

Village of Hanover

Ordinance 22-2026

AN ORDINANCE TO ADOPT A COMPREHENSIVE STORMWATER MANAGEMENT PLAN FOR THE VILLAGE OF HANOVER, OHIO AND TO AMEND CONTRARY AND INCONSISTENT ORDINANCES BY REPEALING AND AMENDING PARTS THEREOF AND DECLARING AN EMERGENCY

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PREAMBLE

WHEREAS, flooding is a significant threat to property and public health and safety and storm water management lessens flood damage by reducing and holding runoff and releasing it slowly; and,

WHEREAS, streambank erosion is a significant threat to property and public health and safety and storm water management slows runoff and reduces its erosive force; and,

WHEREAS, insufficient control of storm water can result in significant damage to receiving water resources, impairing the capacity of these areas to sustain aquatic systems and their associated aquatic life use designations; and,

WHEREAS, land development projects and associated increases in impervious cover alter the hydrologic response of local watersheds and increase storm water runoff rates and volumes, flooding, stream channel erosion, and sediment transport and deposition; and,

WHEREAS, storm water runoff contributes to increased quantities of pollutants to water resources; and,

WHEREAS, storm water runoff, stream channel erosion, and nonpoint source pollution can be controlled and minimized through the regulation of runoff from land development projects; and,

WHEREAS, there are watershed-wide efforts to reduce flooding, erosion, and water quality problems in the rivers in the Village of Hanover and to protect and enhance the water resources of the rivers of the Village of Hanover; and,

WHEREAS, the Village of Hanover finds that the lands and waters within its borders are finite natural resources and that their quality is of primary importance in promoting and maintaining public health and safety within its borders; and,

WHEREAS, the Village of Hanover desires to establish standards, principles, and procedures for the regulation of soil disturbing activities that may increase flooding and erosion and may cause adverse impacts to water resources, resulting from storm water runoff; and,

WHEREAS, the Village of Hanover recognizes its obligation to manage storm water within its borders; and

WHEREAS, 40 C.F.R. Parts 9, 122, 123, and 124, and Ohio Administrative Code 3745-39 require designated communities, including the Village of Hanover to develop a Storm Water Management Program that, among other components, requires the Village of Hanover to implement standards, principles, and procedures to regulate the quality of stormwater runoff during and after soil disturbing activities; and

WHEREAS, Article XVIII, Section 3 of the Ohio Constitution grants municipalities the legal authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary, and other similar regulations, as are not in conflict with general laws.

NOW, THEREFORE BE IT ORDAINED by the Council of Village of Hanover, county of Licking, State of Ohio, that:

SECTION 1: COMPREHENSIVE STORMWATER MANAGEMENT, is hereby adopted to read in total as follows: PURPOSE AND SCOPE

The Purpose of this regulation is to establish technically feasible and economically reasonable stormwater management standards to achieve a level of stormwater quality and quantity control that will minimize damage to property and degradation of water resources and will promote and maintain the health, safety, and welfare of the citizens of the Village of Hanover. The objectives of this regulation are to require owners who develop or re-develop their property within the Village of Hanover:

1. To control stormwater runoff from their property and ensure that all Stormwater Control Measures (SCMs) are properly designed, constructed, and maintained.
2. To reduce water quality impacts to receiving water resources that may be caused by new development or redevelopment activities.
3. To control the volume, rate, and quality of stormwater runoff originating from their property so that surface water and groundwater are protected and flooding and erosion potential are not increased.
4. To minimize the need to construct, repair, and replace subsurface storm drain systems.
5. To preserve natural infiltration and groundwater recharge, and maintain subsurface flow that replenishes water resources, except in slippage prone soils.
6. To incorporate stormwater quality and quantity controls into site planning and design at the earliest possible stage in the development process.
7. To reduce the expense of remedial projects needed to address problems caused by inadequate stormwater management.
8. To maximize the use of SCMs that serve multiple purposes including, but not limited to, flood control, erosion control, fire protection, water quality protection, recreation, and habitat preservation.
9. To design sites to minimize the number of stream crossings and the width of associated disturbance in order to minimize the Village of Hanover's future expenses related to the maintenance and repair of stream crossings, and
10. To maintain, promote, and re-establish conditions necessary for naturally occurring stream process that assimilate pollutants, attenuate flood flows, and provide healthy water resources.

02 APPLICABILITY

- A. This regulation shall apply to all parcels used or being developed, either wholly or partially, for new or relocated projects involving highways and roads; subdivisions or larger common plans of development; industrial, commercial, institutional, or residential projects; building activities on farms; redevelopment activities; grading; and all other uses that are not specifically exempted.

- B. Public entities, including the State of Ohio, Licking County, and the Village of Hanover shall comply with this regulation for roadway projects initiated after February 10, 2026 and, to the maximum extent practicable, for projects initiated before that time.
- C. This regulation does not apply to activities regulated by, and in compliance with, the Ohio Agricultural Sediment Pollution Abatement Rules.
- D. This regulation does not require a Comprehensive Storm Water Management Plan for linear construction projects, such as pipeline or utility line installation, that do not result in the installation of impervious surface as determined by the Village of Hanover Engineer. Such projects must be designed to minimize the number of stream crossings and the width of disturbance. Linear construction projects must comply with the requirements of the Village of Hanover's Erosion and Sediment Control requirements.

03 DEFINITIONS

The words and terms used in this regulation, unless otherwise expressly stated, shall have the following meaning:

- A. Abbreviated Stormwater Pollution Prevention Plan (SWP3): means the written document that sets forth the plans and practices to be used to meet the requirements of this regulation.
- B. Acre: means a measurement of area equaling 43,560 square feet.
- C. As-built Survey: means a survey shown on a plan or drawing prepared by a Registered Surveyor indicating the actual dimensions, elevations, and locations of any structures, underground utilities, swales, detention facilities, and sewage treatment facilities after construction has been completed.
- D. Best Management Practices (BMPs): means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices (both structural and non-structural) to prevent or reduce the pollution of water resources and wetlands. BMPs also include treatment practices, operating procedures, and practices to control facility runoff, spillage, or leaks; sludge or waste disposal; or drainage from raw material storage.
- E. Commercial or Industrial Site Development: means any development area that is intended to be used entirely or partially for commercial or industrial purposes and/or activities.
- F. Comprehensive Storm Water Management Plan: means the written document and plans meeting the requirements of this regulation that sets forth the plans, practices, and stormwater management practices to minimize storm water runoff from a development area, to safely convey or temporarily store and release post-development runoff at an allowable rate to minimize flooding and stream bank erosion, and to protect or improve storm water quality and stream channels.
- G. Critical Storm: means a storm that is calculated by means of the percentage increase in volume of runoff by a proposed development area. The critical storm is used to calculate the maximum allowable storm water discharge rate from a developed site.

