

CHAPTER 158: EROSION AND SEDIMENT CONTROL

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EROSION AND SEDIMENT CONTROL

158.1 General Provisions

These erosion, sediment control and stormwater quality provisions establish technically feasible and economically reasonable standards using stormwater management and conservation practices deemed appropriate to abate soil erosion and degradation of the waters of the State and/or City from various land uses including those being developed for non-agricultural residential, commercial, industrial, or other non-agricultural purposes and to promote the health, safety and well-being of the residents of the City. Specifically, the provisions are intended to reduce:

1. property damage due to sedimentation, erosion and flooding;
2. the loss of capacity of ditches, culverts, storm sewers and other stormwater facilities due to siltation and increased stormwater runoff and;
3. pollution into stormwater, streams and wetlands.

These provisions apply to soil-disturbing activities on lands within the City of Mentor used or being developed for non-agricultural residential, commercial, industrial, or other non-agricultural purposes, including, but not limited to the construction of subdivisions, multi-family developments, residential, commercial, and industrial development, recreational projects, grading, clearing when including grading, underground utilities, highways, building activities on farms, redevelopment of urban areas and all other uses unless expressly excluded as follows:

- A) Activities related to producing agricultural crops or sylvan culture operations or areas regulated by the Ohio Agricultural Sediment Pollution Abatement Rules.
- B) A public highway, transportation, or drainage improvement or maintenance thereof undertaken by a government agency or political subdivision that disturbs less than one acre of land.

158.2 Interpretation of Terms and Words

Words used in the present tense include the future tense and the singular includes the plural, unless the context clearly indicates the contrary. The term "shall" is always mandatory and not discretionary. The word "may" is permissive. The term

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“should” is permissive but indicates strong suggestion. The word or term not interpreted or defined by this section shall be construed according to the rules of grammar and

158.2 Interpretation of Terms and Words (continued)

and common usage so as to give these provisions their most reasonable application.

158.3 Words and Terms Defined

Accelerated Soil Erosion: The increased loss of the land surface that occurs as a result of human activities.

Agriculture: Land or water devoted to growing crops or cultivation in connection with raising or harvesting any agricultural or horticultural commodity, including nursery stock, and the raising, shearing, feeding, caring for, training, and management of livestock, poultry and fish.

Buffer Area: A designated transitional area around a feature such as a stream or wetland left in a natural, usually vegetated, state so as to protect that feature from runoff pollution. Construction activities in this area may be restricted or prohibited based on the sensitivity of the stream or wetland consistent with the City’s direction concerning the approved permit plan.

Channel: A natural feature that conveys water or a ditch excavated for the flow of water.

Critical Area: Any portion of an area subject to these guidelines, the disturbance of which would cause soil erosion and sediment run-off and damage to private properties, water courses, storm sewers or public lands due to topography, soil type, hydrology or proximity to a water course.

Detention Structure: A permanent storm water management structure whose primary purpose is to temporarily store storm water runoff and release the stored runoff at reduced and controlled rates.

Development Area: A contiguous area owned by one person or persons, or operated as one development unit, and used or being developed for non-agricultural commercial, industrial, residential or other institutional construction or alteration which changes the runoff characteristics of a parcel of land.

Disturbed Area: An area of land subject to erosion due to the removal of non-erosive materials and/or vegetative cover and/or soil moving activities, including filling.

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Drainage: The flow of excess surface water or groundwater from land by surface or subsurface means.

158.3 Words and Terms Defined (continued)

Drainage Surface Area: An area, measured in a horizontal plane, enclosed by a topographic divide from which surface runoff from precipitation normally drains by gravity into a stream or storm water outfall structure.

Earth Material: The soil, sediment, rock, sand, gravel and organic material or residue associated with or attached to the soil.

Engineer: A Professional Engineer registered in the State of Ohio.

Erosion: The process by which the land surface is worn away by the action of wind, water, ice, gravity or any combination of those forces.

Erosion and Sediment Control: Measures to control earth materials, both mineral and organic that occur during soil-disturbing activity, and primarily used to prevent earth materials from being transported out from the subject site by means of wind, water, ice or gravity.

Erosion and Sediment Control Plan: The written document meeting the requirements of this code which sets forth the plans and specifications to be used to minimize soil erosion by containing sediment on site during and after land development.

