a. It is conceivable that development situations not automatically subject to exceptions may exist such that development will have none of the harmful effects of sediment deposition. Such development situations, subject to Village concurrence, are eligible for a waiver from this regulation. Waiver requests shall be made in writing to Village Administrator and shall include sufficient detail to support that granting a waiver will not be detrimental to abutting properties or to watercourse, public waters, or to the sewer system.
- b. Issuance of a waiver shall apply only to the requirement of erosion and sediment control per this regulation, and shall not in any way imply a relaxation of any requirements outlined in any future Village Stormwater Management Policy including, but not limited to provisions for adequate on-site drainage, and the ability to accept runoff from land tributary to the development.
- c. At the discretion of the Village Administrator, with concurrence of the Village Engineer, a waiver may be subject to specific conditions, including but not limited to:
  - 1. Reasonable control of soil erosion and sediment.
  - 2. The preparation of plans, maps and/or specified information.
  - 3. Requirements that any additions, extensions, or modifications of a development for which a waiver has been granted, shall be required to provide erosion and sediment control for the entire site if preceding limitations are exceeded by subsequent additions, extensions, or modifications.

- d. At the discretion of the Village Administrator, with concurrence of the Village Engineer, a waiver may be granted if it is demonstrated the development is not likely to:
  - 1. Have an adverse impact on a wetland, watercourse or water body;
  - 2. Contribute to the degradation of water quality; or
  - 3. Otherwise impair attainment of the objectives of this regulation.
- e. Examples of the types of development activities which may be considered for waivers include the following:
  - 1. Single family residential development involving land-disturbance on an individual lot in a previously approved subdivision, which contains active and effective erosion and sediment control measures that, in the opinion of the Village, are operating efficiently and are being properly maintained in good working condition.

#### **ARTICLE 4: STORMWATER RUNOFF CONTROL STANDARDS**

##### **4.1 General Requirements:**

- a. The requirement for and design of permanent drainage systems for the control of stormwater runoff, shall be based upon the general and specific policies and standards and specifications outlined in the latest version of the Village of Baltimore Stormwater Management Policy.
- b. Temporary stormwater runoff controls shall be designed in accordance with the standards and specifications outlined in the latest edition of the Division of Soil and Water Conservation, Ohio Department of Natural Resources technical guidance document entitled, "Rainwater and Land Development, Ohio's Standards for Stormwater Management Land Development and Urban Stream Protection." Other federal, state, or local manuals containing standards and specification for erosion and sediment control practices may be used, subject to prior approval of these manuals by the Village of Baltimore.

##### **4.2 Standards and Criteria:**

- a. Sediment deposition caused by accelerated stormwater runoff over a development site or by accelerated erosion due to the sloughing or sliding of surface soil that has been exposed by grading, dumping, stockpiling or any other excavation-related earth disturbances shall be retarded and confined to within the boundaries of the development site, during site development.

- b. Timing of Sediment-Control Practices: Sediment control practices shall be functional throughout earth-disturbing activities. Sediment Ponds (including sediment basins and traps) and perimeter controls intended to trap sediment shall be implemented as the first step of grading and within seven days from the start of grubbing. They shall continue to function until the upslope development area is re-stabilized.
- c. Stabilization/Non-structural Practices: Control practices shall preserve existing vegetation where attainable and disturbed areas shall be revegetated as soon as practicable after grading or construction. Such practices may include: temporary seeding, permanent seeding, mulching, matting, sod stabilization, vegetation buffer strips, phasing activities (to minimize denuded areas), and protection of trees. Denuded areas shall have soil stabilization applied within fourteen (14) days of denudation if they are to remain dormant (undisturbed) for more than forty-five days, whether or not final grade has been established. During this 45 day dormant period, the 14-day period shall run concurrent. For areas within fifty (50) feet of any first-order stream (or larger), soil stabilization practices shall be initiated with seven (7) days on all inactive disturbed areas. Permanent or temporary soil stabilization shall be applied to denuded areas within fourteen days after final grade is reached on any portion of the site. When seasonal conditions prohibit the application of temporary or permanent seeding, non-vegetative soil stabilization practices such as mulching and matting shall be used, until time as conditions permit seeding.
- d. Structural Practices: Structural practices shall be used to control erosion and trap sediment from all sites remaining disturbed for more than fourteen (14) days. Such structural practices shall store runoff allowing sediments to settle and shall divert flows from exposed soils or otherwise limit runoff from eroding areas of the site. Such practices may include, among others, sediment traps, sediment basing, silt fences, earth diversion dikes, check dams, and storm drain inlet protection:
  - 1. Setting Ponds: Concentrated stormwater runoff from denuded areas flowing at rates which exceed the design capacity of sediment barriers shall pass through a sediment-settling pond. The pond's storage capacity shall be sixty-seven (67) cubic yards per acre of total drainage area. Settling ponds, by definition, include sediment basins and traps. To the extent practicable, and without causing adverse effect to adjacent properties, the off-site contributory area to settling ponds should be minimized or eliminated; using diversion berms around the perimeter of the site disturbed area.
  - 2. Sediment Barriers: Sheet flow runoff from denuded areas shall be intercepted by sediment barriers. Sediment barriers, such as sediment fences or diversions directing runoff to settling ponds, shall protect adjacent properties and water resources from sediment transported by sheet flow.
  - 3. Storm Sewer Inlet Protection: All storm sewer inlets which accept water runoff from the development area shall be protected so that sediment-laden water will not enter the storm sewer system without first being ponded and filtered or otherwise treated to