- H. Detention Facility: means a basin, pond, oversized pipe, or other structure that reduces the peak flow rate of storm water leaving the facility by temporarily storing a portion of the storm water entering the facility.
- I. Development Area: means a parcel or contiguous parcels owned by one Site Owner/Operator or Site Owner/Operators, or operated as one development unit, and used or being developed for commercial, industrial, residential, institutional, or other construction or alteration that changes runoff characteristics.
- J. Development Drainage Area: means a combination of each hydraulically unique watershed with individual outlet points on the development area.
- K. Disturbed Area: means an area of land subject to erosion due to the removal of vegetative cover and/or soil disturbing activities.
- L. Drainage: means the removal of excess surface water or groundwater from land by surface or subsurface drains.
- M. Erosion: means the process by which the land surface is worn away by the action of wind, water, ice, gravity, or any combination of those forces.
- N. Final Stabilization: means all soil disturbing activities at the site have been completed and a uniform perennial vegetative cover with a density of at least 70% coverage for the area has been established or equivalent stabilization practices, such as the use of mulches or geotextiles, have been employed.
- O. Grading: The process in which the topography of the land is altered to a new slope.
- P. Impervious Cover: means any surface that cannot effectively absorb or infiltrate water. This may include roads, streets, parking lots, rooftops, sidewalks, and other areas not covered by vegetation.
- Q. Infiltration: means a storm water management practice that does not discharge to a water resource during the storm water quality event, requiring collected runoff to either infiltrate into the groundwater and/or be consumed by evapotranspiration, thereby retaining storm water pollutants in the facility.
- R. Larger Common Plan of Development: means a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.
- S. Maximum Extent Practicable: means the level of pollutant reduction that operators of small municipal separate storm sewer systems regulated under 40 C.F.R. Parts 9, 122, 123, and 124, referred to as NPDES Storm Water Phase II, must meet.
- T. National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit: means a permit issued by EPA or by a State under authority delegated pursuant to 33 USC Section 1342(b) that authorized the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general areawide basis.

- U. Nonstructural Storm Water Management Practice: means storm water runoff control and treatment techniques that use natural practices to control runoff and/or reduce pollution levels.
- V. Ohio EPA NPDES General Construction Permit: means the most recent General National Pollution Discharge Elimination System (NPDES) permit for authorization of storm water discharges associated with construction activities issued by Ohio EPA.
- W. Post Development: means the conditions that exist following the completion of soil disturbing activity in terms of topography, vegetation, land use, and the rate, volume, quality, or direction of storm water runoff.
- X. Pre-Development: means the conditions that exist prior to the initiation of soil disturbing activity in terms of topography, vegetation, land use, and the rate, volume, quality, or direction of storm water runoff.
- Y. Professional Engineer: means a Professional Engineer registered in the State of Ohio with specific education and experience in water resources engineering, acting in conformance with the Code of Ethics of the Ohio State Board of Registration for Engineers and Surveyors.
- Z. Redevelopment: means a construction project on land where impervious cover has previously been developed and where the new land use will not increase the runoff coefficient. If the new land use will increase the runoff coefficient, then the project is considered to be a new development project rather than a redevelopment project. (Refer to Table 1 in Section 1197.09)
- AA. Riparian Area: means land adjacent to any brook, creek, river, or stream having a defined bed and bank that, if appropriately sized, helps to stabilize stream banks, limit erosion, reduce flood size flows, and/or filter and settle out runoff pollutants, or performs other functions consistent with the purposes of this regulation.
- BB. Runoff: means the portion of rainfall, melted snow, or irrigation water that flows across the ground surface and is eventually returned to water resources.
- CC. Sediment: means the soils or other surface materials that can be transported or deposited by the action of wind, water, ice, or gravity as a product of erosion.
- DD. Sedimentation: means the deposition of sediment in water resources.
- EE. Site Owner/Operator: means any individual, corporation, firm, trust, commission, board, public or private partnership, joint venture, agency, unincorporated association, municipal corporation, county or state agency, the federal government, other legal entity, or an agent thereof that is responsible for the overall construction site.
- FF. Soil Disturbing Activity: means clearing, grading, excavating, filling, or other alteration of the earth's surface where natural or human made ground cover is destroyed and that may result in, or contribute to, increased storm water quantity and/or decreased storm water quality.
- GG. Stabilization: means the use of Best Management Practices that reduce or prevent soil erosion by storm water runoff, trench dewatering, wind, ice, gravity, or a combination thereof.

- HH. Structural Storm Water Management Practice: means any constructed facility, structure, or device that provides storage, conveyance, and/or treatment of storm water runoff.
- II. Water Resource: means any public or private body of water; including wetlands; the area within the ordinary high water level of lakes and ponds; as well as the area within the ordinary high water level of any brook, creek, river, or stream having a defined bed and bank (either natural or artificial) which confines and conducts continuous or intermittent flow.
- JJ. Water Resource Crossing: means any bridge, box, arch, culvert, truss, or other type of structure intended to convey people, animals, vehicles, or materials from one side of a watercourse to another. This does not include private, non-commercial footbridges or pole mounted aerial electric or telecommunication lines, nor does it include below grade utility lines.
- KK. Watershed: means the total drainage area contributing storm water runoff to a single point.
- LL. Wetland: means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas (40 CFR 232, as amended).

04 DISCLAIMER OF LIABILITY

- A. Compliance with the provisions of this regulation shall not relieve any Site Owner/Operator from responsibility for damage to any Site Owner/Operator otherwise imposed by law. The provisions of this regulation are promulgated to promote the health, safety, and welfare of the public and are not designed for the benefit of any individual or any particular parcel of property.
- B. By approving a Comprehensive Storm Water Management Plan under this regulation, the Village of Hanover does not accept responsibility for the design, installation, and operation and maintenance of storm water management practices.

05 CONFLICTS, SEVERABILITY, NUISANCES & RESPONSIBILITY

- A. Where this regulation is in conflict with other provisions of law or ordinance, the most restrictive provisions, as determined by the Village Engineer shall prevail.
- B. If any clause, section, or provision of this regulation is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.
- C. This regulation shall not be construed as authorizing any Site Owner/Operator to maintain a nuisance on their property, and compliance with the provisions of this regulation shall not be a defense in any action to abate such a nuisance.
- D. Failure of the Village of Hanover to observe or recognize hazardous or unsightly conditions or to recommend corrective measures shall not relieve the site owner from the responsibility for the condition or damage resulting therefrom, and shall not result in the Village of Hanover, its officers, employees, or agents being responsible for any condition or damage resulting therefrom.