Grading: Any construction activity, including excavating, filling, or stockpiling of earth material or any combination thereof, resulting in disturbed areas.

Impervious: Material that does not allow water infiltration or materials that allow infiltration at an imperceptible rate such as asphalt or concrete.

Landscape Architect: A Professional Landscape Architect registered in the State of Ohio.

Landslide: A mass movement of earth materials moving downhill.

Natural Waterway: A waterway that is part of the natural topography which usually maintains a continuous or seasonal flow during the year and is generally characterized as being irregular in cross-section with a meandering course.

Person: An individual, corporation, firm, trust, commission, board, public or private partnership, joint venture, agency, unincorporated association, municipal

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corporation, county or state agency, federal government or any combination thereof.

158.3 Words and Terms Defined (continued)

Post-Development: The conditions which exist following the completion of the soil-disturbing activity in terms of topography, vegetation, land use and rate, volume and direction of storm water runoff.

Pre-Development: The conditions which exist prior to the initiation of the soil-disturbing activity in terms of topography, vegetation, land use and rate and direction of storm water runoff.

Redevelopment Project: A project that changes the existing site in such a way that there is a disturbed area equal to or greater than one (1) acre of land.

Responsible Official: The individual duly authorized by the City Manager to administer and enforce the provisions of this chapter, and his designated agents.

Retention Structure: A permanent structure whose primary purpose is to temporarily store storm water runoff and release the temporarily stored runoff at reduced and controlled rates. The secondary purpose is to store water at a permanent level similar to a lake or pond.

Sediment: The soils or other surface materials that can be transported or deposited from their site of origin by the action of wind, water, ice or gravity as a product of erosion.

Sedimentation: The deposit of earth materials in water bodies.

Sediment Basin: A temporary barrier or other suitable structure built across an area of water flow that filters runoff and allows transported earth materials to settle and be retained prior to discharge.

Sediment Pollution: The uncontrolled degradation of waters of the State and/or City by sediment as a result of failure to apply management or conservation practices to abate erosion, specifically in conjunction with soil-disturbing activities on land which may be used or is being developed for commercial, industrial, residential or other non-agricultural purposes.

Soil Conservation: The use of the soil within the limits of its physical characteristics and protecting it from the actions of climate and topography.

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Soil Disturbing Activity: A clearing, grading, excavating, filling or other alteration of the earth's surface where natural or man-made ground cover is destroyed, which may result in, or contribute to, erosion and sediment pollution.

158.3 Words and Terms Defined (continued)

Stabilization: The application of vegetative cover and/or installation of structural measures to establish a soil cover in order to reduce soil erosion by storm water runoff, wind, ice, and gravity.

Storm Frequency: The average period of time within which a storm of a given duration and intensity can be expected to be equaled or exceeded. For example, a one hundred year frequency storm is a storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in one hundred years. It may also be expressed as an exceedence probability with a one percent chance of being equaled or exceeded in any given year.

Storm Water Management: Runoff water safely being conveyed or temporarily stored and released at an allowable rate to minimize erosion and flooding.

Storm Water Runoff: The direct response of a watershed to precipitation which includes the surface and subsurface runoff that enters a stream, ditch, storm sewer or other concentrated flow during and following precipitation.

Temporary Soil Erosion and Sediment Control Measures: Interim control measures which are installed and/or constructed to control soil erosion or reduce sedimentation until permanent soil erosion control measures are established.

Watershed: The total drainage area contributing runoff to a single point.

Water Quality Volume: The amount of water to be treated to generally remove sediment and other various pollutants before it is discharged to waters of the State and/or City.

158.4 Regulated Activities

No person shall cause or allow soil-disturbing activities, land clearing, grading, excavating or filling within the scope of these provisions without full compliance with the permit requirements set forth herein:

- A) When there is a proposed soil-disturbing activity on land being used, developed or redeveloped, either wholly or partially, for non-agricultural residential, commercial, industrial, or other non-agricultural purposes consisting

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of one (1) or more contiguous acres of land owned by one person or operated as one development unit for the construction of non-agricultural buildings, structures, utilities, recreational areas or other limited non-agricultural uses, the owner of said land shall prepare and file with the City an Erosion and Sediment Control Plan and Water Quality Plan, hereinafter referred to as the E&SC and Regulated Activities (continued)

WQ Plan, and a copy of the Ohio EPA Notice of Intent or General Permit authorization as part of the required City permit. Furthermore, areas of less than one (1) contiguous acre are not exempt from compliance with other provisions of this code section relevant to erosion and sediment control.