remove sediment unless prior approval is granted by the Village and/or the storm system drains to a settling pond.

- e. Stream Protection: Structural practices shall be designed and implemented on site to protect all adjacent streams, from the impacts of sediment runoff. If a stream channel must be disturbed, the environmental impacts of the disturbance shall be minimized. Furthermore, if a stream channel must be disturbed, the site owner shall provide notification to the Village of Baltimore, at least 48-hours prior to any such work. In the event work is necessary within or across a stream, the following controls shall be implemented.
  - 1. Mitigation measures shall be undertaken to stabilize disturbed areas and repair damages to the stream channel and adjacent bank area immediately after the disturbance is complete.
  - 2. Streams including channel-bed and banks shall be re-stabilized immediately after in-channel work is completed, interrupted, or stopped. To the extent practicable, construction vehicles shall be kept out of streams. Where in-channel work is necessary, precautions shall be taken to stabilize the work area during construction to minimize erosion.
  - 3. If a wet channel must be crossed by construction vehicles regularly during construction, a temporary stream crossing shall be provided.
- f. Construction Access Routes: Measures shall be taken to prevent soil transport onto surfaces or onto public roads where runoff is not checked by sediment controls.
- g. Sloughing and Dumping:
  - 1. No soil, rock, debris, or any other material shall be dumped or placed into a water resource or into such proximity that it may readily slough, slip, or erode into a water resource, unless such dumping or placing is authorized by the Village or its representatives and when applicable, the U.S. Army Corps of Engineers, for such purposes as, but not limited to, construction of bridges, culverts and erosion control structures.
  - 2. Unstable soils prone to slipping or land sliding shall not be graded, excavated, filled or have loads imposed upon them unless the work is done in accordance with a qualified professional engineer's recommendations to correct, eliminate, or adequately address the problems.
- h. Cut and Fill Slopes: Cut and fill slopes shall be designed and constructed in a manner which will minimize erosion. Consideration shall be given to the length and steepness of the slope, soil type, upslope drainage area, groundwater conditions, and slope stabilization.

- i. Stabilization of Outfalls and Channels: Outfalls and constructed or modified channels shall be designed and constructed to withstand the expected velocity of flow from a post-development, ten-year frequency storm with eroding.
- j. Establishment of Permanent Vegetation: Permanent vegetation shall not be considered established until ground cover is achieved which, in the opinion of the Village Administrator, provides adequate cover and is mature enough to control soil erosion satisfactorily and to survive adverse weather.
- k. Disposition of Temporary Practices: All temporary erosion and sediment control practices shall be disposed of within thirty days after final site stabilization is achieved or after the temporary practices are no longer needed. Unless otherwise authorized by the approving agency. Trapped sediment shall be removed or permanently stabilized to prevent further erosion.
- l. Maintenance: All temporary and permanent erosion and sediment control practices shall be designed and constructed to minimize maintenance requirements. They shall be maintained and repaired as needed to assure continued maintenance of permanent and temporary erosion controls shall be identified to the satisfaction of the Village Administrator.

Procedures in the plan shall provide that all erosion and sediment controls on the site are inspected (by the owner or the owner's representative) at least every seven (7) calendar days and within 24 hours after any storm event greater than 0.5 inch of rain per 24 hour period, to ensure that sediment and erosion control devices are functioning properly. Repairs shall be effected upon observation that maintenance is required.