06 RESPONSIBILITY FOR ADMINISTRATION

The Village of Hanover shall administer, implement, and enforce the provisions of this regulation. The Village of Hanover may contract with the Licking County Soil and Water District or similar entity to conduct inspections and monitoring and to assist with enforcement actions.

07 DEVELOPMENT OF COMPREHENSIVE STORM WATER MANAGEMENT PLANS

- A. This regulation requires that a Comprehensive Storm Water Management Plan be developed and implemented for all soil disturbing activities disturbing one (1) or more acres of total land, or less than one (1) acre if part of a larger common plan of development or sale disturbing one (1) or more acres of total land, and on which any regulated activity of the Purpose and Intent section (C) is proposed. A Comprehensive Stormwater Management Plan must also be developed and implemented for all commercial and industrial site development disturbing more than half (0.5) of an acre. The Village of Hanover Engineer may require a Comprehensive Storm Water Management Plan for sites disturbing less than one (1) acre.
- B. The Village of Hanover shall administer this regulation, shall be responsible for determination of compliance with this regulation, and shall issue notices and orders as may be necessary. The Village of Hanover may consult with the Licking County SWCD, private engineers, storm water districts, or other technical experts in reviewing the Comprehensive Storm Water Management Plan.

08 APPLICATION PROCEDURES

- A. Pre-Application Meeting: The applicant shall attend a pre-application meeting with the Village Engineer to discuss the proposed project, review the requirements of this regulation, identify unique aspects of the project that must be addressed during the review process, and establish a preliminary review and approval schedule.
- B. Preliminary Comprehensive Storm Water Management Plan: The applicant shall submit two (2) sets of a Preliminary Comprehensive Storm Water Management Plan (Preliminary Plan) and the applicable fees based on the Village of Hanover's current fee schedule to the Village Engineer and/or the Service Director. The Preliminary Plan shall show the proposed property boundaries, setbacks, dedicated open space, public roads, water resources, storm water control facilities, and easements in sufficient detail and engineering analysis to allow the Village Engineer to determine if the site is laid out in a manner that meets the intent of this regulation and if the proposed storm water management practices are capable of controlling runoff from the site in compliance with this regulation. The applicant shall submit two (2) sets of the Preliminary Plan and applicable fees as follows:
 - 1. For subdivisions: In conjunction with the submission of the preliminary subdivision plan.
 - 2. For other construction projects where the development or redevelopment plan will result in the installation of impervious area, artificial turf or permeable pavement systems: In conjunction with the application for a zoning permit.
- C. Final Comprehensive Storm Water Management Plan: The applicant shall submit two (2) sets of a Final Comprehensive Storm Water Management Plan (Final Plan) and the applicable fees based on

the Village of Hanover's current fee schedule to the Village Engineer and/or the Service Director in conjunction with the submittal of the final plat, improvement plans, or application for a building or zoning permit for the site. The Final Plan shall meet the requirements of the Comprehensive Storm Water Management Plan, shall demonstrate compliance with the Performance Standards and requirements established in the Performance Standard, and shall be approved by the Village Engineer prior to approval of the final plat and/or before issuance of a Zoning Permit.

- D. Review and Comment: The Village Engineer and/or the Service Director shall review the Preliminary and Final Plans submitted and shall approve or return for revisions with comments and recommendations for revisions. A Preliminary or Final Plan rejected because of deficiencies shall receive comments stating specific problems and the procedures for filing a revised Preliminary or Final Plan.
- E. Approval Necessary: Land clearing and soil-disturbing activities shall not begin and zoning and/or building permits shall not be issued without an approved Comprehensive Storm Water Management Plan.
- F. Valid for Two Years: Approvals issued in accordance with this regulation shall remain valid for two (2) years from the date of approval.

09 COMPLIANCE WITH STATE AND FEDERAL REGULATIONS

Approvals issued in accordance with this regulation do not relieve the applicant of responsibility for obtaining all other necessary permits and/or approvals from the Ohio EPA, the US Army Corps of Engineers, and other federal, state, and/or county agencies. If requirements vary, the most restrictive shall prevail. These permits may include, but are not limited to, those listed below. Applicants are required to show proof of compliance with these regulations before the Village of Hanover will issue a building or zoning permit.

- A. Ohio EPA NPDES General Construction Permit authorizing storm water discharges associated with construction activity or the most current version thereof: Proof of compliance with these requirements shall be the applicant's Notice of Intent (NOI) number from Ohio EPA, a copy of the Ohio EPA Director's Authorization Letter for the NPDES Permit, or a letter from the site owner certifying that a NOI is not applicable.
- B. Section 401 of the Clean Water Act: Proof of compliance shall be a copy of the Ohio EPA Water Quality Certification application tracking number, public notice, project approval, or a letter from the site owner certifying that Section 401 of the Clean Water Act is not applicable.
- C. Ohio EPA Isolated Wetland Permit: Proof of compliance shall be a copy of Ohio EPA's Isolated Wetland Permit application tracking number, public notice, project approval, or a letter from the site owner certifying that an Ohio EPA's Isolated Wetlands Permit is not applicable.
- D. Section 404 of the Clean Water Act: Proof of compliance shall be a copy of the U.S. Army Corps of Engineers Individual Permit application, public notice, or project approval, if an Individual Permit is required for the development project. If an Individual Permit is not required, the site

owner shall submit proof of compliance with the U.S. Army Corps of Engineer's Nationwide Permit Program. This shall include one of the following:

1. A letter from the site owner certifying that a Section 404 of the Clean Water Act is not applicable.
 2. A site plan showing that any proposed fill of waters of the United States conforms to the general and special conditions specified in the applicable Nationwide Permit. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time of application of this regulation.
- E. Ohio Dam Safety Law: Proof of compliance shall be a copy of the ODNR Division of Water permit application tracking number, a copy of the project approval letter from the ODNR Division of Water, or a letter from the site owner certifying the Ohio Dam Safety Law is not applicable.

