

**DEPARTMENT OF BUILDING AND HOUSING
EXECUTIVE SUMMARY**

Ordinance No. **861-2022**

Description: Amends various sections of Chapter 3116 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 807-09, passed July 1, 2009, relating to construction and post-construction site storm water runoff control; and repeals Section 3116.12, relating to Waivers.

Analysis: This ordinance relates to the City’s requirements with compliance to the General Permit with the Ohio Environmental Protection Agency for management of storm water discharges associated with construction activity. The ordinance updates the number of the most recent General Permit, and adds a requirement for owners to enter into a “long term inspection and maintenance covenant” to inspect and maintain their required storm water management systems (including but not limited to storm water retention and detention facilities, permeable paving systems, rain gardens) known as best management practices or “BMP’s”. These agreements close a loophole regarding the obligation of the owner to inspect and maintain these BMP’s after initial construction and permitting by the City, and allows the City to review and monitor the inspection and maintenance reports without the obligation of conducting the inspections.

The inspection and maintenance covenants are required to be filed with the Cuyahoga County Recorder’s Office, with a requirement of inspection every six months and after major storm events in the first year of operation and once a year thereafter to ensure the storm water measures are functioning properly. All of these amendments are to the Cleveland Building Code.