

23.06 Standards

The following standards shall apply to excavation, filling and grading operations:

- (a) No excavation, grading or filling shall be permitted within twenty feet of an existing or approved street right-of-way line except to conform to approximate street grade.
- (b) Finished slopes of an excavation shall not exceed 1:1 1/2 (vertical to horizontal) in undisturbed earth, 1:2 in earth fill, and 4:1 in rock cut, whether or not the ground surface shall be below water.
- (c) Vertical slopes shall be permitted if adequate protective fences are provided when needed.
- (d) Truck and equipment accessways to the site of the operation shall be safe, clean, and properly marked.
- (e) Excavations shall not interfere with public or private utility systems and shall not create or aggravate any condition detrimental to the public health and safety.
- (f) Slopes greater than 1:2 shall receive special ground cover treatment and the upper bank shall be protected by fences, railings or other means.
- (g) All work, including compaction of fill, shall be conducted in accordance with accepted and approved engineering standards.

*Note: The text on this brochure is a summary.
The full code is found in Chapter 942 Appendix A.*

Rules and Regulations

- Streams, waterways, wetlands and ditches shall remain open and free-flowing, shall not be altered without a permit, and shall not be polluted.
- Filling and grading operations and construction of buildings, ponds, bridges, culverts, and storm sewers must meet standards, and are subject to plan review and permit requirements.
- Existing bridges, culverts, and storm sewers must be properly sized and properly maintained, or may be ordered removed.
- Enforcement, appeal, and penalty provisions are in place.

Summit County Surface Water Management District

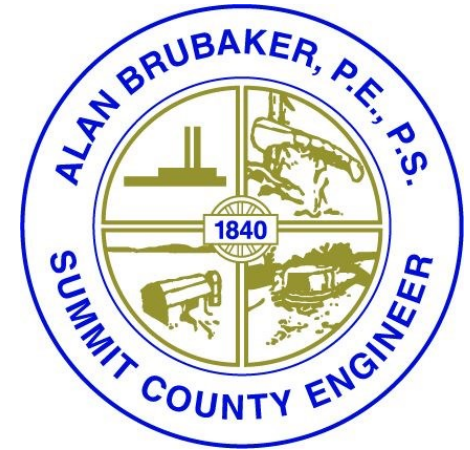
538 E. South Street
Akron, Ohio 44311
(330) 643-8010

SWMD@summitengineer.net

**For more information on the Surface
Water Management District, please
contact us or check our website:**

www.summitengineer.net/swmd

Alan Brubaker, P.E., P.S.
Summit County Engineer



A Guide to the Summit County Surface Water Management District Grading Permit

08/2023

23.01 Regulations

(a) No filling, grading, excavating, or pond construction shall be commenced in the District except as hereinafter provided, and then only in full compliance with the requirements, standards and conditions contained herein.

(b) The provisions of this Chapter shall not be construed as permitting the applicant to carry on any commercial operation or business or use any premises or buildings or structures thereon for any purpose not permitted by other provisions of this chapter or the applicable local Zoning Ordinance. For the purpose of this Section, an excavation shall not be considered a commercial operation or business if the excavation is incidental to and necessary for establishment or operation of a use permitted by the applicable zoning regulation.

(c) The provisions of this Section shall apply to all excavations, grading or filling operations which are being conducted at the time these Rules and Regulations go into effect as provided in Section 23.03 and except that any existing operation shall be completed within one year from the effective date of this Chapter, provided that written notice of intention to continue such operation for such time is filed with the County Engineer within thirty days after the effective date of this Section. No existing operation shall be extended in area or any new operation commenced after such date without first securing a permit therefor as hereinafter provided, and such operation shall be subject to all of the provisions of this Chapter.

Note: The text on this brochure is a summary. The full code is found in Chapter 942 Appendix A.

23.02 Permit Required 23.03 Exceptions 23.04 Prohibited Grading

23.02 PERMIT REQUIRED.

Except as provided in Subsection 23.03, a permit shall be required for every excavation, grading, pond or filling as defined herein.

