

ORDINANCE NO. 2018-16
Village of New Richmond, Ohio

Council for the Village of New Richmond, Ohio met in regular session this 25th day of September, 2018 with the following members present:

Richard Feldkamp, yes
Melanie Slade, yes

Gary Skeene, yes

Amanda Davidson, absent

Paul Vanderbosch, yes
Mary Allen yes

Councilperson Mary Allen moved for adoption of the following:

**AN ORDINANCE APPROVING, ADOPTING AND ENACTING THE CLERMONT
COUNTY WATER MANAGEMENT AND SEDIMENT CONTROL REGULATIONS
AS THE REGULATIONS OF THE VILLAGE.**

WHEREAS, the Village of New Richmond at present does not possess the staff or expertise to create, administer, and enforce water management and sediment control regulations; and,

WHEREAS, Clermont County acting through its Chief Building Official has the necessary staff, training and experience to create, administer and enforce water management and sediment control regulations; and,

WHEREAS, Clermont County has existing water management and sediment control regulations that have been applied as the regulations of the Village of New Richmond in the past and up to the present; and,

WHEREAS, It would be an unnecessary duplication of effort for the Village to create its own water management and sediment control regulations.

**NOW, THEREFORE BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF
THE VILLAGE OF NEW RICHMOND, OHIO:**

The Clermont County Water Management and Sediment Control Regulations currently in effect, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Clermont County Water Management and Sediment Control Regulations which may have been previously adopted by the municipality is hereby repealed as

obsolete and is hereby replaced in its entirety by the current Clermont County Water Management and Sediment Control Regulations.

Councilperson Skeene seconded the motion to adopt the foregoing ordinance and upon roll call the vote was as follows:

Paul Vanderbosch yes

Melanie Slade yes

Amanda Davidson absent

Gary Skeene yes

Richard Feldkamp yes

Mary Allen yes

Adopted: yes Date: 9-25-2018

ATTEST:

Kelly Painter for Kelly Painter

CLERK of COUNCIL, Kelly Painter

Ramona Carr

MAYOR, Ramona Carr

Approved as to form and content:

Scott Sollmann
SOLICITOR, Scott Sollmann



CLERMONT
COUNTY OHIO

BOARD OF COUNTY COMMISSIONERS

EDWIN H. HUMPHREY • DAVID L. PAINTER • CLAIRE B. CORCORAN

Permit Central/Building Inspection Department

January 15, 2019

Greg Roberts, Administrator
Village of New Richmond
102 Willow Street
New Richmond, Ohio 45157

Dear Mr. Roberts,

Enclosed please find a fully executed original agreement with the Board of County Commissioners for administration of the Water Management Sediment Control Regulations in the Village of New Richmond.

Please maintain this copy for your records. If you need anything further please contact me directly at 513-732-7740.

Sincerely,

Karen Swartz
Executive Assistant

16. IN RE: BUILDING INSPECTION DEPARTMENT...AGREEMENT WITH THE VILLAGE OF NEW RICHMOND, OHIO, FOR THE ADMINISTRATION AND ENFORCEMENT OF CLERMONT COUNTY WATER MANAGEMENT AND SEDIMENT CONTROL REGULATIONS...18-1210-002...EXECUTED

Moved by Mrs. Corcoran, seconded by Mr. Humphrey, that the Board of County Commissioners consider the following recommendation:

Recommendation of Carl Lamping, Chief Building Official, Building Inspection Department, with the concurrence of Sukie Scheetz, Assistant County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute an Agreement by and between the County of Clermont, Ohio, and the Village of New Richmond, Ohio, 102 Willow Street, New Richmond, Ohio 45157, for the administration and enforcement of Clermont County Water Management and Sediment Control Regulations for the Village of New Richmond, Ohio, in accordance with Ordinance No. 2018-16 ratified by the Council of the Village of New Richmond, Ohio, on 09/25/2018, with all permit fees and inspection charges in conjunction therewith to be collected and retained by the County to deter cost incurred by the County in implementing thereof, pursuant to and in compliance with the terms and conditions set forth therein.