10 COMPREHENSIVE STORM WATER MANAGEMENT PLANS

- A. Comprehensive Storm Water Management Plan Required: The applicant shall develop a Comprehensive Storm Water Management Plan describing how the quantity and quality of storm water will be managed after construction is complete for every discharge from the site and/or into a water resource. The Plan will illustrate the type, location, and dimensions of every structural and non-structural storm water management practice incorporated into the site design, and the rationale for their selection. The rationale must address how these storm water management practices will address flooding within the site as well as flooding that may be caused by the development upstream and downstream of the site. The rationale will also describe how the storm water management practices minimize impacts to the physical, chemical, and biological characteristics of on-site and downstream water resources and, if necessary, correct current degradation of water resources that is occurring or take measures to prevent predictable degradation of water resources. Comprehensive Stormwater Management Plans must meet the requirements in the Ohio EPA NPDES General Construction Permit and these regulations.
- B. Preparation by Professional Engineer: The Comprehensive Storm Water Management Plan shall be prepared by a registered professional engineer and include supporting calculations, plan sheets, and design details. To the extent necessary, as determined by the Village Engineer, a site survey shall be performed by a Registered Professional Surveyor to establish boundary lines, measurements, or land surfaces.
- C. Community Procedures: The Village of Hanover Engineer shall prepare and maintain procedures providing specific criteria and guidance to be followed when designing the storm water management system for the site. These procedures may be updated from time to time, at the discretion of the Village of Hanover Engineer based on improvements in engineering, science, monitoring, and local maintenance experience. The Village of Hanover Engineer shall make the final determination of whether the practices proposed in the Comprehensive Storm Water Management Plan meet the requirements of this regulation. The Village of Hanover Engineer may also maintain a list of acceptable Best Management Practices that meet the criteria of this regulation to be used in the Village of Hanover.

- D. Contents of Comprehensive Storm Water Management Plan: The Comprehensive Storm Water Management Plan shall contain an application, narrative report, construction site plan sheets, a long-term Inspection and Maintenance Agreement, and a site description with the following information provided:

1. Site description:

- a. A description of the nature and type of the construction activity (e.g. residential, shopping mall, highway, etc.).
- b. Total area of the site and the area of the site that is expected to be disturbed (i.e. grubbing, clearing, excavation, filling or grading, including off-site borrow areas).
- c. A description of prior land uses at the site.
- d. An estimate of the impervious area and percent of imperviousness created by the soil-disturbing activity at the beginning and at the conclusion of the project.
- e. Existing data describing the soils throughout the site, including the soil series and association, hydrologic soil group, porosity, infiltration characteristics, depth to groundwater, depth to bedrock, and any impermeable layers.
- f. If available, the quality of any known pollutant discharge from the site such as that which may result from previous contamination caused by prior land uses.
- g. The location and name of the immediate water resource(s) and the first subsequent water resource(s).
- h. The aerial (plan view) extent and description of water resources at or near the site that will be disturbed or will receive discharges from the project.
- i. Describe the current condition of water resources including the vertical stability of stream channels and indications of channel incision that may be responsible for current or future sources of high sediment loading or loss of channel stability.

2. Site map showing:

- a. Limits of soil-disturbing activity on the site.
- b. Soils types for the entire site, including locations of unstable or highly erodible soils.
- c. Existing and proposed one-foot (1') contours. This must include a delineation of drainage watersheds expected before, during, and after major grading activities as well as the size of each drainage watershed in acres.
- d. Water resource locations including springs, wetlands, streams, lakes, water wells, and associated setbacks on or within 200 feet of the site, including the boundaries of wetlands or streams and first subsequent named receiving water(s) the applicant

intends to fill or relocate for which the applicant is seeking approval from the Army Corps of Engineers and/or Ohio EPA.

- e. Existing and planned locations of buildings, roads, parking facilities, and utilities.
 - f. The location of any in-stream activities including stream crossings.
 - g. Contact information: Company name and contact information as well as contact name, addresses, and phone numbers for the following:
 - h. The Professional Engineer who prepared the Comprehensive Storm Water Management Plan.
 - i. The site owner.
- 3. Phase, if applicable, of the overall development plan.
 - 4. List of subplot numbers if project is a subdivision.
 - 5. Ohio EPA NPDES Permit Number and other applicable state and federal permit numbers, if available, or status of various permitting requirements if final approvals have not been received.
 - 6. Location, including complete site address and subplot number if applicable.
 - 7. Location of any easements or other restrictions placed on the use of the property.
 - 8. A site plan sheet showing:
 - a. The location of each proposed post-construction storm water management practice.
 - b. The geographic coordinates of the site and each proposed practice in North American Datum Ohio State Plan South.
 - c. It is preferred that the entire site be shown on one plan sheet to allow a complete view of the site during plan review. If a smaller scale is used to accomplish this, separate sheets providing an enlarged view of areas on individual sheets should also be provided.
 - 9. An Inspection and Maintenance Agreement. The Inspection and Maintenance Agreement required for storm water management practices under this regulation shall be between the Village of Hanover and the applicant and shall contain the following information and provisions:
 - a. The location of each storm water management practice, including those practices permitted to be located in, or within 50 feet of, water resources, and identification of the drainage area served by each storm water management practice.

- b. A schedule for regular maintenance for each aspect of the storm water management system to ensure continued performance of that system as is detailed in the approved Comprehensive Storm Water Management Plan. This schedule may include additional standards, as required by the Village of Hanover Engineer, to ensure continued performance of storm water management practices permitted to be located in, or within 50 feet of, water resources.
- c. Identification of the landowner(s), organization, or municipality responsible for long-term maintenance, including repairs, of the storm water management practices.
- d. The landowner(s), organization, or municipality shall maintain storm water management practices in accordance with this regulation.
- e. The Village of Hanover shall conduct inspections as necessary to verify that the storm water management practices are being maintained and operated in accordance with this regulation.
- f. The Village of Hanover shall maintain public records of the results of site inspections, shall inform the landowner(s), organization, or municipality responsible for maintenance of the inspection results, and shall specifically indicate any corrective actions required to bring the storm water practices into proper working condition.
- g. If the Village of Hanover notifies the landowner(s), organization, or municipality responsible for maintenance of the maintenance problems that require correction, the specific corrective actions shall be taken within a reasonable time frame as determined by the Village of Hanover.
- h. The Village of Hanover is authorized to enter upon the property and to perform the corrective actions identified in the inspection report if the landowner(s), organization, or municipality responsible for maintenance does not make the required corrections in the specified time period. The Village of Hanover shall be reimbursed by the landowner(s), organization, or municipality responsible for maintenance for all expenses incurred within 10 days of receipt of invoice from the Village of Hanover.
- i. The method of funding long-term maintenance and inspections of all storm water management practices.
- j. A release of the Village of Hanover from all damages, accidents, casualties, occurrences, or claims that might arise or be asserted against the Village of Hanover from the construction, presence, existence, or maintenance of the storm water management practices.

Alteration or termination of these stipulations is prohibited. The applicant must provide a draft of this Inspection and Maintenance Agreement as part of the Comprehensive Storm Water Management Plan submittal. Once a draft is approved, a recorded copy of the

Agreement must be submitted to the Village of Hanover to receive final inspection approval of the site.