- B) When a residential dwelling unit is proposed on an individual lot that is less than one (1) acre in area, the owner of said land shall submit an E&SC plan as part of the site development plan for the requested permit. The owner of said land shall not be required to prepare and file a WQ plan; however, said owner shall comply with all other provisions of this code section relevant to erosion and sediment control in obtaining any required permit.
- C) Prior to the start of any soil disturbing activity of one (1) acre or more, a permit application, E&SC and WQ plan must be submitted to and approved by the City.
- D) The E&SC and WQ plan shall contain a narrative and drawings that explain practices to be used to prevent off-site deposition of soil sediment during and after land development.
- E) E&SC and WQ practices used to satisfy the performance criteria of these provisions shall at a minimum meet the specifications provided in the current edition of the Rainwater & Land Development Manual, Ohio's Standards for Storm Water Management, Land Development and Urban Stream Protection, published by the Ohio Department of Natural Resources.
- F) The E&SC and WQ plan shall include all items in this section and shall be accompanied by other natural resource permits and documentation relevant to the project, including:
 - 1) Proof of compliance with the Ohio Environmental Protection Agency (OEPA) National Pollutant Discharge Elimination System (NPDES) General Storm Water Permit. Proof of compliance shall be, but is not limited to, a copy of the NPDES General Storm Water Permit Notice of Intent and/or a copy of the NPDES General Storm Water Permit Number, and/or a copy of the OEPA Director's acceptance letter for the NPDES Permit.

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- 2) Proof of compliance with Section 404 of the Clean Water Act administered by the U.S. Army Corps of Engineers relating to waters of the United States under its jurisdiction. Proof of compliance shall be, but is not limited to, a copy of the U.S. Army Corps of Engineers permit number if an Individual Permit is required for the development project.

158.4 Regulated Activities (continued)

If an Individual Permit is not required, the site owner shall submit proof of compliance with the U.S. Army Corps of Engineers Nationwide Permit Program. This shall include, but is not limited to, the following:

- a) A copy of the wetlands delineation performed by a qualified professional that has surveyed the site and found no waters of the United States.
- b) A site plan showing that any proposed fill of waters of the United States conforms with the general and specific conditions specified in the applicable Nationwide Permit. The delineation of wetlands and other waters of the United States shall be done by a qualified professional.
- 3) A Wetland Delineation verified by the U.S. Army Corps of Engineers if requested by the City.
- 4) Certification by a professional engineer or landscape architect registered in the State of Ohio.

G) The developer's engineer shall perform the first inspection of erosion and sediment control devices and certify that the "as-built" condition complies with the approved plan prior to the start of the impacted portions of the project. An inspection report shall be provided to the City. Failure to provide said report may result in the City issuing a stop work order until such report is obtained.

H) All permitted activity is subject to monitoring. The City shall maintain a record of site inspections for compliance and non-compliance at a frequency it determines necessary for each individual site.

I) Upon completion of all construction and final stabilization of the entire construction site, the owner of said land shall advise the City through written notification that construction is complete and final stabilization has been achieved.

158.5 Performance Standards

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All properties adjacent to the site of the soil-disturbing activity shall be shown in E&SC and WQ Plan and shall be protected from soil erosion and sediment run-off and damage. Adjacent properties to be described in the E&SC and WQ Plan shall include, but are not limited to, private properties, natural and artificial waterways, wetlands, storm sewers and public lands.

158.5 Performance Standards (continued)

Construction site erosion, sediment control and water quality practices used to satisfy this requirement shall conform, at a minimum, to the State of Ohio standards as set forth in the most current edition of the Rainwater and Land Development Manual and as defined by the Ohio Department of Natural Resources Division of Soil and Water Conservation and Natural Resource Conservation Service.

E&SC and WQ plan approvals issued in accordance with this code do not relieve the owner of responsibility for obtaining all other necessary permits and/or approvals from federal, state and/or county agencies. If requirements vary, the most environmentally protective requirement shall be followed.

