



## ARTICLE 6: WATER RESOURCES' STANDARDS for CENTRAL SEWER and WATER IMPROVEMENTS

### Section 600

#### Construction Procedure and Materials

~~The subdivider shall design and construct improvements not less than the standards outlined in these regulations. The work shall be done under County supervision and inspection and shall be completed within the time fixed or agreed upon by the County Engineer and/or Sanitary Engineer. The minimum requirements for materials shall be in accordance with the standards of the current volume of "Construction and Material Specifications" of the State of Ohio Department of Transportation, and the requirements of the Ohio Department of Health. All inspection costs shall be paid for by the subdivider.~~

#### **Intent of Regulations, Project Scope and Plans** *(Moved from Section 505, 1984 PCSR)*

The intent of these regulations ~~project scope and the improvement plans~~ is to prescribe a complete ~~workable~~ **FUNCTIONAL** Improvements ~~at no cost to Portage County~~, which the ~~Subdivider~~ **DEVELOPER** undertakes to do, **AT NO COST TO PORTAGE COUNTY AND** in full compliance with the approved plans, standard drawings and specifications of the ~~Portage County Engineer, and/or~~ Portage County ~~Sanitary Engineer~~ **WATER RESOURCES DEPARTMENT (PCWR)**. ~~They are to be cooperative and what is called for by either is as binding as if called for by both.~~ Should any misunderstanding arise as to the intent or meaning of said plans, specifications or standard drawings or any discrepancy appear in either, the decision of the ~~Portage County Engineer, and/or~~ Portage County Sanitary Engineer in such case shall be final and conclusive.

### Section 601

#### Construction, Improvement Plans and Specifications *(Moved to Section 514.5)*

~~Drawings showing cross sections, profiles, elevations, construction details, and specifications for all required improvements shall be prepared by a professional engineer. The improvement plans shall be prepared in accordance with the standards, provisions, and terms set forth in Articles 5 and 6 of these regulations.~~

~~If it becomes necessary to modify the improvements as approved due to unforeseen circumstances, the subdivider shall inform the County Engineer and/or the County Sanitary Engineer in writing of the conditions requiring the modifications. Written authorization and approval by the County Engineer and/or the County Sanitary Engineer, to make the required modifications must be received before proceeding with the construction of the improvement.~~

~~Before construction begins, and before acceptance, the subdivider shall notify, in writing, the~~

~~County Engineer and County Sanitary Engineer a set of reproducible drawings (excluding sepia) for permanent record, showing the locations, sizes, and elevations of all improvements as to be constructed.~~

~~Pre Construction Meeting and Work Schedules (Moved to Section 514.1)~~

~~Prior to the commencement of any construction the subdivider shall notify, in writing, the County Engineer and County Sanitary Engineer of the date of commencement of construction. A preconstruction meeting may be required with regard to procedure, materials, and inspection of the project.~~

**Construction Inspections**

~~1. Responsible Official: (Moved to Section 514.5)~~

~~The County Engineer shall be responsible for inspection of all street improvements including storm sewers. The County Sanitary Engineer shall be responsible for the inspection of all sanitary sewers, sanitary treatment plants, and appurtenances as well as central water supply and treatment facilities, and appurtenances.~~

~~2. Authority and Duty of Inspectors:~~

~~Inspectors employed by the County shall be authorized to inspect all work done and all materials furnished. Such inspection may extend to all or any part of the work and to the preparation, fabrication, or manufacture of the materials to be used. The Inspector shall not be authorized to revoke, alter or waive any requirements of the specifications or plans. He shall be authorized to call the attention of the contractor to any failure of the work or materials to conform to the specifications and contract in writing. He shall be authorized to call the attention of the contractor to any failure of the work or materials to conform to the specifications and contract in writing. He shall have the authority to reject in writing materials which do not meet specification requirements or suspend the portion of the work involved until any question at issue can be referred to and decided by the County Engineer or Sanitary Engineer.~~

~~3. Final Inspection: (Moved to Section 519.3)~~

~~Upon completion of all the improvements, the subdivider shall request in writing a final inspection by the County. The County Engineer shall make a final inspection of all streets and storm sewers. The County Sanitary Engineer shall make a final inspection of all sanitary sewers and central water supply systems. All inspections shall be made promptly and approval or rejection shall be submitted in writing.~~

~~Before any roads developed as part of a subdivision become public, the County Engineer shall first inspect such roads and certify his approval of them to the Board of Portage County Commissioners.~~

~~The developer should have his representative present at the time of all inspections.~~

### Construction Responsibilities

#### 1. Cooperation of Subdivider and/or Contractor *(Moved to Section 514.3)*

~~The subdivider and/or contractor shall have available on the project, at all times, a clearly readable copy of all required plans and specifications. He shall cooperate with the inspector and with other contractors in every way possible. The subdivider and/or contractor shall have a competent representative acting as his agent on the project.~~

~~The representative shall be capable of reading and thoroughly understanding the plans and specifications, and he shall receive instructions from the Inspector. The representative shall have full authority to execute the orders or directions of the Inspector and to promptly supply such materials, tools, plans, equipment and labor as may be required. The Inspector's orders should be executed without delay. A representative shall be furnished irrespective of the amount of work sublet.~~

#### 2. Grade Stakes: *(Moved to Section 502.5 C.1)*

~~Pavement and pipe grade stakes shall be set at twenty five (25) foot intervals on horizontal and vertical curves and for all grades less than one (1) percent. Tangent pavement grades and pipe grades over one (1) percent may be set at a maximum interval of fifty (50) feet. The Inspector may ask for additional grade stakes if it is deemed necessary. Other means of line and grade may be used as approved by the County Engineer and/or Sanitary Engineer.~~  
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#### 3. Repair of Damage: *(Moved to Section 518.2)*

~~Any damage done to the improvements by construction traffic, local traffic, or by any other means shall be repaired or the damaged materials replaced in a satisfactory condition.~~

#### 3. Storm Water Pollution Prevention Plans (Erosion Control): *(Moved to Section 502.9)*

~~As part of submitting Improvement Plans, the subdivider shall prepare a Storm Water Pollution Prevention Plan (SWPPP) according to the format and principles described in the Ohio Environmental Protection Agency's general permit for storm water discharges associated with construction activity under the National Pollutant Discharge Elimination System (NPDES) (The above Ohio EPA Regulations became effective October 26, 1992). Such plan shall be submitted to the Portage County Soil and Water Conservation District Office and at the same time provided to the County Engineer as part of the Improvement Plans.~~

~~The following items provide a checklist for what shall be included in the Storm Water Pollution Prevention Plan (SWPPP):~~

#### A. Site Inspection (Moved to Section 509)

- a) A description of the nature and type of the construction activity;
- b) Total area of the site and area of the site that is expected to undergo excavation, filling or grading;
- c) Calculation of the runoff coefficients for both pre and post construction conditions;
- d) Describe the soil and quality of any discharge from the site;
- e) Schedule of construction operations;
- f) The name and/or location of the immediate receiving stream or surface water(s);
- g) Site map showing: Limits of earthmoving, existing contours, proposed contours, future drainage patterns, surface water locations (wetlands, streams, etc.), existing locations of buildings, proposed buildings locations and dimensions, erosion and sediment control practices, permanent storm water management practices.

#### B. Erosion and Sediment Controls

##### a) Vegetative Practices

A description of control practices designed to preserve existing vegetation where attainable and revegetate disturbed areas as soon as practicable after grading or construction shall be provided. Appropriate vegetative practices shall be initiated on all disturbed areas within (7) days if the area(s) are to remain dormant (undisturbed) for more than forty five (45) days. Such vegetative practices may include: temporary seeding, permanent seeding, sodding, mulching, phasing and protection of trees, and vegetative buffer strips.

When seasonal conditions prohibit the application of temporary or permanent seeding, nonvegetative soil stabilization practices such as mulching and matting shall be used.