- m. To the maximum extent practicable, soil loss shall be minimized through the use of Best Management Practices (BMP's), as referenced within the latest edition of the division of Soil and Water Conservation, Ohio Department of Natural Resources technical guidance document entitled "Rainwater and Land Development, Ohio's Standards for Storm Water Management Land Development and Urban Stream Protection", or referenced within other design manuals, determined to be acceptable by the Village.
- n. Underground Utility Line Construction Involving Dewatering Operations: To the extent practicable, sediment-laden effluent from dewatering operations and effluent discharged from dewatering to surface lands and/or surface-waters. Shall be controlled by structural practices to filter and trap sediment, such that the erosion and sedimentation resulting from dewatering operations, does not affect flowing streams and lands on or off-site.

#### 4.3 Off-site Drainage Facilities for Sediment Control:

At the Village's discretion, the Village may allow surface water runoff and associated sedimentation to be discharged into drainage facilities off the site of development only if each of the following conditions are met:



1. It is not practicable to completely manage runoff and sedimentation on the site in a manner that meets the performance standards and design standards of this regulation;
2. The off-site drainage facilities and channels leading to them are designed, constructed and maintained in accordance with the requirements of this regulation;
3. Adverse environmental impacts from the site of development will be minimized.
4. A request to use off-site drainage facilities and all information related to these proposed drainage facilities should be made a part of the developer's application.

#### 4.4 Plan Requirements:

- a. When required by this regulation, a soil erosion and sediment control plan shall be required for the land disturbance activities outlined in Article 3. Furthermore, in accordance with the appropriate requirements of Article 3, the plan shall be prepared, submitted to the Village, and approved by the Village, prior to any earth or land disturbance. The person proposing land disturbing activities shall submit the plan and supporting information, as outlined herein, to the following office;

Village Administrator  
Village of Baltimore  
103 West Market Street  
Baltimore, Ohio 43105

- b. The erosion and sediment control plan shall contain sufficient information, drawings and notes to describe how soil erosion and off-site sedimentation will be minimized. The erosion and sediment control plan is to be submitted as part of the site improvement plan(s). The Village shall review the plan to determine compliance with this regulation and the Standards and Specifications prior to approval. The plan shall serve as a basis for all subsequent grading and stabilization.

#### 4.5 Erosion and Sediment Control Plan Content: Any person seeking approval of a land disturbance proposal shall, on a map rendered from a base derived from the site improvement plan(s) or site grading plan, at a scale not to exceed 1"=100', provide the following information.

- a. Location of the land disturbance area and its general surroundings including but not limited to;
  1. Vicinity map indicating north arrow, scale and other information necessary to Easily locate the site;
  2. Off-site areas susceptible to sediment deposits or to erosion caused by accelerated runoff from the land disturbance area, such as ponds and small streams;

3. Off-site areas affecting potential accelerated runoff and erosion control.
- b. Existing topography of the land disturbance area and adjacent land within fifty feet of the boundaries. A topographic map should contain an appropriate contour interval to clearly portray the conformation and drainage pattern of the area.
- c. The location of existing building, structures, utilities, water bodies, drainage facilities, vegetation cover, paved areas (streets, road, driveways, sidewalks, etc.) and other significant natural or man-made features on the land disturbance area and adjacent land within fifty feet of the boundaries.
- d. A general description of the predominant soil types, their location and their limitations for the proposed use;
- e. Proposed use of the land disturbance area including present development and ultimate utilization with detail on final soil cover, both vegetation and impervious;
- f. All proposed earth disturbance including:
  1. Areas of excavation, grading and filling.
  2. The proposed final elevations and slopes.
  3. Kinds of utilities and proposed areas in square feet.
  4. Proposed paved and covered areas in square feet.
  5. Proposed kind of cover on areas not covered by building, structures or pavements. Description shall be in such terms as: lawn, turf grass, shrubbery, trees, forest cover, rip-rap, mulch, etc;
- g. Provisions for temporary and permanent erosion and sedimentation control, per the standards of Article 4.3. Provisions should include the number, types, dimensions and locations of all runoff, erosion or sediment control devices to be utilized either temporarily or permanently on the area of land disturbance.
- h. Provisions for management of stormwater, per the requirements of this regulation and any future Village Stormwater Management Policy. Provisions should be made for both on-site and off-site tributary areas, including control of accelerated on-site runoff to a stable receiving outlet, the site conditions around points of all surface water discharge from the site and velocities of the IO-year flow at outfalls;
- i. Description of measures that will be undertaken to prevent pollution of existing streams during construction activities and after construction is complete.