DISCUSSION: Commissioner Painter questioned if the Agreement was executed by the members of the Council for the Village of New Richmond, Ohio, and Mr. Lamping responded yes. Commissioner Painter requested to see the Agreement and Tom Eigel, County Administrator, provided the Agreement to Commissioner Painter for his review. Judie Kocica, Clerk of the Board, stated that all Council members were present, with the exception of one, on the day that the Agreement was brought before the Council for ratification. She further stated that this Agreement supersedes the existing Agreement, includes an updated notification clause which facilitates amendments to the Agreement upon receipt of a certified copy of an amendment to the Clermont County Water Management and Sediment Regulations, and includes a termination clause by either party upon thirty (30) days written notice to the other party.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Corcoran, Yes; Mr. Humphrey, Aye; Mr. Painter, Abstain.

AGREEMENT
BETWEEN THE VILLAGE OF NEW RICHMOND
AND
THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY

This agreement is between the Board of County Commissioners of Clermont County, Ohio (County), 101 East Main Street, Batavia, Ohio 45103, and the Village of Richmond, Ohio, an Ohio statutory village (Village), 102 Willow Street, New Richmond, Ohio 45157, as follows:

Whereas; the County desires to insure consistent administration and enforcement of Water Management and Sediment Control regulations throughout the County and the Village requires assistance with continued administration and enforcement of such regulations and procedure for appeals of the interpretation and enforcement of such regulations; and

Whereas; the County, acting through its Chief Building Official has the necessary training and experience to enforce the regulations in a legal and uniform manner;

Now, therefore, in consideration of the mutual covenants and conditions herein contained, the parties agree as follow:

- (1) Clermont County has previously adopted Water Management and Sediment Control Regulations and hereby agrees to undertake, via the Chief Building Official of Clermont County, the administration and enforcement of the Water Management and Sediment Control Ordinance of the Village, duly adopted as Village Ordinance 2018-16 on 9-25-18, 2018, which adopts the Water Management and Sediment Control Regulations of Clermont County as the regulations of the Village.
- (2) The Village Water Management and Sediment Control Ordinance of the Village shall automatically be amended at such time as the Village receives a certified copy of any amendment to the Clermont County Water Management and Sediment Regulations.
- (3) The Village hereby agrees to bear any and all costs and expenses of necessary litigation which may arise from such administration and enforcement.
- (4) Clermont County will advise the Village on any recommendations for revision or update of the regulations.
- (5) Clermont County shall have full authority to establish all permit and inspection fees. The Village will adopt the fee schedules recommended by the Clermont County Building Inspection Department. Failure to adopt such recommended fees shall be grounds for termination of this agreement. In the event that the fees or other inspection charges established by the Clermont County Board of County Commissioners is modified by the

Board, the Village of New Richmond shall have thirty days to implement such charges. All permit fees and inspection charges shall be collected and retained by the County to deter the costs incurred by the County in implementing this program.

- (6) This agreement may be terminated by either party upon thirty days written notice to the other Party.

IN WITNESS WHEREOF, the parties have entered into this Agreement on this 10th day of January, 2019, with the intent to be legally bound thereby and as authorized legislation of respective governing bodies.

ATTEST:

Judith Kocica
Judith Kocica, Clerk of the Board
of County Commissioners of
Clermont County, Ohio

Board of County Commissioners of
Clermont County, Ohio

by Edwin H. Humphrey
Edwin H. Humphrey, President

APPROVED AS TO FORM:

Allan L. Edwards
Allan L. Edwards
Assistant Prosecuting Attorney
Clermont County, Ohio

VILLAGE OF NEW RICHMOND

Ramona Carr
Ramona Carr, Mayor

Lynn Baird
Lynn Baird, Fiscal Officer

[Signature]
Counsel for Village