##### b) Structural Practices

A description of structural practices that shall store runoff allowing sediments to settle and/or divert flows from exposed soils or otherwise limit runoff from eroding exposed areas of the site shall be provided. Structural practices shall be used to control erosion and trap sediment from all sites remaining disturbed for more than fourteen (14) days. Such practices may include: Sediment traps, sediment basins, silt fences, earth diversion dikes, check dams, storm drain inlet protection.

##### Timing

Sediment control structures shall be functional throughout earth disturbing activity. Sediment ponds and perimeter sediment barriers shall be implemented as the first step of grading and within seven days from the start of grubbing. They shall continue to function until the upslope development area is restabilized.

- c) Before any land disturbing activities begin, the County Engineer and the Portage Soil and

~~Water Conservation District shall have approved and signed the Storm Water Pollution Prevention Plan (SWPPP). The Portage Soil and Water Conservation District will review the erosion control provisions of the plan and the County Engineer will review the stormwater management aspect of the SWPPP. The County Engineer and the Portage Soil and Water Conservation District will work jointly to inspect the work, to ensure that the developer has installed the vegetative and structural practices as indicated on the approved Storm Water Pollution Prevention Plan. The subdivider and/or contractor shall take necessary procedures to prevent soil erosion and downwash of grits and sediments onto adjoining properties or into existing drainage facilities. The County Engineer may require stoppage of work during construction if proper controls for soil erosion, siltation and sedimentation are not being provided by the developer or contractor. The County Engineer may take the necessary steps to provide corrective measures, and the cost of such services will be charged to the developer. This does not relieve the developer or contractor of downstream liabilities. No project will be released from bond for failure to comply with this regulation and without cleanup and repair of damages. Final inspection requires all drainage facilities to be free of depositions from erosion, siltation and construction debris.~~

#### C. Final Cleaning Up:

~~Upon completion of the work and before acceptance, the subdivider and/or contractor shall clean all ground occupied or affected by him/her in connection with the work. The entire area shall be left in a neat and presentable condition.~~

## **Improvement Plans**

### **601.1 General Standards for Sewer and Water Improvement Plans**

All drawings should be easy to read, with all lines and letters dark enough to provide good contrast with the paper and follow OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) design guidelines. Plans with more than one sheet, should present stationing from left to right or from bottom to top. All plans must include the PCWR Project Number, Standard Details and Notes and include a table of Estimated Quantities.

Horizontal locations shall be recorded to within one tenth (0.1) of a foot. Vertical elevations, i.e. rim and inverts, shall be recorded to within on one-hundredth (0.01) of a foot. Drawings shall contain the seal and signature of the Professional Engineer of Record licensed by the State of Ohio responsible for the design.

### **601.2 Drawings shall be submitted in the following format:**

- A. Drawing Sheet: 24" x 36"
- B. North Arrow: Include on all plan view drawings. Where possible, north arrow shall face up or to the right hand side of the plan sheet.
- C. Symbols/lines: Existing features shall be presented as hatched lines 0.05 mm thickness. Proposed features shall be identified as solid black lines 0.4 mm thickness.

D. Scale:

1. General Plan Scale 1" = 100'
2. Plan and Profile Scale Congested Area 1"= 20' horizontal, 1"= 5' vertical
3. Plan and Profile Scale Rural Area 1"= 50' horizontal, 1"= 5' vertical

- E. Datum: The OHIO State Plane Coordinate System, NAD 83 (2011) AND NAVD 88, OR MOST CURRENT ADJUSTMENT shall be used for the horizontal and vertical datum, respectively. SHOW STATE PLANE COORDINATES FOR 3 MAJOR CORNERS OF THE SUBDIVISION AND LIST THE COMBINED SCALE AND ELEVATION FACTOR. List vertical datum on plan and specify the bench mark to be used for vertical control during construction.

## **Section 602**

### **Construction Schedule** (Moved to Article 4, Section 406.3)

~~The storm sewers, sanitary sewers and roadway sub-grade shall be installed prior to the construction of buildings within a subdivision. No lot shall be sold or leased, nor shall any building permits be issued for any building unless required improvements are first constructed as specified by these regulations. It is imperative that traffic be contained on the pavement and driveway areas since stronger pipe is to be provided at these areas. This case will aid in preventing damage to the storm and sanitary sewer systems. In addition, all items constructed shall be completely protected. Damaged items shall be replaced or repaired as directed by the inspector and at the contractor's expense. The curbing and road base will follow when ordered by the inspector upon an approved sub-grade. Upon completion and approval of all other items, the pavement surface course will be applied. (Amended 26, 1984)~~

## **Sewer Improvement Plans**

### **602. 1. Gravity Sewer**

- A. Show proposed alignment of gravity sewer without-distances from the property/easement line(s), the location of proposed sewer facilities (i.e., manholes) with lengths from center of manhole to center of manhole. Include pipe diameter, material, slope, direction of flow and any bore casings diameter, length and material. Manholes shall be identified with a unique Manhole ID, station and offset. Designer shall include rim elevation, invert elevation and direction, drop (if applicable), and angle between pipe inverts (if not a 90 degree increment).
- B. Sanitary laterals shall be CENTERED ON THE FRONT YARD PROPERTY LINE AND TEN FEET FROM THE WATER SERVICE LATERAL AND SHALL BE PRESENTED WITH length, depth, material, station and offset, and distance from side yard property line (minimum diameter 6-in, minimum slope 1%). IN CAL-DE-SACS THE DESIGNER SHALL PLACE THE SANITARY LATERAL OUTSIDE THE BOUNDARY OF A DRIVEWAY. LANDSCAPING (SUCH AS

TREES) SHALL NOT BE PLANTED IN THE UTILITY RIGHT-OF-WAY ADJACENT TO THE SANITARY SERVICE LATERAL Cleanouts may be required at the right-of-way.

## **602.2 Sanitary Force Main**

Show proposed alignment of force main without-distances from the property/easement line(s), the location of proposed sewer facilities (air release, flushing stations, pump station, manholes, etc.) with length between them and station and offset. Include depth, material, diameter, bore casings' diameters, lengths and material, air release, flushing stations, manholes, and direction of flow. Provide location and type for all sewer facilities. Include dimensions from existing to proposed connection.

## **Section 603**

### **Performance Guarantee for Installation of Street, Storm Sewer, and Drainage Improvements**

~~All improvements required herein shall be constructed prior to the granting of the plat approval by the Planning Commission, or the subdivider shall furnish the Board with the following performance guarantees which shall be deposited and remain at all times with the Clerk of the Board of County Commissioners.~~

#### ~~1. Type of Guarantee (Moved to Section 512.1)~~

~~As consideration for the approval of a plat by the Planning Commission in lieu of the actual installation or completion of the required improvements required by these regulations and with the approval of the County Commissioners, the subdivider or land developer may execute and file a financial guarantee with the County providing for the completion of the required improvements. Such guarantee shall be in the form of a construction loan, cash escrow account, savings account or other financial arrangement which binds the developer to completion of the improvements and from which the County Engineer has the authority to release funds as the work progresses.~~

~~The work performed under the jurisdiction of the Portage County Engineer's Office shall be a separate guarantee from the work performed under the jurisdiction of the County Sanitary Engineer.~~

#### ~~2. Term of Guarantee (Moved to Section 512.3)~~

~~The guarantee for the completion of the required improvements shall be for a period of not longer than eighteen (18) months except that the Board may extend the time period by resolution where circumstances and conditions warrant such extension.~~

#### ~~3. Amount of Guarantee~~

~~The Guarantee shall be determined by:~~

~~A. The Portage County Engineer shall review the construction plans and the project engineer's estimate.~~

~~B. The developer shall present firm bids, for construction of the project, from the contractors.  
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~~C. An amount of 10% of the total project cost shall be added to the guarantee to assure completion of improvements. This amount shall be released when all improvements have final approval and acceptance.~~

~~D. The developer shall be responsible for payment of any contingencies or added costs that do not appear on the estimates and are not included in the construction account. In no case shall a payout exceed the amount of the guaranteed account.~~

#### ~~4. Reduction of Performance Guarantee (Moved to Section 512.2)~~

~~The County Engineer shall upon receiving invoices, make payouts from the account. An amount of 10% shall be retained from each invoice until the improvement has been completed. Upon completion of the improvement the retainer may be released.~~