1. Description of mitigation measures to repair damage to the stream channels if the stream channel must be disturbed.
  2. Justification for earth disturbance within the stream channel.
- j. Provisions for maintenance of control facilities including easements to ensure short term erosion and sediment pollution control;
- k. Proposed construction sequence describing the relationship between the implementation and maintenance of controls, including permanent and temporary stabilization and the various stages or phases of earth disturbance and construction. The sequence of construction shall, as a minimum, include a schedule and time frame for the following activities:
1. Clearing and grubbing for those areas necessary for installation of perimeter controls;
  2. Construction of perimeter controls;
  3. Remaining clearing and grubbing.
  4. Road grading;
  5. Grading for the remainder of the site;
  6. Utility installation and whether storm drains will be used, protected or abandoned after construction.
  7. Final grading, landscaping or stabilization, and;
  8. Removal of controls.
- l. Seeding mixtures and rates, lime and fertilizer application rates and kind and quantity of mulching for both temporary and permanent vegetative control measures. Details on proposed methods and schedules of providing temporary and permanent stabilization, pertaining to seeding and/or mulching shall be included;
- m. Map reference data including title, scale, direction, legend and date on all plan maps; additionally, the plan, as part of the overall stormwater drainage plan, shall provide space for signatures of Village of Baltimore officials;
- n. Statement identifying the name, address and telephone number of the person(s) preparing the plan, the owner of the property where the grading is proposed and the developer and/or person responsible for the development area;

- o. A statement indicating that the owner will notify the Village forty-eight (48) hours before commencing any land disturbing activity. At the time this notice is given, the owner shall identify the site manager.
- p. Appearing on the Erosion and Sediment Control Plan, as part of the overall Stormwater Drainage Plan, shall be a certification (signature and seal) by a professional engineer, registered in the State of Ohio, that the plan has been prepared in accordance with the good engineering practices and principles.

4.6 The Village Administrator may waive specific requirements for plan detail or may require additional information to show that work will conform to basic requirements of this regulation.

4.7 Any person seeking approval of an Erosion and Sediment Control Plan shall submit design computations and applicable assumptions for all structural measures for erosion and sediment control. Volume and velocity of flow shall be provided for all surface water conveyance. This information shall also be provided for surface water outlets.

## **ARTICLE 5: ADMINISTRATION AND APPEALS**

5.1 General Intent: Prior to the development or re-development of any land in the Village, the responsible person shall meet the requirements outlined in Article 3.4 of this regulation:

- a. For projects involving earth or land disturbance of one (1) or more acres, and erosion and sediment control plan shall be developed and submitted for review and approval to the Village, to ensure that compliance with the provisions of this regulation will be achieved during and after development. This plan shall be approved prior to commencement of work.
- b. For projects involving earth or land disturbance of less than one (1) acre, when not a part of a larger common plan of development, it is not necessary to submit an erosion and sediment control plan; however, the person responsible for such land disturbing activities must comply with all other provisions of this regulation. These sites will be subject to compliance with this regulation.

5.2 Plan Review: The Village shall upon receipt of the plan initiate review and make a good faith effort to indicate its approval or disapproval (status of compliance or non-compliance) within

10 days, to the person who files the plan. Indication of disapproval (non-compliance) shall include the plan deficiencies and the procedures for filing a revised plan. In the event an approved plan necessitates a revision, pending preparation and approval (determination of compliance) of the revised plan, earth-disturbing activities shall proceed only in accordance with conditions outlined by the approving agent. Failure to act within the above described plan review time, shall not imply or represent plan approval. Plan approval does not constitute assurance that the proposed facilities will perform in the manner indicated by the design. The responsibility of the proper functioning operation and maintenance of the facilities remains

with the owner. The owner shall be responsible for providing any additional means or methods necessary to meet the intent of these regulations.

5.3 Appeal Process: Regarding this regulation, any person aggrieved by any written order or written requirement, final determination (whether approval or disapproval), and action or inaction (including failure to respond or review plans per the requirements of this regulation) may appeal to the Village Administrator.

## **ARTICLE 6: COMPLIANCE RESPONSIBILITY**

6.1 Performance Liability: No provision of this regulation shall limit, increase or otherwise affect the liabilities of the developer no impose any liability upon the Village not otherwise imposed by law.

6.2 Ownership and Maintenance: The person(s) or entity responsible for the continued maintenance of temporary and permanent erosion control measures shall, prior to any earth or land-disturbance, be identified to the satisfaction of the Village. Erosion and sediment control facilities, which are to be privately owned and maintained by an individual or group of property owner(s) shall be:

- a. Designed and constructed by the developer with consideration to allow adequate access for inspections, maintenance and corrective actions, if necessary, by the Village.
- b. Inspected as needed by the Village to ensure privately owned installations are being properly maintained and, if not, the Village may compel the owners to make the necessary repairs at the expense of the owner.
- c. Maintained as installed by the developer according to the approved design and not be altered unless approved by the Village.
- d. All temporary and permanent erosion and sediment control practices shall be designed and constructed to minimize maintenance requirements. They shall be maintained and repaired as needed to assure continued performance of their intended function.

