

MUSKINGUM COUNTY



COMMISSIONERS

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Clerk

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Zanesville, Ohio 43  
President

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Dorothy M. Montgo  
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MARCH 16, 2000

The following action was taken by the Board of Muskingum County Commissioners at its meeting today:

RE: ADOPT REGULATIONS – MUSKINGUM COUNTY  
WATER MANAGEMENT AND SEDIMENT CONTROL  
MUSKINGUM COUNTY COMMISSIONERS

Mr. Madden moved that the Board of County Commissioners adopt the following resolution:

NOW THEREFORE BE IT, RESOLVED, that this Board of County Commissioners, on behalf of the County of Muskingum, Ohio, does hereby adopt the regulations for Muskingum County Water Management and Sediment Control:

(see attached)

Mr. Kenily seconded the resolution and the roll being called on its adoption, the vote was as follows: Madden, yea; Kenily, yea; Montgomery, absent at the time of the vote. Resolution adopted.

MUSKINGUM COUNTY COMMISSIONERS

*R. Edward Kenily*

*Don Madden*

*Dorothy M. Montgomery*

FC

cc: Douglas Davis, Technical Support  
Jeffrey Pickrell, Utilities Director  
Loren C. Camp, Engineer  
Walter Chess, Asst. Prosecutor

## ARTICLE I GENERAL PROVISIONS

### Section 1.1 Title

These regulations shall be cited as the Muskingum County Water Management and Sediment Control Regulations.

### Section 1.2 Statutory Authorization

These regulations are adopted in accordance with and pursuant to the legal grant of authority of the Ohio Revised Code Section 307.79 to adopt rules to abate soil erosion and water pollution by soil sediment.

### Section 1.3 Purpose

The purpose of these regulations are to establish technically feasible and economically reasonable standards to achieve a level of water management and sediment control to minimize damage to property, degradation of water resources and to promote and maintain the health, safety and general well-being of all life and inhabitants of Muskingum County, by

1. Promoting development while keeping downstream flooding, erosion and sedimentation at existing levels.
2. Reduce damage to receiving streams and drainage systems which may be caused by increases in the quantity and/or rate of water discharged, and impairment of their capacity which may be caused by sedimentation.
3. Establish a basis for the design of all storm drainage systems to preserve the rights and options of both the dominant and servient property owners and help assure the long-term adequacy of storm drainage systems.

### Section 1.4 Scope

These regulations shall apply to earth-disturbing activities performed in the unincorporated territory of Muskingum County unless expressly excluded as follows:

1. Farming or agricultural operations or areas regulated by Ohio Agricultural Sediment Pollution Abatement Rules 1501:15-3 of the Administrative Code.
2. Strip mining operations regulated under Section 1513 of the Revised Code.
3. Surface mining operations regulated by Section 1514. Revised Code.

### Section 1.5 Disclaimer of Liability

Neither submission of a plan under the provision herein nor compliance with the provisions of these regulations shall relieve any person from responsibility for damage to any person or property otherwise imposed by law.

### Section 1.6 Severability

If any clause, section, or provision of these regulations is declared invalid or unconstitutional by a court of competent jurisdiction, validity of the remainder shall not be affected thereby.

### Section 1.7 Effective Date

These regulations shall be effective on and after December 1, 1999.

### Section 1.8 County Definition

As used hereafter, County shall mean County of Muskingum, its officials, officers, employees and agents.

## ARTICLE II CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL

### Section 2.1 Requirements

1. No person shall cause or allow earth-disturbing activities, land clearing, grading, excavating or filling except in compliance with the performance criteria set out in Section 2.2 of these regulations.
2. Erosion and sediment control practices used to satisfy the performance criteria shall meet the standards and specifications in the current edition of the Ohio Department of Natural Resources Rainwater and Land Development Manual.
3. The performance criteria are general guidelines and shall not limit the right the Board of County Commissioners to impose additional, more stringent requirements, nor shall the criteria limit the right of Muskingum County to waive individual requirements.