#### ~~5. Release of Performance Guarantee~~

~~The County Engineer shall make the inspection required for the release of the performance guarantee upon demand of the Subdivider or the Developer; and if said improvements specified in these regulations have been completed shall promptly certify and report to the Board as to the acceptance of said improvements and the release of said performance bond.~~

#### ~~6. Engineer's Guarantee~~

~~After construction of said improvements, the subdivider's engineer, or his successor in interest, shall file with the Board and County Engineer, an affidavit setting forth that all the required improvements have been constructed in accordance with the plans and specifications approved under the provisions of these regulations, including such modifications or variances granted by the County Engineer.~~

### **Water Improvement Plans**

- A. Show the proposed alignment of the water main without distances from the property/easement line(s), the location of proposed water facilities (i.e., valves, fire hydrants, and fittings) with length between them and station and offset. Include material, diameter, depth, bore casings' diameter, length and material and restrained lengths. Provide hydrants, valves, air release, meter pits, manholes – location, type, with station and offset. Include dimensions from existing valves to proposed connection.
- B. Curb boxes: For residential subdivisions, curb boxes shall be CENTERED ON THE FRONT YARD PROPERTY LINE AND TEN FEET FROM THE SANITARY SERVICE LATERAL and outside the boundary of a proposed sidewalk and driveway. IN CAL-DE-SACS THE DESIGNER SHALL PLACE THE CURB BOX OUTSIDE THE BOUNDARY OF A PROPOSED DRIVEWAY AND OR SIDEWALK. When depth to water main exceeds seven (7) feet below grade a stainless steel extension shall be provided on the valve. LANDSCAPING (SUCH AS TREES)

SHALL NOT BE PLANTED IN THE UTILITY RIGHT-OF-WAY ADJACENT TO THE WATER SERVICE LATERAL.

## **Section 604**

### **Guarantee for Maintenance of Street, Storm Sewer, and Drainage Improvements**

~~The subdivider shall be responsible for the maintenance of the improvements installed and for providing the services necessary to guarantee access to all the occupied lots, for a period of one (1) year after the Board has accepted the required improvements. Such acceptance by the Board shall be made upon the recommendation by the County Engineer. The subdivider shall provide a maintenance guarantee to the County providing for the care and maintenance of the physical improvements as specified herein, which shall be deposited and remain at all time with the Clerk of the Board. The subdivider shall also maintain the improvements prior to their acceptance by the Board.~~

#### **1. Type of Guarantee**

~~As consideration for the approval of a plat by the Planning Commission, the subdivider shall execute and file a financial guarantee with the Clerk of the Board providing for the care and maintenance of the physical improvements provided for in these Subdivision Regulations for a period of one (1) year from the date of the acceptance of the improvements by the Board. Such guarantee shall be in the form of a performance or surety bond unless the Board shall approve another form of financial guarantee by resolution in a specific case. 46 Portage County Regional Planning Commission 1984~~

#### **2. Amount of Guarantee**

~~The financial guarantee for maintenance shall be in addition to the performance bond for the completion of the required improvements as specified in Section 603 of these regulations and may be included with the performance bond. The amount of the maintenance guarantee shall be three percent (3%) of the total of the performance guarantee, approved by the Board, and shall not be for less than one thousand dollars. (\$1,000)~~

#### **3. Term of Guarantee**

~~The subdivider shall be responsible for routine maintenance of all improvements and shall repair all failures due to faulty construction as soon as they become apparent. Said subdivider shall also make repairs due to erosion or abuse by utility companies installing utilities and shall repair all failure, for all other reasons during the one (1) year period. He shall restore the improvements at the end of the maintenance period.~~

#### **4. Release of Maintenance Guarantee**

~~The County Engineer shall promptly make the inspection required for the release of the maintenance guarantee at the end of the one (1) year period and shall certify his report to the Board for their action. The Board shall release the maintenance guarantee if said maintenance of the required improvements has been approved by the County Engineer.~~

### **Standards for Construction of Sewer and Water Improvements**

**Section 604.1 Sewage Disposal TREATMENT and Sanitary Sewer Improvements** (Section 630, p. 49, in 1984 PCSR)

SEWAGE TREATMENT ALTERNATIVES SHALL FOLLOW THE WASTEWATER PRESCRIPTIONS ESTABLISHED AND/OR AMENDED IN THE CURRENT CLEAN WATER PLAN (208 MAP). The following requirements shall govern sewage ~~disposal~~ TREATMENT Improvements for all Subdivisions:

A. Extension of Public Sanitary Sewer System

Where an adequate public sanitary sewer system is reasonably accessible ~~in~~ BY determination of ~~the County Sanitary Engineer~~ PCWR, THE public sanitary sewer shall be ~~installed~~ EXTENDED to adequately serve all lots, ~~connecting to the public system~~. ~~Combination of~~ COMBINED sanitary sewer and storm sewers ~~shall be~~ ARE prohibited. Extensions shall meet, ~~the~~ AT THE TIME OF THE SUBMITTAL:

1. THE CURRENT AND AMENDED requirements of the Ohio Environmental Protection Agency
2. TEN STATES STANDARDS
3. ~~County Sanitary Engineer~~ PCWR STANDARD SPECIFICATIONS, STANDARD SEWER DETAILS
4. STANDARDS OF ALL OTHER GOVERNMENT AGENCIES HAVING JURISDICTION, INCLUDING BUT NOT LIMITED TO LOCAL FIRE DEPARTMENT, PORTAGE COUNTY BUILDING DEPARTMENT AND TOWNSHIP.

B. ~~Where the~~ Public Sanitary Sewer System Not Available

Where a public sanitary sewer system is not reasonably accessible the ~~subdivider~~ DEVELOPER shall provide either:

1. A Central Treatment Plant:

A central treatment plant ~~for the lots provided that such central treatment plant~~ MAY be installed WITH THE PERMISSION OF AND in accordance with the Ohio Environmental Protection Agency and ~~the Portage County Sanitary Engineer~~ PCWR requirements; or

2. ~~Individual~~ HOUSEHOLD Sewage ~~Disposal~~ TREATMENT Systems:

Lots may be served by individual HOUSEHOLD sewage ~~disposal~~ TREATMENT systems only when ~~extension of~~ a public sanitary sewerage system is not reasonably accessible and the installation of a central treatment facility HAS NOT BEEN APPROVED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY ~~has been found unnecessary by the PORTAGE COUNTY REGIONAL Planning Commission~~.

- a. Where the installation of AN individual HOUSEHOLD sewage ~~disposal~~ TREATMENT system is considered, the suitability of the ~~soil for individual sewage disposal systems~~, the absorptive ability of the soil, surface drainage, ground-

water level and topography shall be the criteria for determining whether or not the installation of ~~an individual sewage disposal~~ SUCH A system is permissible and ~~the~~ WHAT type of ~~individual sewage disposal~~ APPROVED system IS to be used.

- b. ~~A soil scientist or technician, provided by the Portage Soil and Water Conservation District, shall make an on-site inspection and a study of the area being platted and a copy of the soils review shall be submitted to the Portage County Health Department and the Portage County Planning Commission.~~ AN OHIO CERTIFIED SOIL SCIENTIST SHALL DO AN ON-SITE SOIL EVALUATION OF EACH PROPOSED BUILDING LOT OF THE AREA BEING SUBDIVIDED AND SUBMIT A COPY OF THE SOILS REVIEW TO THE PORTAGE COUNTY HEALTH DEPARTMENT.
- c. Criteria ~~shall be in accordance with the Portage County Board of Health requirements~~ governing the installation of individual HOUSEHOLD sewage ~~disposal~~ TREATMENT systems SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PORTAGE COUNTY COMBINED GENERAL HEALTH DISTRICT, THE OHIO REVISED CODE AND THE OHIO ADMINISTRATIVE CODE PERTAINING TO HOUSEHOLD SEWAGE TREATMENT SYSTEMS.
- d. Any person proposing to create a subdivision shall submit to the ~~Board of~~ PORTAGE COUNTY Health DEPARTMENT, for approval, plans clearly showing that the provisions ~~of the rules for Household Sewage Disposal Systems (3701-29-01 to 3701-29-21 of the Ohio Sanitary Code)~~ OF THE CURRENT RULES OF THE PORTAGE COUNTY COMBINED GENERAL HEALTH DISTRICT, THE OHIO REVISED CODE AND THE OHIO ADMINISTRATIVE CODE PERTAINING TO HOUSEHOLD SEWAGE TREATMENT SYSTEMS can be adequately met, before any of the lots in the subdivision are sold or offered for sale, whether or not such sale entails a transfer of title or deed.