6.3 Operations and Management: Prior to any earth or land-disturbance on a development area, the person(s) or entity responsible for continued operation and management of temporary and permanent erosion and sediment control measures, shall be identified to the satisfaction of the Village.

Both during and after site development the responsible person(s) or entity, as identified above, is responsible for:

- a. Carrying out all provisions as approved on the erosion and sediment control plan and required by this regulation,

- b. Promptly removing all soil, miscellaneous debris or other materials that may become spilled, dumped or otherwise deposited on any public thoroughfares during transport to and from the development site, and;
- c. Taking precautions to inhibit the deposition of sediment into any sewer system or natural watercourse.
- d. The developer shall assume responsibility and all cost for removing any sedimentation deposited in downstream drainage ways or facilities or functioning of these downstream areas.

6.4 Inspection and Enforcement:

- a. Development sites involving land-disturbance of less than one (1) acre, when not a part of a larger plan of common development. These sites, while not requiring submission of an erosion and sediment control plan, are subject to spot inspection and site investigation by the Village to determine that requirements of this regulation are being met.
- b. Development Site involving land-disturbance of one (1) or more acres, including those development areas being a part of a larger common plan of development or sale: It shall be the responsibility of the site owner to provide notification to the Village, at least 48-hours prior to commencement of initial site land disturbance. In addition, the site owner shall provide notification to the Village, at least 48-hours prior to any work within or across a stream-channel. Furthermore, within 45 days after Site Final Stabilization has been achieved, it shall be the responsibility of the site owner to file a notice that site activities are complete. All notifications shall be made to the following Village office:

Village Administrator  
Village of Baltimore  
103 West Market Street  
Baltimore, Ohio 43105

Inspection and enforcement actions shall include the following:

- a. General Inspection Requirements: The Village or its representative may inspect all site development activities, including erosion and sediment control devices and facilities while a development site, when subject to this regulation, is under construction. When facilities are not constructed according to approved plans, the Village has the explicit authority to compel compliance with the approved plan and the objectives and standards of this regulation, which may include issuance of a stop-work-order and/or fines.
- b. General Inspection Procedures: A copy of the approved erosion and sediment control plan shall be maintained on site or in a location easily accessible by the contractor and the Village's inspector.

On developing areas with disturbed areas in excess of one (1) acre, the permittee may request that the inspection agency inspect work completed at the stages of construction specified below, to ensure accordance with the approved erosion and sediment control plan, the grading or building permit and this regulation:

1. Upon completion of installation of perimeter erosion and sediment controls, prior to proceeding with any other earth disturbance or grading. Other building or grading inspection approvals may not be authorized until initial approval by the inspection agency is made; and
2. Upon final stabilization before removal of sediment controls.
- c. Every active site having a designed erosion and sediment control plan may be inspected for compliance with the plan at a frequency to be determined by the Village.
- d. Inspectors shall prepare written reports after inspection. The inspection report shall describe:
  1. The date and location of the site inspection;
  2. Whether or not the approved plan has been properly implemented and maintained;
  3. Any practice deficiencies or erosion and sediment control plan deficiencies; and the agreed upon type(s) of corrective action necessary to rectify any identified deficiencies.
  4. If a violation exists, the type of enforcement action taken.
  5. The site manager shall sign and receive a copy of the report before the inspector leaves the site.
- e. The inspection agency shall notify the on-site personnel or the owner/developer when deficiencies are observed, describing the nature of the deficiency, the agreed upon corrective action, and the time period in which to have the deficiency corrected. If after a reasonable amount of time for voluntary compliance, the corrective actions are not undertaken to the satisfaction of the Village, the Village may issue a notice of violation and proceed with enforcement remedies as provided herein. Where the violations and/or deficiencies represent an immediate and substantial threat to the public health, safety or welfare, the Village may immediately proceed with enforcement remedies as provided herein.

6.5 Penalty: A person violating any provision of any Chapter of this regulation or who shall violate or fail to comply with any order made there under or who shall falsify plans or statements filed there under; or who shall continue to work upon any construction site after having received written notice from the Village to cease work, shall be guilty of a

misdemeanor and, upon conviction thereof, shall be fined not more than fifty dollars (\$50.00). A separate offense shall be deemed committed for each and every day during or upon which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use occurs or continues.