10. Calculations required: The applicant shall submit calculations for projected storm water runoff flows, volumes, and timing into and through all storm water management practices for flood control, channel protection, water quality, and the condition of the habitat, stability, and incision of each water resource and its floodplain, as required in the Performance Standard of this regulation. These submittals shall be completed for both pre- and post-development land use conditions and shall include the underlying assumptions and hydrologic and hydraulic methods and parameters used for these calculations. The applicant shall also include critical storm determination and demonstrate that the runoff from upper watershed areas have been considered in the calculations.
11. List of all contractors and subcontractors before construction: Prior to construction or before the pre-construction meeting, provide the list of all contractors and subcontractors names, addresses, and phone numbers involved with the implementation of the Comprehensive Storm Water Management Plan including a written document containing signatures of all parties as proof of acknowledgment that they have reviewed and understand the requirements and responsibilities of the Comprehensive Storm Water Management Plan.
12. Existing and proposed drainage patterns: The location and description of existing and proposed drainage patterns and storm water management practices, including any related storm water management practices beyond the development area and the larger common development area.
13. For each stormwater management practice to be employed on the development area, include the following:
 - a. Location and size, including detail drawings, maintenance requirements during and after construction, and design calculations, all where applicable.
 - b. Final site conditions including storm water inlets and permanent nonstructural and structural storm water management practices. Details of storm water management practices shall be drawn to scale and shall show volumes and sizes of contributing drainage areas.
 - c. Any other structural and/or non-structural storm water management practices necessary to meet the design criteria in this regulation and any supplemental information requested by the Village Engineer.

11 PERFORMANCE STANDARDS

- A. General: The storm water system, including storm water management practices for storage, treatment and control, and conveyance facilities, shall be designed to prevent structure flooding during the 100-year, 24-hour storm event; to maintain predevelopment runoff patterns, flows, and volumes; and to meet the following criteria:

1. Integrated practices that address degradation of water resources. The storm water management practices shall function as an integrated system that controls flooding and minimizes the degradation of the physical, biological, and chemical integrity of the water resources receiving storm water discharges from the site. Acceptable practices shall:
 - a. Not disturb riparian areas, unless the disturbance is intended to support a watercourse restoration project.
 - b. Maintain predevelopment hydrology and groundwater recharge on as much of the site as practicable.
 - c. Only install new impervious surfaces and compact soils where necessary to support the future land use.
 - d. Compensate for increased runoff volumes caused by new impervious surfaces and soil compaction by reducing storm water peak flows to less than predevelopment levels.
 - e. Be designed according to the methodology included in the most current edition of the *Rainwater and Land Development Manual*, *ODOT L&D, Volume 2 – Drainage Design*, or another design manual deemed acceptable for use by The Village of Hanover and the Ohio EPA. *The Columbus Stormwater Drainage Manual* shall be utilized for recommendations for stormwater control layout & geometry
2. Practices designed for final use: Storm water management practices shall be designed to achieve the storm water management objectives of this regulation, to be compatible with the proposed post-construction use of the site, to protect the public health, safety, and welfare, and to function safely with minimal maintenance.
3. Storm water management for all lots: Areas developed for a subdivision, as defined in the Village of Hanover Subdivision Regulations, shall provide storm water management for the development of all subdivided lots. This shall include provisions for lot grading and drainage that prevent structure flooding during the 100-year, 24- hour storm; and maintain, to the extent practicable, the pre-development runoff patterns, volumes, and peaks from the lot.
4. Storm water facilities in water resources: Storm water management practices and related activities shall not be constructed in water resources unless the applicant shows proof of compliance with all appropriate permits from the Ohio EPA, the U.S. Army Corps, and other applicable federal, state, and local agencies as required in the Compliance with State and Federal Regulation section of this regulation, and the activity is in compliance with the Hanover Subdivision Regulations, Erosion and Sediment Control, all as determined by the Village Engineer.
5. Storm water ponds and surface conveyance channels: All storm water pond and surface conveyance designs must provide a minimum of one (1) foot freeboard above the projected peak stage within the facility during the 100-year, 24-hour storm. When designing storm water ponds and conveyance channels, the applicant shall consider public safety as a design

factor and alternative designs must be implemented where site limitations would preclude a safe design.

6. Exemption: The site where soil-disturbing activities are conducted shall be exempt from the requirements of the Performance Standard Section if it can be shown to the satisfaction of the Village Engineer that the site is part of a larger common plan of development where the storm water management requirements for the site are provided by an existing storm water management practice, or if the storm water management requirements for the site are provided by practices defined in a regional or local storm water management plan approved by the Village Engineer.
 7. Maintenance: All storm water management practices shall be maintained in accordance with Inspection and Maintenance Agreements approved by the Village Engineer as detailed in the Comprehensive Storm Water Management Plan Section.
 8. Ownership: Unless otherwise required by the Village of Hanover, storm water management practices serving multiple lots in subdivisions shall be on a separate lot held and maintained by an entity of common ownership or, if compensated by the property owners, by the Village of Hanover. Storm water management practices serving single lots shall be placed on these lots, protected within an easement, and maintained by the property owner.
 9. Preservation of Existing Natural Drainage. Practices that preserve and/or improve the existing natural drainage shall be used to the maximum extent practicable. Such practices may include minimizing site grading and compaction; protecting and/or restoring water resources, riparian areas, and existing vegetation; and maintaining unconcentrated storm water runoff to and through these areas.
- B. Storm Water Conveyance Design Criteria: All storm water management practices shall be designed to convey storm water to allow for the maximum removal of pollutants and reduction in flow velocities. This shall include but not be limited to:
1. Stream relocation or enclosure: The Village Engineer may allow the enclosure or relocation of water resources only if the applicant shows proof of compliance with all appropriate permits from the Ohio EPA, the U.S. Army Corps, and other applicable federal, state, and local agencies as required in Compliance with State and Federal Regulations Section of this regulation, and the activity is in compliance with the Village of Hanover Subdivision Regulations, Erosion and Sediment Control, all as determined by the Village Engineer. At a minimum, stream relocation designs must show how the project will minimize changes to the vertical stability, floodplain form, channel form, and habitat of upstream and downstream channels on and off the property.
 2. Off-site storm water discharges: Off-site storm water runoff that discharges to or across the applicant's development site shall be conveyed through the storm water conveyance system planned for the development site at its existing peak flow rates during each design storm. Off-site flows shall be diverted around stormwater quality control facilities or, if this is not possible, the storm water quality control facility shall be sized to treat the off-site flow. Comprehensive Storm Water Management Plans will not be approved until it is demonstrated to the satisfaction of the Village Engineer that off-site runoff will be

adequately conveyed through the development site in a manner that does not exacerbate upstream or downstream flooding and erosion.