**604.2 Water Supply** (Section 631, p. 50, 1984 PCSR)

The following requirements shall govern water supply Improvements for all Subdivisions:

A. Extension of Public Water System

Where an adequate public water system is reasonably accessible ~~in the~~ BY determination of ~~the Portage County Sanitary Engineer~~ PCWR, ~~such~~ THE PUBLIC water system shall be extended to adequately serve all lots. Such extensions shall meet, AT THE TIME OF SUBMITTAL, all CURRENT AND AMENDED requirements of:

1. The Ohio Environmental Protection Agency
2. TEN STATES STANDARDS
3. ~~Portage County Sanitary Engineer~~ PCWR STANDARD SPECIFICATIONS AND DETAILS

4. STANDARDS OF all other governmental agencies having jurisdiction, INCLUDING BUT NOT LIMITED TO THE LOCAL FIRE DEPARTMENT, PORTAGE COUNTY BUILDING DEPARTMENT, AND AFFECTED TOWNSHIP.

B. PRIVATE WATER SYSTEM

Where no public water system is reasonably accessible to the subdivision, individual wells for each subplot may be approved according to the requirements of the Ohio Environmental Protection Agency, the Portage County ~~Health Department~~ COMBINED GENERAL HEALTH DISTRICT and all other agencies having jurisdiction.

### **Section 605**

#### **Performance Guarantee for the INSTALLATION OF PUBLIC SANITARY SEWER AND/OR WATER IMPROVEMENTS** (Section 632, p. 50, 1984 PCSR)

##### **Section 605.1 General Standards**

Prior to plat approval BY THE PORTAGE COUNTY REGIONAL PLANNING COMMISSION, all PUBLIC sanitary sewer or water ~~facility~~ Improvements required herein shall be FINANCED AND/OR constructed by the ~~subdivider~~ DEVELOPER and inspected and approved by ~~the Sanitary Engineer~~ PCWR ~~prior to the granting of plat approval by the Planning Commission~~ in accordance with all other sections of these Regulations and the following: THE PORTAGE COUNTY RULES AND REGULATIONS GOVERNING THE CONSTRUCTION, MAINTENANCE AND OPERATION, USE AND PROTECTION OF SANITARY SEWER SYSTEMS AND THE WATERWORKS SYSTEMS IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT AND STREETSBORO SANITARY DISTRICT NO. 4.

##### **Section 605.2 Required Information**

THE DEVELOPER SHALL PROVIDE PCWR WITH THE FOLLOWING DOCUMENTS AND FEES:

- A. Detailed construction plans AND SPECIFICATIONS, AND estimates of CONSTRUCTION costS ~~and specifications shall be~~ prepared by ~~the subdivider's engineer~~ AN OHIO REGISTERED PROFESSIONAL ENGINEER ~~and presented by him to be approved~~ FOR APPROVAL by ~~the sanitary engineer~~ PCWR;
- B. A COMPLETED PCWR APPLICATION TO EXTEND FACILITIES;
- C. APPLICABLE DESIGN REVIEW FEES;
- D. OHIO ENVIRONMENTAL PROTECTION AGENCY PERMIT TO INSTALL APPLICATION AND AN OHIO ENVIRONMENTAL PROTECTION AGENCY APPROVED DRAWING SET;
- E. A COPY OF THE CONSTRUCTION CONTRACT BETWEEN THE DEVELOPER AND CONTRACTORS;
- F. A CONSTRUCTION SCHEDULE;
- G. APPLICABLE CONSTRUCTION SERVICE FEES;
- H. A SET OF AS-BUILT DRAWINGS;

- I. AFFIDAVITS OF VERIFICATION OF PAYMENTS STATING THAT THE WORK HAS BEEN COMPLETED AND ALL SUBCONTRACTORS, MATERIAL SUPPLIERS AND LABORERS HAVE BEEN PAID IN FULL AND THERE ARE NO CLAIMS OUTSTANDING WHICH WOULD ENTITLE THEM TO CLAIM A LIEN ON THE PROPERTY;
- J. AN EXECUTED SEWER AND WATER AGREEMENT BETWEEN THE DEVELOPER AND THE PORTAGE COUNTY BOARD OF COMMISSIONERS;
- K. A MAINTENANCE GUARANTEE IN ACCORDANCE WITH SECTION 607.
- ~~L. A Performance Bond shall be executed by the subdivider and secured by a cash escrow account established with a solvent financial institution from which all construction costs will be paid to assure that adequate financial reserves have been dedicated to the construction of the project, and only acceptable work will be paid for, and to assure payment of all engineering, administrative and inspection costs incurred by the Sanitary Engineering Department.~~
- ~~M. Payments to the subdivider's contractor shall be made upon the recommendation of the subdivider's engineer and the approval of the subdivider and the Portage County Sanitary Engineer. A retainage of ten percent (10%) shall be withheld until completion and acceptance of the project, provided that the cash balance remaining in the construction escrow account shall at all times be adequate to complete construction.~~

## **Section 606**

### **Performance Guarantees**

#### **606.1 Performance Guarantee for IN LIEU OF the Installation of Sanitary Sewer and/or Water Improvements (Section 633, 1984 PCSR)**

- A. As consideration for plat approval by the PORTAGE COUNTY REGIONAL PLANNING Commission, and in lieu of the actual installation, completion and acceptance of the ANY required Improvement(s) prior to said plat approval, the ~~subdivider~~ DEVELOPER may execute a cash performance GUARANTEE ~~bond~~ obligating the ~~subdivider~~ DEVELOPER to the completion of the required Improvements and the payment of all costs incurred in such construction.
- B. Such performance ~~bond~~ GUARANTEE shall be secured by a ~~construction loan account established with a solvent building and loan institution or a~~ cash escrow account established with a solvent financial institution.
- C. THE DEVELOPER WILL REMAIN LIABLE FOR ANY EXPENDITURE OVER AND ABOVE THE DERIVED PERFORMANCE GUARANTEE, INCLUDING BUT NOT LIMITED TO UNFORESEEN SITE CONDITIONS THAT INCREASE THE CONSTRUCTION ESTIMATE OR INCREASED MATERIAL COSTS.

- D. PAYMENTS TO THE DEVELOPER'S CONTRACTOR SHALL BE MADE UPON THE RECOMMENDATION OF THE DEVELOPER'S ENGINEER AND THE APPROVAL OF THE DEVELOPER AND PCWR.
1. A RETAINAGE OF TEN PERCENT (10%) SHALL BE WITHHELD UNTIL COMPLETION AND ACCEPTANCE OF THE PROJECT. THE CASH BALANCE REMAINING IN THE CASH ESCROW ACCOUNT SHALL AT ALL TIMES BE ADEQUATE TO COMPLETE CONSTRUCTION.
  2. IF SUBMITTED INVOICES EXCEED THE PERCENT OF CONSTRUCTION COMPLETE, THE DEVELOPER WILL BE RESPONSIBLE TO PAY THE DIFFERENCE BETWEEN INVOICED AMOUNTS AND THE RELEASED FUNDS.

**606.2 Term of Sewer and/or Water Improvement(S) PERFORMANCE Guarantee** (Section 634, p. 51, 1984 PCSR)

- A. The ~~guarantee~~ TERM for the completion of the required SANITARY SEWER AND/OR WATER improvement(s) shall be for a period of no longer than eighteen (18) months. ~~except that the~~
- B. THE PORTAGE COUNTY Board OF COMMISSIONERS may extend the time period by resolution where circumstances and conditions warrant such extension.
- C. IF THE EXTENSION IS INSTITUTED BY THE DEVELOPER, THE REQUEST FOR AN EXTENSION OF THE TERM AND THE REASON FOR THE EXTENSION MUST BE SUBMITTED IN WRITING TO PCWR BY THE DEVELOPER AT LEAST ONE (1) MONTH PRIOR TO EXPIRATION OF THE 18-MONTH TERM.