#### **1214.12 LANDSCAPING.**

(a) All improved areas within dedicated street right-of-way shall be graded, topsoiled, and seeded in accordance with the construction schedule and in a manner approved by the Village Engineer. Street trees shall be required and planted in accordance with the approved landscape plan and the requirements of Section 1299.08.

(b) The number, type, and location of trees planted shall be based upon the existing trees preserved on the site and shall be shown on a landscaping plan to be submitted with the final plat. Landscaping plans shall be in accordance with a master tree plan. Where such plans do not exist, landscaping shall be based on criteria derived from the Zoning Code.

(c) The subdivider shall be responsible for the establishment of required trees and such responsibility shall extend for one year from the date of original planting. A bond shall be posted to ensure the planting and replacement of trees. The amount of the bond shall be based on the estimated costs of planting and establishing the required trees, and may be reduced as trees are planted. (Ord. 94-08. Passed 5-9-94.)

#### **1214.13 SUBDIVISION INFORMATION SIGNS.**

The developer of each subdivision, other than a minor subdivision, shall erect on the site of the subdivision, informational signs meeting the following criteria:

- (a) The signs shall be placed at each entrance to the subdivision so as to be clearly visible from the public streets providing access to the subdivision and located in accordance with the zoning code.
- (b) The signs shall be erected prior to the start of construction and shall remain until all of the lots have been sold, unless prior permission to remove same is granted by the Planning and Zoning Commission.
- (c) The signs shall be four square feet in size, of materials and design as approved by the Zoning Administrator, and shall state the name (and phase, if applicable) of the subdivision and note that "Information of this subdivision may be obtained from the Village of Baltimore Zoning Administrator, 862-4491".
- (d) Maintenance of the sign shall be the responsibility of the developer. (Ord. 94-08. Passed 5-9-94.)

#### **1214.14 HILLSIDE REGULATIONS.**

(a) Cuts and Fills. No land shall be graded, cut, or filled so as to create a slope exceeding a vertical rise of one foot for each 4 feet of horizontal distance between abutting lots, or between adjoining tracts of land, unless a retaining wall of sufficient height and thickness is provided to retain the graded bank, or other acceptable control measures are provided.

(b) Compaction of Fill. All fill outside the right-of-way shall be compacted to a density of 90% dry density or greater, to within four inches of finished grade.

(c) Retaining Walls. Retaining walls may be required whenever topographic conditions



warrant or where necessary to retain fill or cut slopes within the right-of-way. Such improvements shall require the approval of the Village Engineer. (Ord. 94-08. Passed 5-9-94.)

#### **1214.15 PUBLIC SITES AND OPEN SPACES.**

(a) Relationship to Comprehensive Plan. Where a proposed park, as shown in the Baltimore Plan, is located in whole or in part within a proposed subdivision, the Planning and Zoning Commission may require the following:

- (1) The dedication to the public of part or all of the proposed site, as discussed below, and/or
- (2) Reservation of the site for a period of up to three years to enable acquisition by the appropriate agency.

(b) Minimum Open Space Dedication Requirements.

- (1) The subdivider shall be required to reserve a minimum of 20% of the total area of the land included in the proposed plat as permanent open space. The open space shall either be dedicated to a public agency which has expressed a desire to accept and maintain the open space or shall be transferred to a private association or entity, acceptable provisions for the perpetual maintenance of the open space shall be stated on the plat. The plat shall also state that the residents of the proposed subdivision shall not be denied access to the open space.
- (2) Land proposed for open space shall be suitable for recreational purposes. The Planning and Zoning Commission shall have the authority to determine whether or not the proposed open space and maintenance provisions are acceptable. Lands used for sewage and/or other utilities shall not be considered open space for the purposes of this ordinance.
- (3) Under special circumstances, a developed open space of less than 20% of the total area may be accepted.

(c) Payment in Lieu of Dedication. Where the Planning and Zoning Commission determines that open space dedication is not desirable within a proposed subdivision, the subdivider shall be required to pay an amount equal to 20% of the total improved value of land within the proposed subdivision to the Village of Baltimore. The total value of land proposed for the subdivision shall be as shown on current tax records. However, at the discretion of the Village the Village may hire an appraiser to determine the value of the land. The payment in lieu of dedication shall be placed in a separate fund to be used by the Village of Baltimore only for the purposes of open space acquisition or improvement of public open space and recreational facilities for the benefit of the residents of the Village.

(d) Minor Subdivision. Minor subdivisions shall not be exempt from open space dedication or payment in lieu of dedication requirements. (Ord. 94-08. Passed 5-9-94.)