3. Sheet flow. The site shall be graded in a manner that maintains sheet flow over as large an area as possible. The maximum area of sheet flow shall be determined based on the slope, the uniformity of site grading, and the use of easements or other legally- binding mechanisms that prohibit re-grading and/or the placement of structures within sheet flow areas. The sheet flow length shall not exceed 100 feet. Flow shall be directed into an open channel, storm sewer, or other storm water management practice from areas too long and/or too large to maintain sheet flow, all as determined by the Village Engineer.
4. Open channels: Unless otherwise allowed by the Village Engineer drainage tributary to storm water management practices shall be provided by an open channel with landscaped banks and designed to carry the 10-year, 24-hour stormwater runoff from upstream contributory areas.
5. Drainage systems: Open drainage systems shall be preferred on all new development sites to convey storm water where feasible. The following criteria shall be used to design storm sewer systems when necessary:
 - a. Storm sewers shall be designed such that they do not surcharge from runoff caused by the 2-year, 24-hour storm, and that the hydraulic grade line of the storm sewer stays below the gutter flow line of the overlying roadway, or below the top of drainage structures outside the roadway during a 5-year, 24-hour storm. The system shall be designed to meet these requirements when conveying the flows from the contributory area within the proposed development and existing flows from offsite areas that are upstream from the development.
 - b. The minimum inside diameter of pipe to be used in storm sewer systems is 12 inches. Smaller pipe sizes may be used in roof drain applications.
 - c. All storm sewer systems shall be designed taking into consideration the tailwater of the receiving facility or water resource. The tailwater elevation used shall be based on the design storm frequency. The hydraulic grade line for the storm sewer system shall be computed with consideration for the energy losses associated with entrance into and exit from the system, friction through the system, and turbulence in the individual manholes, catch basins, and junctions within the system.
 - d. The inverts of all curb inlets, manholes, yard inlets, and other structures shall be formed and channelized to minimize the incidence of quiescent standing water where mosquitoes may breed.
 - e. Full headwalls shall be required at all storm sewer inlets or outlets to and from open channels or lakes.
6. Water Resource Crossings. The following criteria shall be used to design structures that cross a water resource in the Village of Hanover:

- a. Water resource crossings other than bridges shall be designed to convey the stream's flow for the minimum 25-year, 24-hour storm and not overtop more than 1" during the 100-year event for roads.
 - b. Bridges, open bottom arch or spans are the preferred crossing techniques and shall be considered in the planning phase of the development. Bridges and open spans should be considered for all State Scenic Rivers, cold water habitat, exceptional warmwater habitat, seasonal salmonid habitat streams, and Class III headwater streams. The footers or piers for these bridges and open spans shall not be constructed below the ordinary high-water mark.
 - c. If a culvert or other closed bottom crossing is used a minimum of 1 foot of box culverts and pipe arches must be embedded below the channel bed.
 - d. The minimum inside diameter of pipes to be used for crossings shall be 24 inches.
 - e. The maximum slope allowable shall be a slope that produces a 10-fps velocity within the culvert barrel under design flow conditions. Erosion protection and/or energy dissipaters shall be required to properly control entrance and outlet velocities.
 - f. All culvert installations shall be designed with consideration for the tailwater of the receiving facility or water resource. The tailwater elevation used shall be based on the design storm frequency.
 - g. Full headwalls shall be required at all culvert inlets or outlets to and from open channels or lakes.
 - h. Streams with a drainage area of 5 square miles or larger shall incorporate floodplain culverts at the bank full elevation to restrict head loss differences across the crossing so as to cause no rise in the 100-year storm event.
 - i. Bridges shall be designed such that the hydraulic profile through a bridge shall be below the bottom chord of the bridge for either the 100-year, 24-hour storm, or the 100-year flood elevation as determined by FEMA, whichever is more restrictive.
7. Overland flooding: Overland flood routing paths shall be used to convey storm water runoff from the 100-year, 24-hour storm event to an adequate receiving water resource or storm water management practice such that the runoff is contained within the drainage easement for the flood routing path and does not cause flooding of buildings or related structures. The peak 100-year water surface elevation along flood routing paths shall be at least one foot below the finished grade elevation at the structure. When designing the flood routing paths, the conveyance capacity of the site's storm sewers shall be taken into consideration.
 8. Velocity dissipation: Velocity dissipation devices, such as rock channel protection, shall be placed at discharge locations and along the length of any outfall to provide non-erosive flow velocity from the structure to a water resource so that the natural physical and biological characteristics and functions of the water resource are maintained and protected.

- C. Storm Water Quality Control: The site shall be designed to direct runoff to one or more stormwater management practices that meet or exceed the criteria of the Construction General Permit.
- D. Storm Water Quantity Control: The Comprehensive Storm Water Management Plan shall describe how the proposed storm water management practices are designed to meet the following requirements for storm water quantity control for each watershed in the development.:
1. The peak discharge rate of runoff from the Critical Storm and all more frequent storms occurring under post-development conditions shall not exceed the peak discharge rate of runoff from a 1-year, 24-hour storm occurring on the same development drainage area under pre-development conditions.
 2. Storms of less frequent occurrence (longer return periods) than the Critical Storm, up to the 100-year, 24-hour storm shall have peak runoff discharge rates no greater than the peak runoff rates from equivalent size storms under pre-development conditions. The 1, 2, 5, 10, 25, 50, and 100-year storms shall be considered in designing a facility to meet this requirement.
 3. The Critical Storm for each specific development drainage area shall be determined as follows:
 - a. Determine, using a curve number-based hydrologic method that generates hydrographs, or other hydrologic method approved by the Village Engineer, the total volume (acre-feet) of runoff from a 1-year, 24-hour storm occurring on the development drainage area before and after development. These calculations shall meet the following standards:
 - (1) Calculations shall include the lot coverage assumptions used for full build out as proposed.
 - (2) Calculations shall be based on the entire contributing watershed to the development area.
 - (3) Model pervious, directly connected impervious and disconnected impervious areas as separate watersheds.
 - (4) Drainage area maps shall include area, curve number, and time of concentrations. Time of concentration shall also show the flow path and the separation in flow types.
 - (5) Use the Precipitation-Frequency Atlas of the United States, NOAA Atlas 14, Vol 2(3), available online, for rainfall depth data for stormwater design.
 - (6) Use SCS Type II rainfall distribution for all design events with a recurrence interval greater than 1 year. Include lot coverage assumptions used for full build out of the proposed condition.