**606.3 Amount of Sewer and/or Water IMPROVEMENTS PERFORMANCE Guarantee** (Section 635 1984 PCSR)

The amount of THE PERFORMANCE guarantee shall be determined by THE FOLLOWING PROCEDURES:

- A. The ~~subdivider's~~ DEVELOPER'S ~~project~~ engineer shall prepare an estimate of THE CONSTRUCTION cost based upon the ~~rules, regulations, standard, standard specifications and standard bidding documents of the Sanitary Engineering Department~~ APPROVED IMPROVEMENT PLANS.
- B. The ~~subdivider~~ DEVELOPER shall acquire bids from reputable and competent contractors proposing to furnish all labor and materials for the completion of the ~~requirement~~ REQUIRED Improvements. The ~~subdivider~~ DEVELOPER shall then enter into a construction contract with the bidder of his choice. Such construction contract shall be in accordance with the APPROVED IMPROVEMENT PLANS ~~standard bidding documents of the Sanitary Engineering Department and conditioned upon approval of the subdivision plat.~~
- C. ~~The Sanitary Engineer~~ PCWR shall review the construction plans, ~~project~~ THE DEVELOPER'S engineer's estimate, construction bids and, ~~if necessary, estimate~~ DETERMINE the ~~cost of~~ construction COST ESTIMATE ~~to arrive at the mount of cash~~

~~bond required. Such cash bond shall also include an~~ AN ADDITIONAL amount, not less than ~~12% TEN PERCENT (10%)~~ of the ~~Sanitary Engineer's direction~~ construction cost estimate, ~~SHALL BE INCLUDED~~ for payment of contingency items ~~which is~~ required to complete the improvement~~s~~. ~~And a sum representing the Sanitary Engineer's estimate of the costs to be incurred by the Sanitary Engineering Department including costs of engineering, inspection, administrative and supervisory costs.~~ The ~~subdivider~~ DEVELOPER shall be responsible for payment of any contingencies, omitted items or extra costs that are in excess of the amount of the Performance ~~Bond~~ GUARANTEE.

**606.4 ~~Reduction~~ RELEASE of THE Performance Guarantee FOR SANITARY SEWER AND/OR WATER IMPROVEMENTS** (Section 636, p. 52, 1984 PCSR)

The Performance Guarantee ~~Bond~~ may, periodically be partially ~~reduced~~ RELEASED by PCWR. PCWR WILL ~~authorizing the~~ AUTHORIZE SUCH release of construction estimates FROM THE PERFORMANCE GUARANTEE to pay the ~~subdivider~~ DEVELOPER or the contractor for materials and/or labor furnished ~~to~~ FOR the ~~satisfaction~~ SATISFACTORY COMPLETION OF THE SEWER AND/OR WATER IMPROVEMENTS ~~of the Sanitary Engineer~~. All ~~such~~ payments shall be made according to the following general procedures:

- A. The ~~subdivider's~~ DEVELOPER'S ~~project~~ engineer shall prepare the estimates on forms prescribed by ~~the Portage County Sanitary Engineer~~ PCWR and shall certify to ~~the Water Resources~~ PCWR that the work has been done according to the plans and specifications of ~~the Sanitary Engineering Department~~ PCWR.
  1. The sum to be paid ~~MUST~~ represents an increase in the value of the project at least equivalent to amount to be paid; and,
  2. Upon payment of the estimates, sufficient funds will remain to complete the project.
- ~~B. A retainage in the amount of 10% of each estimate will be withheld to assure completion and acceptance of the improvement.~~
- ~~C. The Sanitary Engineer shall add to the estimate all costs incurred by his department including the costs of engineering, inspection, administrative and supervisory costs, including overhead. When deemed necessary the Sanitary Engineer reserves the right to draw from and receive in hand all monies due to the Sanitary Engineering Department before approving any construction estimates for payment.~~
- B. Upon the approval of the ~~subdivider~~ DEVELOPER and ~~the Portage County Sanitary Engineer~~ PCWR, the estimates will be forwarded to the financial institution for payment.
- C. AT ALL TIMES, THE RETAINAGE AMOUNT OF TEN PERCENT (10%) OF EACH CONSTRUCTION ESTIMATE WILL BE WITHHELD AS STIPULATED IN SECTION 606.1.
- D. PCWR WILL RELEASE THE TEN PERCENT (10%) RETAINAGE OF THE PERFORMANCE GUARANTEE UPON FINAL ACCEPTANCE OF THE COMPLETED IMPROVEMENTS BY THE PORTAGE COUNTY BOARD OF COMMISSIONERS.

## **Section 607**

### **Maintenance Guarantees**

#### **607.1 Guarantee of Workmanship and Materials – MAINTENANCE GUARANTEE FOR SANITARY SEWER AND/OR WATER IMPROVEMENTS** (Section 637 1984 PCSR)

~~Prior to release of the retainage and final acceptance of the completed improvements, the subdivider~~ THE DEVELOPER shall provide a one year ~~cash or surety~~ MAINTENANCE GUARANTEE IN THE FORM OF A CASH ESCROW ACCOUNT OR SURETY BOND guaranteeing all workmanship and materials involved in the construction OF THE SEWER AND/OR WATER IMPROVEMENTS.

- A. Such guarantee shall be in the amount of ~~5%~~ TEN PERCENT (10%) of the cost of the ImprovementS ~~provided that the amount of guarantee shall~~, BUT SHALL not be less than One Thousand Dollars and No/Cents (\$1,000.00).
- B. THE DEVELOPER MUST SUBMIT THE MAINTENANCE GUARANTEE TO THE PORTAGE COUNTY WATER RESOURCES DEPARTMENT PRIOR TO FINAL ACCEPTANCE BY THE PORTAGE COUNTY BOARD OF COMMISSIONERS OF THE COMPLETED IMPROVEMENTS.
- C. PCWR MAY INCREASE THE REQUIRED MAINTENANCE GUARANTEE AND/OR TIME PERIOD IF, IN HIS/ HER OPINION, UNUSUAL TOPOGRAPHIC, SUBSOIL OR OTHER CONSTRUCTION LIMITATIONS WARRANT. IN SUCH SITUATIONS PCWR WILL FURNISH WRITTEN EXPLANATIONS TO THE PORTAGE COUNTY BOARD OF COUNTY COMMISSIONERS FOR THEIR ACTION.

#### **607.2 TERM OF THE MAINTENANCE GUARANTEE**

- A. THE DEVELOPER MUST MAINTAIN, REPAIR AND RESTORE THE IMPROVEMENTS UNTIL THE IMPROVEMENTS PASS FINAL INSPECTION BY PCWR.
- B. IF THE DEVELOPER FAILS TO PERFORM THESE ACTIVITIES IN A TIMELY FASHION, BUT IN NO CASE LONGER THAN THIRTY (30) DAYS, PCWR OR THEIR AUTHORIZED AGENT MAY PERFORM THE WORK. THE COST OF SUCH WORK WILL BE DEDUCTED OR DRAWN FROM THE MAINTENANCE GUARANTEE. THE DEVELOPER WILL REMAIN LIABLE FOR ANY EXPENDITURE OVER AND ABOVE THE DERIVED MAINTENANCE GUARANTEE.
- C. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO REQUEST THE FINAL INSPECTION FOR THE MAINTENANCE GUARANTEE RELEASE.