E&SC and WQ practices at the site, which shall be identified in the E&SC and WQ plans, shall comply with the following:

- A) The approved E&SC and WQ plan.
- B) The limits to clearing and grading shown on the approved E&SC and WQ plans. Limits to clearing and grading shall be clearly marked on site with signage, flagging, and/or fencing as required by the approved E&SC and WQ plan.
- C) Erosion and sediment perimeter controls shall be installed as the first action of construction and shall be specified accordingly by the construction sequence noted in the approved E&SC and WQ plan.
- D) Concentrated storm water runoff shall pass through sediment control devices before exiting the site boundaries. Concentrated runoff from bare soil areas shall be diverted into a settling pond or sediment control structure, or other approved sediment barrier before leaving the site.
- E) Earthen structures such as dams, basins, stream modifications and water diversions shall be seeded and mulched within seven (7) days of the completion of installation.
- F) Stabilization of critical areas within fifty (50) feet of any stream or wetland shall be temporarily stabilized within two (2) days of disturbance if the area will remain active for fourteen (14) days or longer. Construction vehicles shall avoid streams and their buffer areas. If an active drainage way must be

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crossed by construction vehicles repeatedly during construction, an approved temporary stream crossing shall be noted in the E&SC and WQ plan and constructed. Construction of bridges, culverts or sediment control structures

158.5 Performance Standards (continued)

shall not place soil, debris and other fine particulate material into or close to a stream or wetland in such a manner that it may slough, slip or erode.

- G) Storm sewer inlets shall be protected so that sediment-laden runoff will not enter the storm sewer system without first being filtered and/or treated.
- H) The E&SC and WQ plan shall specify that temporary soil stabilization shall occur within seven (7) days after rough grading if the area will remain idle longer than twenty-one (21) days.

Permanent soil stabilization shall be installed within seven (7) days after final grade is reached on any portion of the site. Permanent vegetation shall be a ground cover dense enough to cover 70% of the soil surface and mature enough to survive winter weather conditions.

- I) Soil stockpiles shall be stabilized or protected to prevent soil erosion. Stabilization shall be required if stockpiles are located within critical areas near streams or wetlands, or if determined by the City that sediment from the stockpiles will leave the site.
- J) Steep slopes shall be protected. Unstable soils prone to slipping or sloughing shall not be cleared, graded, excavated, filled or have loads imposed upon them unless the work is planned by a qualified professional engineer and installed in accordance with the E&SC and WQ plan. Cut and fill slopes shall be designed to minimize erosion problems.
- K) Soil shall be removed from paved surfaces and/or public roads at the end of each day or more frequently if deemed necessary by the City in such a manner that does not create off-site sedimentation and to ensure driver safety and to abate off-site soil deposition. Collected sediments shall be placed in a stable location.
- L) Outfalls and drainage ways that have been constructed or modified shall be designed and constructed to withstand expected flow velocities and volumes from a post-development, 10-year return-frequency storm event without eroding.

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M) Erosive effects of storm water shall be reduced by utilizing and/or maintaining grassed swales, infiltration structures and water diversions.

158.5 Performance Standards (continued)

N) The E&SC and WQ plan shall specify that sediment and erosion controls shall be inspected by the owner or his/her agent once every seven (7) days and within 24 hours of a 0.5 inch or greater rainfall event.

O) De-watering devices shall discharge in a manner that filters soil-laden water before discharging it to a receiving drainage facility.

P) A covered dumpster shall be made available for the proper disposal of construction site waste materials such as, but not limited to, garbage, plaster, drywall, grout, gypsum and other discarded building materials.

Q) The washing of excess concrete material into a street, catch basin, or other public facility or natural resource shall not occur. A designated area for concrete washouts shall be made available and used for all concrete washouts.

R) All fuel tanks and drums shall be marked and stored in a designated storage area. A dike shall be constructed around the storage area with a minimum capacity equal to 110% of the volume of the largest container in the storage area. All additional requirements of the Fire Department shall be followed.

S) All new development resulting in the disturbance of one (1) or more acres of land shall provide structural controls that capture and treat a defined amount of water prior to it leaving the site. Regional treatment can be used to satisfy this requirement if the site is part of a "Larger Common Plan of Development." Calculations used to determine the volume of water (WQ_v) to be treated shall be based on the following:

- 1) $WQ_v = (0.75)(C)(A/12)$ where
C= runoff coefficient
A= contributing drainage area (acres)
 WQ_v = water quality volume in units of acre-feet.