### Section 2.2 Performance Criteria

1. **Timing of Sediment Trapping Practices**  
Sediment control practices shall be functional throughout earth disturbing activity. Settling facilities, sediment barriers, and other practices 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 up-slope development area is restabilized.
2. **Stabilization of Denuded Areas**  
Denuded areas shall have soil stabilization applied within seven days if they are to remain dormant (undisturbed) for more than forty-five days. Permanent or temporary soil stabilization shall be applied to denuded areas within seven (7) days after final grade is reached on any portion of the site, and shall also be applied within seven days to denuded areas which may not be at final grade, but will remain dormant for longer than forty-five (45) days.
3. **Settling Facilities**  
Concentrated stormwater runoff from denuded areas flowing at rates that exceed the design capacity of sediment barriers shall pass through a sediment-settling facility. The facility's storage capacity shall be sixty-seven cubic yards per acre of drainage area.
4. **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 facilities, shall protect adjacent properties and water resources from sediment transported by sheet flow.
5. **Storm Sewer Inlet Protection**  
All storm sewer inlets that 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 treated to remove sediment, unless the storm sewer system drains to a settling facility.
6. **Working in or Crossing Streams**
  - (a) Streams, including beds and banks, shall be restabilized 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.
  - (b) If a live (wet) stream must be crossed by construction vehicles regularly during construction, a temporary stream crossing shall be provided.

7. **Construction Access Routes**  
Measures shall be taken to prevent soil transport onto surfaces where runoff is not checked by sediment controls, or onto public roads.
8. **Sloughing and Dumping**  
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 Ohio Environmental Protection Agency, 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.
9. **Establishment of Permanent Vegetation**  
Permanent vegetative cover shall be established on denuded areas not otherwise permanently stabilized. Permanent vegetation shall not be considered established until ground cover is achieved which provides adequate cover and is mature enough to control soil erosion satisfactorily and to survive adverse weather conditions.
10. **Disposition of Temporary Practices**  
All temporary erosion and sediment control practices shall be removed or permanently stabilized within thirty (30) days after final site stabilization is achieved or after the temporary practices are no longer needed, unless otherwise authorized by the County.
11. **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 within the first year after project completion to assure continued performance of their intended function. The person or entity responsible for the continued maintenance of permanent erosion controls shall be identified to the satisfaction of the County or its agents. If the practices are performing as intended, a release of responsibility will be issued at the end of one calendar year.

### ARTICLE III STORMWATER MANAGEMENT

To protect property from flood damage and channel erosion, and to protect water resources from degradation resulting from accelerated stormwater flows, all development areas shall be designed and constructed in compliance with these regulations.

#### Section 3.1 Requirements

1. Stormwater management systems shall be designed for the ultimate use of the land. Development areas developed for subdivision shall provide a stormwater management system for the ultimate development of all the subdivided lots.
2. Stormwater management facilities shall be designed so that they will continue to function with minimal maintenance.
3. Stormwater management facilities shall be designed for multi-use wherever practical.
4. Stormwater management facilities shall be designed with specific regard to safety.
5. The design criteria shall be applied to each watershed within the development area. If the County allows post-development drainage to cross pre-development drainage divides all pre- and post-development runoff rates and volumes shall be calculated using their respective drainage divides.

Section 3.2 Stormwater Management Design Criteria

1. All design is based on Mid-Ohio Regional Planning Commission (MORPC) storm water design manual.

Section 3.3 Maintenance

Maintenance required for aesthetics, recreation or nuisance control shall be the responsibility of the owners of the property subject to the permit.

ARTICLE IV ADMINISTRATION

Section 4.1 Plan Review and Permit Approval

The following design criteria below (1-6 inclusive) shall be applicable to all County Water Management and Sediment Control (WMSC) plans.

1. A Water Management and Sediment Control (WMSC) plan shall be required for any earth-disturbing activities involving any commercial development greater than 10,000 square feet. This applies to any commercial building with improved roads and parking areas, subdivisions containing four (4) residences or more, and any other building lot over five (5) acres.  
  
To obtain a WMSC Permit when the development area is more than five (5) acres, the applicant shall develop and submit for review and approval a sediment control plan.  
  
When the commercial development area is five (5) acres or less but more than 10,000 square feet a Standard Statement of Intent shall be required to obtain a WMSC Permit.
2. All plans, shall be accompanied by fees for plan review (minimum fees shall be \$ 250.00).
3. Application for a WMSC Permit shall be submitted to the County. The County shall review the plan and forward copies to any other local agencies affected. If the County finds the plan in conformance with the provisions of these regulations, a permit will be issued with such reasonable conditions as deemed necessary to secure the objectives of these regulations.
4. A WMSC Plan shall be approved or denied within thirty (30) days from the time submitted. A Permit must be issued prior to any earth disturbing activity on the area to be developed.
5. Every permit holder shall notify the County between two (2) and five (5) days in advance of commencement of work authorized by a Permit. Where action or inaction of the permit holder in notifying the County causes additional visits to the work site by county personnel, the County may impose additional fees as deemed necessary.
6. All permitted earth disturbing activities shall be subject to site inspection by the County to determine compliance with these regulations.