## **Section 608**

### **Construction Schedule for Sanitary Sewer and/or Water Improvements** (Section 639. p.53, 1984 PCSR)

The ~~subdivider's~~ DEVELOPER'S contractor shall submit a written work schedule in accordance with ~~Section 108.03 of the Standard Specifications of the Portage County Sanitary Engineering Department.~~ PCWR RULES AND REGULATIONS GOVERNING THE CONSTRUCTION, MAINTENANCE, OPERATION, USE AND PROTECTION OF SANITARY SEWER SYSTEMS AND THE

## WATERWORKS SYSTEMS IN *THE PORTAGE COUNTY REGIONAL SEWER DISTRICT AND THE STREETSBORO REGIONAL SEWER DISTRICT NO. 4.*

~~If satisfactory progress is not made in the construction of the required improvements, the Sanitary Engineer may revoke any sewer or water permits issued and refuse to issue any further permits until satisfactory progress is achieved.~~

### **Section 609**

#### **Inspector's Salary Inspection of Construction of Sanitary Sewer and/or Water Improvements** (Section 650, 1984 PCSR)

#### **Section 609.1 Inspections and Testing**

PER PCWR RULES AND REGULATIONS GOVERNING THE CONSTRUCTION, MAINTENANCE, OPERATION, USE AND PROTECTION OF SANITARY SEWER SYSTEMS AND THE WATERWORKS SYSTEMS IN *THE PORTAGE COUNTY REGIONAL SEWER DISTRICT AND STREETSBORO REGIONAL SEWER DISTRICT NO. 4.*, ALL CONNECTIONS TO THE PUBLIC SEWER AND/OR WATER SYSTEMS SHALL BE INSPECTED BY AND SUBJECT TO TESTING UNDER THE SUPERVISION OF PCWR.

#### **Section 609.2 Inspection Fees**

The Developer shall pay ~~the salary of the inspector~~ PCWR THE CURRENT FEE RATE PRIOR TO CONSTRUCTION ACTIVITIES TO COVER THE PROJECT ADMINISTRATION AND INSPECTION SERVICES. SUCH FEES MUST BE PAID PRIOR TO SCHEDULING A PRE-CONSTRUCTION MEETING.

#### **Section 609.3 Inspection Schedule**

All work ~~(highway, storm and sanitary sewers and sewage disposal plants)~~ will be inspected DURING PCWR'S REGULAR WORK HOURS. WITH APPROVED SCHEDULING, THE REGULAR HOURS OF THE INSPECTOR MAY BE MODIFIED BY PCWR. THE DEVELOPER WILL BE RESPONSIBLE TO PAY ANY OVERTIME ACCUMULATED BY THE INSPECTOR TO ACCOMMODATE TIMES OUTSIDE OF REGULAR WORK HOURS. ~~The rate per hour will be the inspector's regular rate per hour as paid by the Portage County Engineer, plus 25%. If the inspector is employed by the County Sanitary Engineer, the inspection costs will be the inspector's regular rate per hour, plus the prevailing overhead rate (which in October of 1980 was 100%). The developer is held responsible for all inspection fees which will be payable monthly. The construction bond posted by the developer guarantees the payment of all inspection fees and no bonds will be released until all inspection fees have been paid in full.~~

### **Section 610**

#### **Construction Requirements and Specifications for Street Improvements**

##### ~~1. Road Design Criteria:-(Moved to Section 503.1)~~

~~-Design speed—35 m.p.h. minimum~~

~~-Minimum stopping sight distance—250 feet~~

~~Maximum grade through an intersection — 2% desirable, 3% absolute~~

~~Maximum degree of curvature — 20 degrees~~

~~Maximum gradient — 6% desirable, 8% absolute~~

~~(All changes of grade shall be connected by vertical curves of appropriate lengths.)~~

## 2. Grading:

~~Item 203, Roadway Excavation and Embankment O.D.O.T. Specifications: The road shall be graded the entire width of the right of way in accordance with the attached typical cross section, and approved before any pavement is placed or any other improvements are made. No trees shall be allowed to remain standing within the limits of the right of way. After grading is completed, no trees shall be planted within the limits of the right of way.~~

## 3. Roadway and Pavement Construction:

~~Roadway, pavement and sidewalk construction shall be constructed in accordance with Appendix I.~~

## **Section 610**

### **Samples and Tests for Sanitary Sewer and/or Water Improvements** (Section 660 1984 PCSR)

In order to assure the use of suitable materials, ~~the County Engineer and/or County Sanitary Engineer~~ PCWR may require certain tests to be made, ~~such as~~ INCLUDING, BUT NOT LIMITED TO SOIL TESTING, compressive strength of concrete, etc. The developer shall pay for all tests ~~whether performed by the County Engineer, or an independent testing firm.~~

## **Section 611**

### **Proof of Carriage Of Contractors General Liability Insurance** (Section 638 1984 PCSR)

The ~~subdivider's~~ DEVELOPER'S contractor shall furnish the owner with certificates showing the type, amount, class of operations covered, effective dates and date of expiration OF THE policies. Such certificates shall also contain the following statement: "The insurance covered by this certificate will not be cancelled or materially altered, except after ~~ten~~ THIRTY (30) days written notice has been received by the Portage County ~~Sanitary Engineer~~ WATER RESOURCES DEPARTMENT." Forms for this purpose are available from ~~the Portage County Sanitary Engineer~~ PCWR.

The amounts of such insurances shall be as follows:

|  |                |                |
|--|----------------|----------------|
| <del>Bodily Injury</del> Liability LIMIT (BODILY INJURY AND PROPERTY DAMAGE) |                |                |
| <del>Each Person \$500,000.00</del>  | PER OCCURRENCE | \$1,000,000.00 |

~~Each Accident \$1,000,000.00~~      AGGREGATE      \$2,000,000.00

~~PROPERTY DAMAGE LIABILITY~~

~~Each Accident \$500,000.00~~

~~All Accidents \$1,000,000.00~~

## **Section 612**

### **Acceptance of Improvement Project**

If PCWR or ITS agent determines that the IMPROVEMENT is not in conformity with all the applicable regulations and the approved IMPROVEMENT Plans, the DEVELOPER shall be advised in writing of the deficiencies in the form of a punch list. If the Developer fails to complete the punch list items within a time limit set by Portage County Water Resources, the County may complete the IMPROVEMENT through the use of the Performance Guarantee.

PCWR will NOT issue sewer or water connection permits for the IMPROVEMENT until all conditions listed in Section 609 have been met and the IMPROVEMENT is accepted by resolution by the Portage County Board of Commissioners.

## **Section 618**

### **~~Storm Water Management Requirements~~ (Moved to Section 509)**

~~1. The design and construction of Storm Water Management Facilities shall require the review and approval of the County Engineer in accordance with the technical criteria described herein. Include storm water runoff estimations and calculations for pre and post development peak discharges, using the U.S. Soil Conservation Services TR-55 method, or other method approved by the County Engineer. (A copy of the TR-55 software can be obtained by contacting the Cuyahoga County SWCD Office at (216) 524-6580). All calculations and design specifications will be prepared by a registered engineer.~~

~~2. In order to control water pollution by soil sediment from accelerated stream channel erosion and flood plain erosion caused by accelerated storm water runoff from development areas, the peak rates of runoff from an area after development may be no greater than the peak rates of runoff from the same area before development for all twenty-four hour storms from one to one hundred year frequency. Design and development to match the peak rate of runoff for the one-, two-, five-, ten-, twenty-five-, fifty- and one hundred year storms may be considered adequate to meet this requirement.~~

~~If an increase in volume is expected after development, peak rates of runoff must be reduced.~~

~~Reduce rates of critical storm and all more frequent storms to one-year 24-hour frequency. Less frequent storms shall have peak runoff rates no greater than pre-development peak runoff rates.~~

~~3. The critical storm for a specific development area is determined as follows:~~

~~A. Determine the total volume of runoff from a one-year frequency, twenty-four hour storm, occurring on the development area before and after development.~~

~~B. From the volumes in paragraphs 2 and 3 above, determine the percent of increase in volume of runoff due to development and using this percentage, select the critical storm from Table 1.~~

~~TABLE 1~~

~~If the Percentage Increase in Volume of Runoff is  
Equal To or Greater Than And Less Than The 24-Hour "Critical Storm" For  
Discharge Limitation Will Be~~

~~0-10 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~~

~~C. Drainage shall be kept to the most natural state feasible, allowable types of storm water management facilities include but are not limited to:~~