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158.5 Performance Standards (continued)

- 2) Runoff Coefficients (C) for WQ_v shall be based on the following table:

Runoff Coefficients (C)	
Industrial & Commercial	C= 0.8
High Density Residential (> 8 dwelling units per acre)	C= 0.5
Medium Density Residential (4 to 8 dwelling units per acre)	C= 0.4
Low Density Residential (< 4 dwelling units per acre)	C= 0.3
Open space and recreational areas	C= 0.2

- 3) A twenty percent (20%) safety factor shall be added to the WQ_v for sediment storage.
- T) The E&SC and WQ plan shall provide a narrative description and schedule of the post-construction best management practices (BMPs) required for the site.
- U) The E&SC and WQ plan shall provide a long-term maintenance plan and schedule for the BMPs selected.
- V) For all re-development projects disturbing one (1) or more acres of land, twenty percent (20%) of the WQ_v as calculated in Section 158.05 (S) shall be treated or a reduction in impervious area by 20% shall be provided or a combination of both shall be provided in the E&SC and WQ plan.

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W) Drain time for the BMP treating the WQ_v shall be based on current OEPA guidelines.

158.6 Application Procedures for the E&SC and WQ Plan

The E&SC and WQ plans shall be submitted to the City along with the associated permit plans for the development.

158.6 Application Procedures for the E&SC and WQ Plan (continued)

The City shall review the permit plans, the E&SC and WQ plans and either approve or return them for revision with comments and recommendations for revision.

The approved plans remain valid for the period of time the associated permit is valid.

Deviations from the approved E&SC and WQ plans shall require submittal and approval of revised E&SC and WQ plans.

- A) An E&SC and WQ plan is considered complete when it contains the following information:
- 1) Contact information for the owner of the land, the developer and project engineer, the project engineer's certification, the project name, and the project vicinity map.
 - 2) Jurisdictional Wetlands: In areas where jurisdictional wetlands as defined by an on-site delineation verified by the United States Army Corps of Engineers (USACE) will be affected, a copy of the wetland delineation report shall be submitted with the E&SC and WQ Plan. If an Individual USACE Permit is required, a copy of the USACE Permit, showing project approval and any restrictions that apply to site activities, shall also be submitted. If an Individual Permit is not required for the proposed project, the site owner shall submit confirmation with the Nationwide Permit Program.
 - 3) An Ohio Environmental Protection Agency (OEPA) National Pollutant Discharge Elimination System (NPDES) permit with permit verification number or Notice of Intent.
 - 4) An additional description of the project and types of soil-disturbing activities noting specifically items not self-evident from the E&SC and WQ plan drawings. The E&SC and WQ plan shall list total project acreage, north arrow and adjacent property boundaries.

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- 5) Existing site conditions shown with a maximum scale of 1"=200' at maximum with 2' contour intervals or as necessary to fully clarify the work, names of soil type boundaries, vegetation, ditches, springs, streams, lakes, wetlands, woods, agricultural fields, location of downstream lakes and wetlands within 1000' of project, and existing drainage patterns including direction of flow and watershed acreage.

158.6 Application Procedures for the E&SC and WQ Plan (continued)

- 6) A proposed grading plan showing types of soils and boundaries, limits of disturbance, areas of excavation and fill, final contours, and proposed drainage patterns including storm sewer inlets and permanent storm water basins. Basin details shall be drawn to scale showing volumes. The size of the contributing drainage area shall be shown.
- 7) The location, type and construction detail for perimeter controls, sediment settling devices, limits of disturbance, buffers for streams, wetlands, ponds and drainages, seeding mixtures and rates, and type and quantity of mulching, application rates of water and/or fertilizer. Approved revisions to the E&SC and WQ plan shall also be located at the site.
- 8) Storm water control methods adequate to prevent pollution of public waters by soil sediment from accelerated storm runoff from development areas.
- 9) The contractor's construction sequence and schedule that estimates the time frame required for the following:
 - a) If needed, initial clearing and grubbing to gain access, and installation of perimeter controls shall be identified.
 - b) Clearing and grubbing followed by excavation of sediment traps and basins and temporary soil stabilization for these sediment settling devices.
 - c) Project engineer's inspections and parties responsible for inspection and repair of erosion and sediment control devices.
 - d) Pre-winter stabilization needs if the project is to continue through the winter.
 - e) Permanent soil stabilization.
 - f) Removal of temporary erosion and sediment control devices.

