

ORDINANCE NO. 2026 - 46

AN ORDINANCE AMENDING SECTIONS 915, 921, 1193, 1199 AND 1203 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to amend Chapter 915 "Sanitary Sewer Use", Chapter 921 "Storm Water Use", Chapter 1193 "Resource Management Plans", Chapter 1199 "Erosion Controls" and Chapter 1203 "Low Impact Development" of the Codified Ordinances to update the City's stormwater ordinance to conform with the recommendations produced in the City's latest NPDES audit.


NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio:

SECTION 1. That Kent City Council does hereby amend Sections 915, 921, 1193, 1199 and 1203 of the Codified Ordinances of the City of Kent to update the City's stormwater ordinance to conform with the recommendations produced in the City's latest NPDES audit as shown on "Exhibit A," attached hereto and made part thereof.


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

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: May 20, 2026
Date


Jack Amrhein
Mayor and President of Council

EFFECTIVE: May 20, 2026
Date

ATTEST: 
Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2026-46, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON May 20, 2026.

(SEAL)


KATHLEEN COLEMAN

EXHIBIT “A”

The attached Service Department code updates consist of the following:

Codified Ordinance Chapter 915 Sanitary Sewer Use Ordinance –

consists of updates to the definition section. This includes removal of grammatical errors, unnecessary use of words and additional clarifications or removal of content required by the OEPA.

Codified Ordinance Chapter 921 Storm Water Use –

Consists of updates to the definitions, the discharge prohibitions, the compliance monitoring and clarification on injunctive relief.

The definition section includes removal of grammatical errors, unnecessary use of words and additional clarifications or removal of content required by Ohio EPA.

The discharge prohibitions expanded to include prohibited connections and clarified the difference between illegal connections and illicit discharges. An illicit discharge is one that is not composed entirely of storm water only, while an illegal connection is any conveyance whether above or below ground that allows for non-storm water to enter the storm water system.

The compliance monitoring required us to change the title to Monitoring of Illicit Discharges and Illegal Connections and required us to establish a program for continued monitoring of illicit discharges with updating our MS4 Map and document more clearly our investigations of potential problems during dry weather flow.

The clarification of Injunctive relief clarified person to be an owner / operator and indicated that the Director of Public Service is the authorized enforcement agency for this code.

The attached Community Development code updates consist of the following:

Codified Ordinance 1193 Resource Management Plans –

consists of adding a purpose and scope, a disclaimer of liability, a conflicts, severability, nuisances and responsibility section, and adding a section on the development of a comprehensive storm water management plan as well as performance standards. Other items reviewed and added were sections on easements, maintenance and final inspections approval, ongoing inspections, installations of water quality storm water control measures, violations, appeals and penalties. Definitions were also amended as per chapters 915 and 921.

The purpose and scope, disclaimer of liability and the conflicts, severability, nuisance and reasonability sections were added to meet the OEPA requirements.

The definitions section includes removal of grammatical errors, unnecessary use of words and additional clarifications or removal of content required by the OEPA.

The Development of and the comprehensive storm water plan along with the performance standards cover a variety of design calculations and requirements for review. The performance standards provide the guidance for development of the plans and the long-term use and maintenance of the plans.

The sections on easements, maintenance and final inspections approval, on-going inspections, installations of water quality storm water control measures, violations, appeals and penalties were added to help guide and ensure that the long-term maintenance of storm water control measures were addressed. As well as providing compliance if a violation should be found

Codified Ordinance 1199 Erosion Control –

consists of adding a purpose and scope, a definition section, a disclaimer of liability, a conflicts, severability, nuisances and responsibility section, and adding a section on the development of a storm water pollution prevention plan and performance standards. Other items added were appeals of violations, and compliance with State and Federal regulations. **The purpose and scope, disclaimer of liability and the conflicts, severability, nuisance and reasonability sections were added to meet the OEPA requirements.**

A definition section was added as per the OEPA requirements. The development of storm water pollution prevention plans along with the performance standards cover a variety of design requirements that better facilitate reviews and ensure compliance with the performance standards of onsite water runoff control to ensure that the OEPA regulations are followed.

The sections on violations, appeals and compliance with State and Federal regulations were added to help guide and ensure that all SWP3's were installed, monitored and provided compliance should a violation be found.

Codified Ordinance 1203 Low Impact Development –

consists of adding a section on green infrastructure.

Green Infrastructure is defined and the use of this design feature is encouraged. The design and use of this infrastructure must be consistent with the best management practices for storm water run off and designed by a professional with documentation that the proposed technique does not pose a threat to public safety.