- ~~• Retention ponds~~
- ~~• Detention basins~~
- ~~• Rooftop storage areas~~
- ~~• Parking lot storage areas~~
- ~~• Swales/buffer strips~~

▲ **Natural depressions**

~~D. Clear provision must be made for who will be responsible for the long term maintenance of any permanent storm water facilities on the final plat.~~

**Section 619**

**Wetlands** *(Moved to Section 509.3 B)*

~~Wetlands will be identified on the improvement drawings. If they are going to be changed in any manner, the developer is responsible for contacting the U.S. Army Corps of Engineers. If a U.S. Army Corps of Engineers permit is required, the permit number shall be shown on the final plat.~~

**Section 620**

**Drainage Design** *(Moved to Section 508)*

~~No subdivision will be approved unless there is an outlet for all storm water. Provisions shall be made to accommodate effectively the increase runoff caused by changed soil and surface conditions during and after development. It may be necessary to direct surface water to a drainage ditch, stream, or an existing storm system which has the capacity to carry the flow. No natural drainage course shall be altered and no fill, buildings, nor structures shall be placed in, on, or over it unless provision is made for the flow of water in a manner satisfactory to the County Engineer. An easement shall be provided on both sides of an existing improvement surface drainage course for the purpose of maintaining, protecting, widening, deepening, enclosing, or otherwise improving such stream for drainage purposes.~~

**Drainage System Requirements** *(Moved to Section 508.1 A and B)*

~~The design criteria for the drainage system shall be based on the State of Ohio Department of Transportation design policy. This criteria shall apply to development along existing roads as well as those requiring new roads to be constructed.~~

~~1. Road Drainage System The road storm drainage system shall serve as the local drainage system. It shall be designed to carry roadway, adjacent land, and house storm water drainage. To prevent excessive pipe sizes, storm sewers shall drain into natural waterways as soon as possible.~~

~~2. Off Road Drainage System The design of the off road drainage system shall include the watershed affecting the subdivision and shall be extended to a watercourse or ditch adequate to receive the storm drainage.~~

**Section 621**

## Drainage System Design and Protection

### 1. Flood Hazard *(Moved to Section 509.3 A)*

~~If any portion of the land within the subdivision falls within the 100-year flood plain areas as indicated on the Federal Emergency Management Agency Flood Insurance Rate Maps or other approved technical documentation, the flood plain must be shown on the Improvement Plans and Plat, and must comply with all the provisions in the Portage County Flood Damage Prevention Regulations.~~

### 2. Dams or Basins Embankments

~~Three (3) copies of detailed drawings of proposed dams or basins and all calculations shall be submitted to the County Engineer for approval. The developer or his engineer shall apply for a permit from the State of Ohio, Department of Natural Resources, Division of Water, if applicable, and any other applicable agencies.~~

### 3. Protection of Drainage Systems *(Moved to Section 508.1 C)*

~~The subdivider shall adequately protect all ditches (roadways and watercourses) to the satisfaction of the County Engineer as shown by calculations made in accordance with the policy of the State of Ohio, Department of Transportation.~~

~~In all cases, any drainage facilities within the subdivision shall be in a stable condition, free from either excessive erosion or sedimentation and/or other debris. Any damage resulting from erosion, scour, silting of drainage ways, or blockage of storm drainage systems, on and off the development caused by the construction, shall be corrected at the developer's expense.~~

### 4. Drainage Outlets *(Moved to Section 508.1 D)*

~~Where the County Engineer finds it necessary to clean, alter, or reconstruct a natural drainage course or storm sewer system outside the development boundary to provide a storm water outlet, or to prevent damage to other properties due to an increased or accelerated flow, the outlet shall be provided and constructed at the expense of the developer and in accordance with plans and specifications approved by the County Engineer.~~

### 5. Drainage Drawings *(Moved in part to Section 502.3)*

~~The developer's engineer shall make a complete study of the drainage area contributing to the subdivision. He/she will then prepare a plan of the entire subdivision showing the following: A. Existing and proposed contours at two (2) foot intervals. B. Proposed streets and lots. C. Proposed drainage system showing the area contributing to each pipe or drainage structure. The developer's engineer shall submit copies of all data and calculation sheets to the County Engineer for his/her review and approval.~~

## Section 625

### Seeding and Sodding *(Moved to Section 506)*

~~Item 659 and Item 660, O.D.O.T. Specifications. The entire area within the right-of-way shall be seeded, sodded or otherwise protected from erosion. All areas outside the limits of the right-of-way and adjoining land of the project where the vegetation has been injured or destroyed or in need of protection (due to the fact that erosion of these unprotected areas will result in having dirt, etc., deposited in the drainage structures and other improvements within the project and/or create an unsightly condition) shall be restored and protected as directed by the County Engineer, with the recommendation of the Portage Soil and Water Conservation District.~~

~~Areas to be seeded under Item 659 or sodded under Item 600 shall have commercial fertilizer (12-12-12) applied at the rate of 20 pounds per 1000 square feet.~~

~~The seed shall be thoroughly mixed and then evenly sown over the prepared areas at the rate of 3 pounds per 1000 square feet. Seed shall be sown dry or hydraulically.~~

~~All areas to be seeded which are considered to be urban in character, and any area immediately in front of a residence, shall be seeded with the following mixture: (Percentages by weight)  
40 percent Kentucky Bluegrass (*Poa pratensis*)  
40 percent Creeping Red Fescue (*Festuca rubra*)  
20 percent Annual Ryegrass (*Lolium multiflorum*)~~

~~Areas to be sodded under Item 660 shall be loosened to a depth of two (2) inches just prior to laying the sod.~~

### **Section 630**

#### **Sewage Disposal and Sanitary Sewer Improvements** *(Moved to section 604)*

The following requirements shall govern sewage disposal improvements for all subdivisions:

##### **1. Extension of Public Sanitary Sewer System**

~~Where an adequate public sanitary sewer system is reasonably accessible in determination of the County Sanitary Engineer, public sanitary sewer shall be installed to adequately serve all lots, connecting to the public system. Extensions shall meet the requirements of the Ohio Environmental Protection Agency and the County Sanitary Engineer. Combination of sanitary sewer and storm sewers shall be prohibited.~~

##### **2. Where Public Sanitary Sewer System Not Available**

~~Where a public sanitary sewer system is not reasonably accessible the subdivider shall provide either:~~

###### **A. A Central Treatment Plant:**

~~A central treatment plant for the lots provided that such central treatment plant be~~

installed in accordance with the Ohio Environmental Protection Agency and the Portage County Sanitary Engineer's requirements; or

**B. Individual Sewage Disposal Systems:**

~~Lots may be served by individual sewage disposal systems only when extension of a public sanitary sewerage system is not reasonably accessible and the installation of a central treatment facility has been found unnecessary by the Planning Commission.~~

~~a. Where the installation of an individual sewage disposal system is considered, the suitability of the soil for individual sewage disposal systems, the absorptive ability of the soil, surface drainage, ground water level and topography shall be the criteria for determining whether or not the installation of an individual sewage disposal system is permissible and the type of individual sewage disposal system to be used.~~

~~b. A soil scientist, or technician, provided by the Portage Soil and Water Conservation District, shall make an on-site inspection and a study of the area being platted and a copy of the soils review shall be submitted to the Portage County Health Department and the Portage County Planning Commission.~~

~~c. Criteria shall be in accordance with the Portage County Board of Health requirements governing the installation of individual sewage disposal systems.~~

~~d. Any person proposing to create a subdivision shall submit to the Board of Health, for approval, plans clearly showing that the provisions of the rules for Household Sewage Disposal Systems (3701-29-01 to 3701-29-21 of the Ohio Sanitary Code) can be adequately met, before any of the lots in the subdivision are sold or offered for sale, whether or not such sale entails a transfer of title or deed.~~

**Section 631** (Moved to 604.2)

**Water Supply**

The following requirements shall govern water supply improvements for all subdivisions:

