

**VILLAGE OF NEW RICHMOND**

**Fill Guidelines**

**Ordinance 1996-15**

**As amended by ordinance: 2002-6**

1) The property owner or his authorized representative, must complete a Village of New Richmond Zoning & Floodplain Permit Application prior to the placement of fill material. The application must contain the following information:

- A) Detailed description of material to be used as fill.
- B) The origin and location of fill materials.
- C) The existing and proposed property elevation of subject property and all properties within a three hundred foot (300') radius of subject property lines.
- D) Estimated time frame, to complete work.
- E) Drainage patterns resulting from the placement of the proposed fill.
- F) All existing utility/drainage easements.

2) Permit will expire ninety (90) days from the date of issuance. Application for new permit may be made upon expiration of the original permit.

3) Clean Hard Fill, which is defined as: "construction and demolition debris which consists only of reinforced or nonreinforced concrete, asphalt concrete, brick, block, tile, and/or stone which can be reutilized as construction material. Brick in clean hard fill includes but is not limited to refractory brick and mortar. Clean hard fill does not include materials contaminated with hazardous wastes, solid wastes, or infectious wastes." <sup>1</sup> is permitted. The placement of fly ash is permitted within the corporation boundaries of the Village of New Richmond in "I-1" zoning districts only. An exemption to the placement of fly ash in non "I-1" zones can be requested through New Richmond Village Council. (Recommendation from Cinergy)

4) No asphalt, asphalt concrete, or tar-based material may be placed at or below the Ordinary High Water Mark (OHW) as defined by the Army Corp. of Engineers (474')

5) No fill will be allowed adjoining or adjacent to any creek/tributary, or floodway as defined in the Village of New Richmond Flood Insurance Study, March 2006 and the Village of New Richmond Floodplain Regulations, June 1998 as well as any other creeks or streams which flow through the village; the restriction of which may cause drainage problems for bordering properties.

6) The Village reserves the right to conduct periodic inspections during the term of the permit and for thirty (30) days following the expiration of the permit. Such inspections shall be conducted during normal business hours or as otherwise agreed by the village and the applicant.

7) The Village reserves the right to inspect fill material at its point of origin.

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<sup>1</sup> Ohio Administrative Code, 3745-400-01 (E)

8) The Village reserves the right to cancel the permit if any violation of the permit is observed.

9) Permit is not transferable.

10) The Village may hire any consultant and/or expert necessary to assist the Village in reviewing and evaluating the application, including the construction and modification of the site, once permitted, and any requests for re-certification.

An Applicant shall deposit with the Village funds sufficient to reimburse the Village for all reasonable costs of consultant and expert evaluation and consultation to the Village in connection with the review of any application including the construction and modification of the site, once permitted. The initial deposit shall be \$500.00. The Village will maintain a separate escrow account for all such funds. The Village's consultants/experts shall invoice the Village for its services in reviewing the application, including the construction and modification of the site, once permitted. If at any time during the process this escrow account has a balance less than \$100.00, the Applicant shall immediately, upon notification by the Village, replenish said escrow account so that it has a balance of at least \$500.00. Such additional escrow funds shall be deposited with the Village before any further action or consideration is taken on the Application. In the event that the amount held in escrow by the Village is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall be promptly refunded to the Applicant.

11) A Permit is not required for fill for agricultural purposes, the placement of material directly related to on-site construction or backfilling/ or to be used for driveways or similar general property maintenance type activities. All above restrictions concerning allowable forms of fill apply to this clause.

12) Proposed fill must comply with all state and federal EPA regulations.

13) No material shall be placed which is determined to pose a potential detrimental effect to the Village's water wells or supply.

***Adopted: July 9th, 1996***

***Amended: February 26, 2002***