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- g) Provisions for long-term maintenance and repair of storm water facilities after construction is complete, including a schedule and mechanisms for notification of future responsible parties and/or property owners.

158.7 Surety

The City may require the posting of a surety bond in a form approved by the Law Director, when in the judgment of the City the project provides the potential for extreme environmental damage. The bond shall be in such form and amount as is necessary to assure that the work, if not completed in accordance with the approved plans and specifications, will be completed. In lieu of a surety bond, with the approval of the City, the applicant may file a cash bond or instrument of credit that has been approved by the Law Director in an amount equal to that which would be required in the surety bond.

158.8 Monitoring for Compliance

City compliance inspections or inspections required of the owner by the building permit will be performed by the Responsible Official. The Responsible Official shall have the authority to make immediate on-site adjustments to the construction specified by the approved E&SC and WQ plan in order to achieve compliance.

158.81 Notice of Violation

Upon notice from The Responsible Official that any land disturbance activity regulated under this code section is being undertaken without a permit, and/or the approved E&SC and WQ plan is not being fully implemented, and/or a violation of any of the conditions of the approved permit is found to exist, such work shall be immediately stopped.

Such notice shall be in writing and shall state the reason for stopping the work, the violation or violations committed, what must be done to correct same and a reasonable period of time to correct or abate said violation. Such notice shall be served to the owner of the subject property, or to his agent, or to the person in charge of the work at the site. Additionally, a copy of the notice, in the case of work for which there is a permit, shall be mailed by first class mail, postage pre-paid, addressed to the person or persons responsible at the subject property or to the tax mailing address as indicated by the records of the Lake County Treasurer, or by hand delivery to the property owner

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and / or occupant at the property. In the event no tax mailing address exists or notice cannot be delivered, notice shall be considered served by publication of a notice in a newspaper of general circulation.

158.82 Failure to comply

Whenever the owner of the subject property neglects or refuses to comply with any notice of violation within the time period specified in said notice, the Responsible Official shall proceed as provided in Section 158.83 or 158.84 whichever is applicable.

158.83 Abatement of Violations

Where the owner of the subject property fails to comply with a notice of violation of any of the provisions of this chapter within the time period specified in said notice, the Responsible Official shall cause such violation to be corrected, removed or abated. The Responsible Official may contract with a private person or firm to accomplish said task. The actual cost of bringing the property into compliance plus 15% for inspections and administration shall be billed to the owner of the subject property. If said bill is not paid within thirty days after submission then the Clerk of Council shall certify said costs together with a 10% penalty to the Lake County Auditor for placement on the tax duplicate to be collected as other taxes for return to the City.

158.84 Prosecution of Violations

Where the owner of the subject property fails to comply with a notice of violation of any of the provisions of this chapter, said owner shall be considered to be in violation of this code and the Responsible Official may proceed at law to compel compliance and to prosecute said violation.

158.9 Variances to the Provisions

A request for a variance shall be in writing and shall state specifically the reasons for the request and shall include all data and information in support of the request. The request shall be reviewed and approved, disapproved, or approved with modifications.

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All variances issued shall be in writing and signed by the Mentor City Engineer or his/her designee.

The Mentor City Engineer may grant a variance to these provisions if any of the following are found to exist:

- A) There are exceptional or extraordinary circumstances or conditions applying to the land.

158.9 Variances to the Provisions (continued)

- B) Literal enforcement of the provisions would cause undue hardship or practical difficulties.
- C) The exceptional or extraordinary circumstances or conditions and the undue hardship or practical difficulties were not the result of any prior actions of the owner of the land.
- D) The variance is necessary for the preservation and enjoyment of substantial property rights of the owner of the land.
- E) The variance will not be a substantial detriment to adjacent lands.

Decisions of the City Engineer may be appealed to the Board of Building and Zoning Appeals.

158.91 Violations and Penalties

Any person, firm, or corporation who violates any provision of this code shall be guilty of a second degree misdemeanor and upon conviction thereof, shall be subject to penalties as set forth in Chapter 138 of the Mentor Code of Ordinances for second degree misdemeanors. Each day upon which said violation continues shall constitute a separate offense.

Chapter 158 added per Ordinance 04-O-05, passed 3/2/04.