**1. Extension of Public Water System**

~~Where an adequate public water system is reasonably accessible in the determination of the Portage County Sanitary Engineer, such water system shall be extended to adequately serve all lots. Such extensions shall meet all requirements of the Ohio Environmental Protection Agency, the Portage County Sanitary Engineer and all other governmental agencies having jurisdiction.~~

~~Where no public water system is reasonably accessible to the subdivision, individual wells for each subplot may be approved according to the requirements of the Ohio Environmental Protection Agency, the Portage County Health Department and all other agencies having jurisdiction.~~

~~**Section 632**~~ (Moved to Section 605)

~~**Performance Guarantee for the Installation of Sanitary Sewer and/or Water Improvements**~~

~~Prior to plat approval, all sanitary sewer or water facility improvements required herein shall be constructed by the subdivider and inspected and approved by the Sanitary Engineer prior to the granting of plat approval by the Planning Commission in accordance with all other sections of these Regulations and the following:~~

- ~~1. Detailed construction plans, estimates of cost and specifications shall be prepared by the subdivider's engineer and presented by him to be approved by the Sanitary Engineer.~~
- ~~2. A Performance Bond shall be executed by the subdivider and secured by a cash escrow account established with a solvent financial institution from which all construction costs will be paid to assure that adequate financial reserves have been dedicated to the construction of the project, and only acceptable work will be paid for, and to assure payment of all engineering, administrative and inspection costs incurred by the Sanitary Engineering Department.~~
- ~~3. Payments to the subdivider's contractor shall be made upon the recommendation of the subdivider's engineer and the approval of the subdivider and the Portage County Sanitary Engineer. A retainage of ten percent (10%) shall be withheld until completion and acceptance of the project, provided that the cash balance remaining in the construction escrow account shall at all times be adequate to complete construction.~~

~~**Section 633**~~ (Moved to Section 606.1)

~~**Performance Guarantee for the Installation of Sanitary Sewer and/or Water Improvements with Plat Approval**~~

~~As consideration for the plat approval by the Commission, and in lieu of the actual installation, completion and acceptance of the required improvements prior to said plat approval, the subdivider may execute a cash performance bond obligating the subdivider to the completion of the required improvements and the payment of all costs incurred in such construction. Such performance bond shall be secured by a construction loan account established with a solvent building and loan institution or a cash escrow account established with a solvent financial institution.~~

~~**Section 634**~~ (Moved to Section 606.2)

~~**Term of Sewer and/or Water Improvement Guarantee**~~

~~The guarantee for the completion of the required improvements shall be for a period of not longer than eighteen (18) months except that the Board may extend the time period by resolution where circumstances and conditions warrant such extension.~~

~~**Section 635** (Moved to Section 606.3)~~

~~**Amount of Sewer and/or Water Guarantee**~~

~~The amount of guarantee shall be determined by:~~

- ~~1. The subdivider's project engineer shall prepare an estimate of cost based upon the rules, regulations, standard, standard specifications and standard bidding documents of the Sanitary Engineering Department.~~
- ~~2. The subdivider shall acquire bids from reputable and competent contractors proposing to furnish all labor and materials for the completion of the requirement improvements. The subdivider shall then enter into a construction contract with the bidder of his choice. Such construction contract shall be in accordance with the standard bidding documents of the Sanitary Engineering Department and conditioned upon approval of the subdivision plat.~~
- ~~3. The Sanitary Engineer shall review the construction plans, project engineers estimate, construction bids and, if necessary, estimate the cost of construction to arrive at the mount of cash bond required. Such cash bond shall also include an amount not less than 12% of the Sanitary Engineer's direction construction cost estimate for payment of contingency items which is required to complete the improvement, and a sum representing the Sanitary Engineer's estimate of the costs to be incurred by the Sanitary Engineering Department including costs of engineering, inspection, administrative and supervisory costs. The subdivider shall be responsible for payment of any contingencies, omitted items or extra costs that are in excess of the amount of the Performance Bond.~~

~~**Section 636** (Moved to 606.4)~~

~~**Reduction of Performance Guarantee**~~

~~The Performance Guarantee Bond may, periodically be partially reduced by authorizing the release of construction estimates to pay the subdivider or the contractor for materials and/or labor furnishe to the satisfaction of the Sanitary Engineer. All such payments shall be made according to the following general procedures:~~

- ~~1. The subdivider's project engineer shall prepare the estimate on forms prescribed by the Portage County Sanitary Engineer and shall certify to the Sanitary Engineer that the work has been done according to the plans and specifications of the Sanitary Engineering Department; the sum to be paid represents an increase in the value of the project at least equivalent to~~

~~amount to be paid; and, upon payment of the estimate, sufficient funds will remain to complete the project.~~

~~2. A retainage in the amount of 10% of each estimate will be withheld to assure completion and acceptance of the improvement.~~

~~3. The Sanitary Engineer shall add to the estimate all costs incurred by his department including the costs of engineering, inspection, administrative and supervisory costs, including overhead. When deemed necessary the Sanitary Engineer reserves the right to draw from and receive in hand all monies due to the Sanitary Engineering Department before approving any construction estimates for payment.~~

~~4. Upon the approval of the subdivider and the Portage County Sanitary Engineer, the estimate will be forwarded to the financial institution for payment.~~

~~**Section 637** (Moved to Section 607.1)~~

~~**Guarantee of Workmanship and Materials**~~

~~Prior to release of the retainage and final acceptance of the completed improvements, the subdivider shall provide a one year cash or surety bond guaranteeing all workmanship and materials involved in the construction. Such guarantee shall be in the amount of 5% of the cost of the improvement provided that the amount of guarantee shall not be less than One Thousand Dollars and No/Cents. (\$1,000.00)~~

~~**Section 638**~~

~~**Proof of Carriage of Contractors Insurance** (Moved in part to Article 520.2 and 611)~~

~~The subdivider's contractor shall furnish the owner with certificates showing the type, amount, class of operations covered, effective dates and date of expiration policies. Such certificates shall also contain the following statement: "The insurance covered by this certificate will not be cancelled or materially altered, except after ten days written notice has been received by the Portage County Sanitary Engineer". Forms for this purpose are available from the Portage County Sanitary Engineer.~~

~~The amounts of such insurances shall be as follows:~~

~~**BODILY INJURY LIABILITY**~~

~~-Each Person \$500,000.00~~

~~-Each Accident \$1,000,000.00~~

~~**PROPERTY DAMAGE LIABILITY**~~

~~-Each Accident \$500,000.00~~

~~-All Accidents \$1,000,000.00~~

~~**Section 639**~~

### **Construction Schedule**

~~The subdivider's contractor shall submit a written work schedule in accordance with Section 108.03 of the Standard Specifications of the Portage County Sanitary Engineering Department.~~

~~If satisfactory progress is not made in the construction of the required improvements, the Sanitary Engineer may revoke any sewer or water permits issued and refuse to issue any further permits until satisfactory progress is achieved.~~

### **Section 640**

#### **Road Name Signs**

~~Road name signs shall be erected by the subdivider at all road intersections. These signs shall be constructed in accordance with the attached standards. (See Appendix J) Road numbers will be assigned by the Portage County Engineer.~~

### **Section 650** *(Moved to Section 609)*

#### **Inspector's Salary**

~~The developer shall pay the salary of the inspector. All work (highway, storm and sanitary sewers and sewage disposal plants) will be inspected. The rate per hour will be the inspector's regular rate per hour as paid by the Portage County Engineer, plus 25%. If the inspector is employed by the County Sanitary Engineer, the inspection costs will be the inspector's regular rate per hour, plus the prevailing overhead rate (which in October of 1980 was 100%). The developer is held responsible for all inspection fees which will be payable monthly. The construction bond posted by the developer guarantees the payment of all inspection fees and no bonds will be released until all inspection fees have been paid in full.~~

### **Section 660** *(Moved in part to Section 514.7 and 610)*

#### **Samples and Tests**

~~In order to assure the use of suitable materials, the County Engineer and/or County Sanitary Engineer may require certain tests to be made, such as compressive strength of concrete, etc. The developer shall pay for all tests whether performed by the County Engineer, or an independent testing firm.~~