

ORDINANCE NO. 2008-28

AN ORDINANCE ADOPTING THE PROPOSED AMENDMENTS TO CHAPTER 1199 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT ENTITLED "EROSION CONTROLS", AND DECLARING AN EMERGENCY.

WHEREAS, after implementing the code over the past few years, the staff has found two (2) areas where improvements are needed; and

WHEREAS, the first area to address involves the lack of a minimum size of disturbed area for which the code section applies. OEPA recommended code language states a minimum of one (1) acre of disturbed area; and

WHEREAS, the second area that needs to be addressed is the lack of progressive enforcement actions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That Council does hereby adopt the proposed amendments to Chapter 1199 of the Codified Ordinances of the City of Kent entitled "EROSION CONTROLS" in order to authorize the following amendments (see Exhibit "A") attached hereto and incorporated herein.

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. 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 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: 02/20/2008
DATE

PRESIDENT PRO TEM

ATTEST: _____
ACTING CLERK OF COUNCIL

I hereby certify that Resolution No. 2008-28 was duly enacted this 20th day of

February, 2008, by the Council of the City of Kent, Ohio.

ACTING CLERK OF COUNCIL

Exhibit "A" is on file in the Council office