- (7) Curve numbers for the pre-development condition must reflect the average type of land use over the past 10 years and not only the current land use.
 - (8) Time of Concentration – Use velocity-based methods from (TR- 55 NRCS USDA Urban Hydrology in Small Watersheds, 1986) to estimate travel time (Tt) for overland (sheet) flow, shallow concentrated flow and channel flow. Maximum sheet flow length is 100 ft.
 - (9) To account for future post-construction improvements to the site, calculations shall assume an impervious surface such as asphalt or concrete for all parking areas and driveways, regardless of the surface proposed in the site description unless green infrastructure is proposed (grass pavers, pervious pavement, etc.).
- b. From the volume determined per this regulation, determine the percent increase in volume of runoff due to development. Using the percentage, select the 24-hour Critical Storm from Table 3.

Table 3: 24-Hour Critical Storm

If the Percentage of Increase in Volume of Runoff is:		The Critical Storm will be:
Equal to or Greater Than:	and Less Than:	
---	10	1 year
10	20	2 year
20	50	5 year
50	100	10 year
100	250	25 year
250	500	50 year
500	---	100 year
For example, if the percent increase between the pre- and post-development runoff volume for a 1-year storm is 35%, the Critical Storm is a 5-year storm. The peak discharge rate of runoff for all storms up to this frequency shall be controlled so as not to exceed the peak discharge rate from the 1-year frequency storm under pre-development conditions in the development drainage area. The post-development runoff from all less frequent storms need only be controlled to meet pre-development peak discharge rates for each of those same storms.		

- E. Storm Water Management on Redevelopment Projects: Comprehensive Storm Water Management Plans for redevelopment projects shall reduce existing site impervious areas by at least 5 percent. Where site conditions prevent the reduction of impervious area, then stormwater management practices shall be implemented to provide storm water quality control facilities for at least 20 percent of the site's impervious area. When a combination of impervious area reduction and storm water quality control facilities is used, the combined area shall equal or exceed 20 percent of the site. Where conditions prevent impervious area reduction or on-site stormwater management for redevelopment projects, practical alternatives as detailed in Alternative Actions may be approved by the Village Engineer.

12 ALTERNATIVE ACTIONS

- A. When the Village of Hanover determines that site constraints compromise the intent of this regulation, off-site alternatives may be used that result in an improvement of water quality and a reduction of storm water quantity. Such alternatives shall meet the following standards:
1. Meet standards in the Ohio EPA NPDES General Construction Permit
 2. Shall achieve the same level of storm water quantity and quality control that would be achieved by the on-site controls required under this regulation.
 3. Implemented in the drainage area of the proposed development project to the maximum extent practicable.
- B. Alternative actions may include but are not limited to the following. All alternative actions shall be approved by the Village Engineer:
1. Fees, in an amount specified by the Village of Hanover to be applied to community-wide storm water management practices.
 2. Implementation of off-site storm water management practices and/or the retrofit of an existing practice to increase quality and quantity control.
 3. Stream, floodplain, or wetland restoration.
 4. Acquisition or conservation easements on protected open space significantly contributing to storm water control such as wetland complexes.

13 EASEMENTS

Access to public storm sewer, water resources, and storm water management practices as required by the Village of Hanover Engineer for inspections and maintenance shall be secured by easements. The following conditions shall apply to all easements:

Storm Sewer Management Practices

- A. Easements shall be included in the Inspection and Maintenance Agreement submitted with the Comprehensive Storm Water Management Plan.

- B. Easements shall be approved by the Village of Hanover prior to approval of a final plat and shall be recorded with the Licking County Auditor and on all property deeds.
- C. Unless otherwise required by the Village Engineer, access easements between a public right-of-way and all storm water management practices shall be no less than 20-feet wide. The easement shall also incorporate the entire practice plus an additional 20-foot wide band around the perimeter of the storm water management practice.
- D. The easement shall be graded and/or stabilized as necessary to allow maintenance equipment to access and manipulate around and within each facility, as defined in the Inspection and Maintenance Agreement for the site.
- E. Easements to structural storm water management practices shall be restricted against the construction therein of structures that may obstruct the free flow of storm water and the passage of inspectors and maintenance equipment; and against the changing of final grade from that described by the final grading plan approved by the Village of Hanover. Any re-grading and/or obstruction placed within a maintenance easement may be removed by the Village of Hanover at the property owners' expense.

Public Storm Sewer

- A. Easements for public storm sewer shall be no less than 20-feet wide. Additional easement width will be required for public storm sewer deeper than 15-feet in depth. At a rate of 1' additional easement for every 1' in depth over 15-feet.

Water Resources (Streams, Rivers, etc.)

- A. Easements for water resources included but not limited to streams or rivers shall have an easement no less than 30-feet in width, exclusive of the width of the ditch, or channel, or similar type facility.

14 MAINTENANCE AND FINAL INSPECTION APPROVAL

To receive final inspection and acceptance of any project, or portion thereof, the following must be completed and provided to the Village of Hanover Engineer:

- A. Final stabilization must be achieved and all permanent storm water management practices must be installed and made functional, as determined by the Village Engineer and per the approved Comprehensive Storm Water Management Plan. An As-Built Certification, including a Survey and Inspection, must be sealed, signed and dated by a Professional Engineer and a Professional Surveyor with a statement certifying that the storm water management practices, as designed and installed, meet the requirements of the Comprehensive Storm Water Management Plan approved by the Village Engineer. In evaluating this certification, the Village Engineer may require the submission of a new set of storm water practice calculations if he/she determines that the design was altered significantly from the approved Comprehensive Storm Water Management Plan. The As-Built Survey must provide the location, dimensions, and bearing of such practices and include the entity responsible for long-term maintenance as detailed in the Inspection and Maintenance Agreement.

- B. A copy of the complete and recorded Inspection and Maintenance Agreement as specified in Comprehensive Storm Water Management Plan must be provided to the Village Engineer.

15 INSTALLATION OF WATER QUALITY BEST MANAGEMENT PRACTICES

The applicant may not direct runoff through any water quality structures, or portions thereof that would be degraded by construction site sediment until the entire area tributary to the structure has reached final stabilization as determined by the Village Engineer. This occurs after the completion of the final grade at the site, after all of the utilities are installed, and the site is subsequently stabilized with vegetation or other appropriate methods. The developer must provide documentation acceptable to the Village Engineer to demonstrate that the site is completely stabilized. Upon this proof of compliance, the water quality structure(s) may be completed and placed into service. Upon completion of installation of these practices, all disturbed areas and/or exposed soils caused by the installation of these practices must be stabilized within 2 days.