#### **1214.16 WASTEWATER DISPOSAL AND WATER SUPPLY.**

(a) General Policy. Connection to Village central wastewater and water systems shall be required for all subdivisions within the Village of Baltimore.

#### **1214.17 VARIANCES AND REVISIONS.**

(a) Criteria. Where the Board finds that extraordinary hardships may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying any intent or purpose of these regulations and further provided the Board shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:

- (1) The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
- (2) The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;
- (3) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;
- (4) Variances contrary to other applicable guidelines and ordinances shall not be granted.

(b) Conditions. In approving variances, the Board may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations. (Ord. 94-08. Passed 5-9-94.)

#### **1214.18 PLATTED EASEMENTS.**

The following standards shall govern the provision of easements:

- (a) Where a subdivision is traversed by a water course, drainageway, channel, storm conduit or stream, there shall be provided to the Village, a storm water easement or drainage right-of-way conforming substantially with the lines of such water course and containing additional width as required for maintenance.
- (b) Easements, a minimum of five feet in width shall be provided adjacent to each side of and contiguous with all proposed rights-of way. Such easements shall be used for any and all public or private underground utilities.
- (c) Utility or drainage easements across lots or along side or rear lot lines shall be a minimum 20 feet in width. The Village Engineer may require additional width where appropriate, based on the proposed usage.
- (d) Where subdivisions are adjacent to schools, parks, or other public facilities, access easements shall be provided to those facilities where deemed appropriate by the Planning and Zoning Commission. Such access easements shall be a minimum of 20 feet in width and side yard setbacks for adjacent lots shall be measured from the easement. (Ord. 94-08. Passed 5-9-94.)

#### **1214.19 PRIVATE UTILITIES.**

All utilities (including, but not limited to gas, electric, telephone, and CATV cables) shall be located underground throughout the subdivision. Wherever existing utility facilities are above ground, unless otherwise stipulated by the Village Engineer, they shall be placed underground. (Ord. 94-08. Passed 5-9-94.)

**1214.20 PROTECTION OF WELLS.**

(a) Where a subdivision is proposed to be located in an area in which there are existing water wells within 300 feet of proposed sanitary sewers, the Planning and Zoning Commission and/or Village Engineer may require that information be provided by the development sufficient to determine the potential impact of the installation of underground utilities within the subdivision on the water table servicing said wells. The Village Engineer shall determine if a high probability for impact exists. If so, the Village Engineer may require that an approved barrier method be placed on underground lines in such locations as the Village Engineer shall designate to control said impact and in compliance with all Ohio EPA requirements.

(b) Furthermore, the Village may require wellhead protection easements in accordance with the Wellhead Protection Plan report on file with the Village Administrator. (Ord. 94-08. Passed 5-9-94.)

**1214.21 MINIMUM LAND DEDICATION REQUIREMENTS FOR SCHOOL SITES.**

In all new residential subdivisions, land shall be set-aside or otherwise made available to the school district for needed school sites. Such land dedicated to the school district shall be suitable for development and the intended use to meet the need generated by the proposed development in compliance with the school district's adopted School Facility's Plan. All of the dedicated school land shall be suitable for construction of school facilities and associated outdoor areas. The dedicated school land shall be a single parcel, centrally located within the service radius, with public access to adjacent street frontage, and free from hazards that would threaten the safety of those using the land. This requirement is in addition to the requirement of subsection 1214.15(b).

(a) Land dedication formula. The formula for land dedication for schools is 0.08 acres per single family dwelling unit proposed. The formula for multi-family dwelling units is as follows: 0.01 acres for every one bedroom dwelling unit constructed; 0.05 acres for every two bedroom dwelling unit; and 0.08 acres for every dwelling unit of three bedrooms or more. The Village Council reserves the right to adjust the acreage requirements as deemed necessary to meet specific needs of the School District.

(b) Payment-in-lieu of Land Dedication. Payment-in-lieu of land dedication shall be permitted when deemed, by the Village Council and requested by the school district, to be more appropriate in satisfying the needs of the proposed development and the school district. Such cases include, but are not limited to, small developments and developments which are served by adjacent facilities that could be expanded to satisfy the need created by the proposed development. Payment in full shall be made upon approval of the final plat.

(1) Determining the Value of Land Per Acre.

A. The value of land per acre shall be determined using the method outlined below.

Total land dedication required in acres = A

Market value of land per acre = B

Value of land donation = AxB.