### Section 4.2 WMSC Plan Content

In compliance with Article II and III, a WMSC plan shall identify potential erosion, sediment pollution, and stormwater problems from the development area and describe measures to be taken to control those problems. The WMSC plan shall contain the information as required in the application for an N.P.D.E.S. permit through the Ohio Environmental Protection Agency.

### **Water Management and Sediment Control Plan Requirements**

1. Narrative:  
The narrative shall be included on the site plans in the form of notes.
  - (a) The schedule of major construction operations as related to implementing erosion and sediment control practices and stormwater management facilities;
  - (b) Maintenance requirements for temporary erosion and sediment control practice:
    1. Sediment levels necessitating clean out;
    2. Person to perform maintenance;
    3. The name, address and telephone number of the WMSC plan designer and the owner or person(s) responsible for the development area.
2. Site Plan:
  - (a) Vicinity map at a scale of not less than two thousand (2,000) feet to the inch locating the site in relation to the surrounding area;
  - (b) Limits of earth-disturbing activity;
  - (c) Existing and proposed topography shown in appropriate contour intervals;
  - (d) Existing and proposed drainage patterns including watershed lines, directions of flow and watershed acreage. Drainage patterns during major phases of construction shall also be included as appropriate;
  - (e) The types of soils within or affected by the development area and the location of all highly erodible or unstable soils;
  - (f) Erosion and sediment control practices;
    1. Their location;
    2. Settling ponds drawn to scale with basic dimensions;
    3. Detail drawings of structural control practices;
  - (g) Proposed utilities that may effect erosion and sediment control practices.
3. Stormwater management provisions:
  - (a) General description of the stormwater management strategy proposed to meet the requirements of Article III of these regulations.
  - (b) The location and design calculations for all permanent stormwater control structures, and all stormwater conveyance systems.
  - (c) The person or entity responsible for maintenance of the stormwater control structures.
  - (d) Maintenance requirements and schedules as defined by Article III of these regulations.
  - (e) Permanent access and access easements required to perform inspection and maintenance of stormwater control structures and stormwater conveyance systems.



**Engineer's Office and Highway Department**

155 Rehl Road  
Zanesville, Ohio 43701  
Phone (740)454-0155  
Fax (740)455-7180  
Email: mceng@rrohio.com

**Douglas R. Davis P.E.,P.S.**  
County Engineer

**Courthouse Mapping Department**

401 Main Street  
Zanesville, Ohio 43701  
Phone (740)455-7116  
Fax (740)455-7896

**General Storm Water Drainage Permit**

Property Address: \_\_\_\_\_

Property Owner: \_\_\_\_\_ Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Address: \_\_\_\_\_

Filing Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Permit No: \_\_\_\_ - \_\_\_\_

Description of Requirements:

**A Fee of \$250.00 payable by Cash or Check made payable to: Muskingum County Engineer**

Attach a report and a site map as described herein:

The site map shall be a scaled drawing(s) showing the following:

1. Property dimensions and acreage
2. Local streets
3. Area draining onto the property
4. Storm water discharge points from property
5. Existing drainage patterns
6. Existing and proposed Types of Surfaces
7. Location and size of structures and storm drainage facilities
8. Existing and proposed contours at 2-foot intervals
9. Proposed finish floor elevations
10. Ponding limits
11. Proposed flood routing path
12. Bench marks
13. Profiles of existing and proposed storm drainage structures within the site
14. General notes and details
15. Estimate of quantities for public improvements

The report shall include the following:

1. Existing storm water discharge flow rates with calculations
2. Proposed storm water discharge flow rates with calculations
3. Description of proposed changes to the surface and storm water drainage facilities
4. Drawings and specifications of proposed changes
5. Master storm plan delineation tributary boundaries and acreage for both pre-development and post-development conditions

All proposed changes in the storm water drainage shall meet the requirements of the Storm Water Drainage Regulations. As-Built drawings must be submitted for all projects including the approved plans in digital form. NOTE: Any site with 1 acre or more of disturbance will require submittal of an NOI and may require submittal of an NPDES Permit to the OHIO EPA. A copy of the NOI and/or NPDES submittal must be provided to the Muskingum County Engineer before the plans are approved. ALL General storm water permits shall be signed and sealed by a professional engineer registered in the State of Ohio. **I have read all of the conditions and understand that failure to meet these conditions may be subject to fines and/or misdemeanors.**

Permit Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**OFFICE USE ONLY**

Approved: \_\_\_\_ Denied: \_\_\_\_ Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_