16 COMPLIANCE INSPECTIONS

- A. The Village of Hanover, and any authorized officer, employee, agent, contractor, consultant, or inspector designated to act on behalf of the Village, shall be permitted to enter and inspect property subject to this regulation as often as may be necessary to determine compliance with this regulation.
- B. The Village of Hanover shall have the right to set up at properties subject to this regulation, such devices as are necessary to conduct monitoring and/or sampling of the facility's storm water discharge, as determined by the Village of Hanover.
- C. The Village of Hanover shall have the right to require the Site Owner/Operator to install monitoring equipment as necessary. This sampling and monitoring equipment shall be maintained at all times in safe and proper operating condition by the Site Owner/Operator at the Site Owner/Operator's expense. All devices used to measure storm water flow and quality shall be calibrated by the Village of Hanover to ensure their accuracy.
- D. Any temporary or permanent obstruction to safe and reasonable access to the property to be inspected and/or sampled shall be promptly removed by the Site Owner/Operator at the written or oral request of the Village of Hanover and shall not be replaced. The costs of clearing such access shall be borne by the Site Owner/Operator.
- E. Unreasonable delays in allowing the Village of Hanover access to a property subject to this regulation for the purposes of inspection is a violation of this regulation.
- F. If the Village of Hanover is refused access to any part of the property from which storm water is discharged, and the Village of Hanover demonstrates probable cause to believe that there may be a violation of this regulation, or that there is a need to inspect and/or sample as part of an inspection and sampling program designed to verify compliance with this regulation or any order issued hereunder, or to protect the public health, safety, and welfare, the Village of Hanover may seek issuance of a search warrant, civil remedies including but not limited to injunctive relief, and/or criminal remedies from any court of appropriate jurisdiction.
- G. Any costs associated with these inspections shall be assessed to the Site Owner/Operator.

17 ENFORCEMENT

- A. Notice of Violation. When the Village of Hanover finds that the Site Owner/Operator has violated a prohibition or failed to meet a requirement of this regulation, the Village of Hanover may order compliance by written notice of violation. Such notice must specify the violation and shall follow one or more of the methods listed in the Service of Notices, to the Site Owner/Operator. Such notice may require the following actions:
1. The performance of monitoring, analyses, and reporting;
 2. The elimination of causes of violations pertaining to the requirements set forth in the Ohio EPA General Construction Stormwater Permit;
 3. That violating discharges, practices, or operations shall cease and desist;
 4. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
 5. The implementation of source control or treatment BMPs; and/or
 6. Payment of penalties.
- B. Service of Notice. Such notice shall be deemed to be properly served where a copy thereof is served in accordance with one of the following methods:
1. A copy is delivered personally.
 2. A copy is sent by certified mail or registered mail, addressed to the owner at the last known address with return receipt requested.
 3. A copy is sent by U.S. Postal Service First Class mail, addressed to the owner at the last known address as listed on the county auditor's site.
 4. A copy is delivered in any other manner as prescribed by local law.
- If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.
- C. If abatement of a violation and/or restoration of affected property is required, the notice of violation shall set forth a deadline within which such remediation or restoration must be completed. Said Notice shall further advise that, should the Site Owner/Operator fail to remediate or restore within the established deadline, a legal action for enforcement may be initiated.
- D. Any Site Owner/Operator receiving a notice of violation must meet compliance standards within the time established in the notice of violation.

- E. If the Site Owner/Operator fails to remediate the violation within the established deadline, the work may be done by the Village of Hanover or a contractor, and the expense thereof shall be charged to the Site Owner/Operator through means designed by the Village of Hanover.

Within 30 calendar days after abatement of the violation by the Village of Hanover, the Site Owner/Operator shall be notified by the Village of Hanover of the cost of abatement, including administrative costs. The Site Owner/Operator may file a written protest with the Village of Hanover objecting to the amount of the assessment within 15 calendar days of receiving the assessment. If the amount due is not paid within a timely manner as determined by the decision of the Village of Hanover, the charges shall become a special assessment against the Site Owner/Operator's property and shall constitute a lien on the property for the amount of the assessment.

- F. Appeal of Notice of Violation: Any Site Owner/Operator receiving a notice of violation may appeal the determination of Village of Hanover. The notice of appeal must be received within 30 days from the date of the notice of violation. Hearing on the appeal before the appropriate authority or their designee shall take place within a reasonable amount of time from the date of receipt of the notice of appeal. The decision of the municipal authority or their designee shall be final. Notice of the administrative hearing shall be delivered in one of the manners listed in the "Service of Notice" section.
- G. Civil Penalties: Any Owner/Operator violating any provisions of the requirements of this Section shall be subject to a fine of up to \$500.00 per day for each day the violation exists, beginning the first day of the violation and continuing each day thereafter until the violation is corrected. Each day that a violation of this Section exists shall constitute a separate offense.
- H. Injunctive Relief: It shall be unlawful for any Site Owner/Operator to violate any provision or fail to comply with any of the requirements of this regulation pursuant to O.R.C. 3709.211. If a Site Owner/Operator has violated or continues to violate the provisions of this regulation, the Village of Hanover may petition the Licking County Common Pleas Court for a preliminary or permanent injunction, as appropriate, restraining the Site Owner/Operator from activities that would create further violations or compelling the Site Owner/Operator to perform abatement or remediation of the violation.
- I. Equitable Relief: The Village of Hanover may also seek such other action as is appropriate for legal and/or equitable relief, including bringing legal action to enforce the requirements of this Section. Filing a suit shall not be a bar against, or a prerequisite for taking any other action against a Site Owner/Operator.
- J. Costs: The Village of Hanover may recover reasonable attorney fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the Village of Hanover.
- K. Publication of Violations and/or Enforcement Actions: The Village of Hanover may publish violations and/or enforcement actions at any time. The cost of such publication will be recovered from the Site Owner/Operator in violation of the requirements of this Section.

18 REMEDIES NOT EXCLUSIVE

The remedies listed in this regulation are not exclusive of any other remedies available under any applicable federal, state or local law and it is in the discretion of the Village of Hanover to seek cumulative remedies.

SECTION 2: That 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 Village, and for the further reason that it is necessary to timely account for and disburse funds related to engineering review services; therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

Adopted: June 10, 2026



Brett Wright, President of Council

Attest:



Nicole D. Gieseler, Fiscal Officer

Submitted to the Mayor this

10 day of June, 2026

Approved by the Mayor this

10 day of June, 2026



Brandon Hale, Mayor

Approved as to form this 10 day of June, 2026

First reading 10-10-2026 Second Reading: waived Third Reading: waived