B. If the property has been sold within the past two (2) years, and if the Village does not exercise its ability to independently appraise the property, this value shall be determined by dividing the most recent sales price by the total number of acres of the property;

C. If the property has not been sold within the past two (2) years, and if the Village does not exercise its ability to independently appraise the property

this value shall be determined by a fair market valuation provided by the subdivider and performed by a qualified land appraiser acceptable to the Village;

- D. If the Village so elects, and notwithstanding the foregoing provisions of this section, this value shall be determined by a fair market valuation performed by a qualified land appraiser employed by the Village. If such an appraisal is elected, it shall be final and dispositive of the valuation issue.

**CHAPTER 1216**  
**Bonds, Deposits and Insurance**

- 1216.01 General requirements.
- 1216.02 Bonding requirements.
- 1216.03 Indemnity insurance.

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**1216.01 GENERAL REQUIREMENTS.**

Prior to final approval of any plat, the following bonds, deposits, and insurance policies shall be provided by the subdivider. (Ord. 94-08. Passed 5-9-94.)

**1216.02 BONDING REQUIREMENTS.**

(a) Upon approval of the final plat by Council, the subdivider shall furnish a performance bond or other acceptable security prior to endorsement of the plat by the Village Mayor. Said bond shall be in one of the following forms:

- (1) A. The subdivider shall deposit a cash security with a local bank in the amount of 100% of the estimated cost of the improvements (storm sewers, sanitary sewers, water lines, pavements, landscaping, etc., excluding sidewalks). The security shall be in favor of the Village of Baltimore who shall have sole control of disbursement. The local bank shall be directed to pay out portions of the cash security towards the completion of said improvements to the subdivider only with the approval of the Village Engineer, who may require a balance to be maintained which in his or her opinion is sufficient to complete said improvements in accordance with the plans and specifications of the Village and shall authorize the release of any balance to the subdivider only upon acceptance of the improvements by Council.
- B. The Village Administrator, Zoning Administrator and the Village Engineer, in consultation with the subdivider, shall establish a time period for the completion of required improvements. In the event the improvements are not constructed within the designated time period and not maintained, the Village shall have the option after 30 days written notice to the subdivider to complete and maintain the improvements and to collect and receive from the local bank any remaining balance of the deposit to be applied toward payment of costs and expenses of completing the improvements.
- (2) The subdivider may furnish corporate surety bond in the principal amount of the estimated cost of the improvements with surety to the satisfaction of the Mayor and Council, in such a form approved by the Solicitor, guaranteeing completion and maintenance of the improvements according to plans, profiles, and specifications and to the satisfaction of the Village Engineer. The bond shall remain in effect until the improvements have been completed and maintained as provided in these regulations and until released by authority of Council. The bond shall provide that upon default of performance by the subdivider the Village may complete the same after 30 days written notice.

- (3) The subdivider may petition the Village, at the Village discretion, to construct the improvements and assess the total against the benefitted lots. This procedure may be followed upon conditions that the subdivider furnishes the Village with a bond, with surety to the satisfaction of the Mayor and Council, guaranteeing the payment of the assessments as they fall due. The bond may provide that as structures are constructed and sold to the individual owners the amount of the bond shall be reduced not more than once each year in proportion to the amount of the assessment against such lots. When structures have been completely constructed on 75% of the lots the bond shall be released, or

(b) In addition to the required performance bond, the Village Engineer may require a restoration bond. The bond shall be to insure repair of any damage done to existing curb, gutter, sidewalk, driveways, street pavement, landscaping, or other items within the right-of-way adjacent to a subdivision, and damages as a result of poorly executed erosion and sedimentation control plan. The amount of the bond shall be as determined by the Village Engineer based on his or her estimate of potential damage. Restoration bonds shall be released when all damaged facilities, if any, have been restored to the satisfaction of the Village Engineer. Where the subdivider is aggrieved by a decision of the Village Engineer, he or she may appeal the decision to the Planning and Zoning Commission.

(Ord. 94-08. Passed 5-9-94.)

#### **1216.03 INDEMNITY INSURANCE.**

A policy of indemnity insurance in the amount of \$500,000/\$1,000,000 personal liability and \$1,000,000 property damage protecting the Village against any claims for damage to person or property resulting from or by reason of the construction of the above mentioned improvements shall be furnished to the Village and maintained in force by the subdivider. The insurance policy shall remain in full force and effect until all improvements are completed and maintained to the satisfaction of the Village Council. (Ord. 94-08. Passed 5-9-94.)

**CHAPTER 1218**  
**Fees**

1218.01 Schedule of fees.

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**1218.01 SCHEDULE OF FEES.**

Subdividers shall be responsible for payment of the following fees associated with the review of plats and submitted with the plats. These fees, adopted by separate ordinance, are subject to review and revision by the Village Council.