23.03 EXCEPTIONS.

(a) No permit shall be required **however, applications for these activities shall be reviewed** for compliance with the permit requirements:

(1) Site improvements as approved under SC Sub. Regs. and SC Chap. 943.

(2) Excavation for streets and drains when made in accordance with subdivision plans approved by the Planning Commission.

(b) The following operations shall be exempt from the requirements provided the operations do not affect a wetland and do not block or divert natural storm water flows.

(1) Foundation grading within 15 feet. **The remainder of lot grading requires a permit.**

(2) Landscaping. If determined by SC Engineer that no permit is required.

(3) Utilities and conduits for which the necessary permits and/or work authorizations have been obtained.

(4) Farming when permitted by the local zoning code and ORC § 519.21.

(5) Land Fills as regulated & approved.

23.04 PROHIBITED EXCAVATION, GRADING OR FILLING. No excavation, grading, filling or pond construction shall be permitted which would interfere with the natural drainage of the site or the general area surrounding the site or interfere with the preservation of wetlands on, adjacent to, abutting or affected by the site. *Some exceptions and further restrictions may apply.*

23.05 Permit Application, Fees, Expiration

Application for an excavation, grading or filling permit shall be made by the property owner or his/her authorized agent to the County Engineer as enforcement officer, on forms provided by the County, accompanied by a detailed statement of proposed work and by any approvals or permits for such work required by any federal or state agency or subdivision thereof, and by plans showing the proposed work in conformance with the following as applicable:

REQUIREMENTS	See Note 1	See Notes 2A. thru 2G. and Note 4.	See Notes 3A. thru 3R. and Note 4.
FEE	\$ 50.00	\$ 250.00 Minimum	\$250.00 Minimum
Project Type/Size	Any size project	Less than 150 Cubic Yards or Lake, Pond, Wetland	150 Cubic Yards or More or Lake, Pond, Wetland
Type of Fee	Application Fee	Permit Fee	Permit Fee

A Performance Bond may be required as provided in Paragraph 23.051



GRADING PERMIT APPLICATION

SUMMIT COUNTY SURFACE WATER MANAGEMENT DISTRICT

538 E. SOUTH STREET, AKRON, OHIO 44311 PHONE: 330-643-8010
<https://www.summitengineer.net/pages/Surface-Water-Management-District.html>

PERMIT IS HEREBY APPLIED FOR BY

Application Fee \$50.00

Name _____

Phone _____

Address _____

Email _____

Twp. _____ Parcel No. _____ Subdivision _____ County Ditch _____

To perform Drainage, Grading, Pond or Wetland Construction or Modification as described: _____

Maps and/or plans with specifications may be required, prepared by a qualified professional engineer, surveyor, architect or landscape architect in accordance with Section 23.05 of Appendix A to Chapter 942.

SPECIAL PROVISIONS: PERMITTEE ACKNOWLEDGES THAT THE APPROVAL OF THIS PERMIT GRANTS
PERMITTEE NO RIGHTS BEYOND THOSE EXPLICIT, AND THAT ADDITIONAL PERMITS MAY BE REQUIRED
FROM OTHER AGENCIES, INCLUDING BUT NOT LIMITED TO: LOCAL CITY, VILLAGE, TOWNSHIP, SUMMIT
SOIL & WATER CONSERVATION DISTRICT, OHIO EPA, OHIO DNR, US ARMY CORPS OF ENGINEERS.

ACCEPTANCE OF THIS PERMIT CONSTITUTES AN AGREEMENT TO COMPLY WITH PROVISIONS PRINTED BELOW AND WITH SPECIAL PROVISIONS ABOVE

Anticipated Start and Completion Dates _____ to _____ Applicant Signature & Date _____

PROVISIONS

This permit may be revoked by the County Engineer at any time for non-performance or non-compliance with these provisions.

1. REGULATIONS are defined in Section 9 through 19 and 23.01 of Chapter 942 Appendix A.
2. PERMIT REQUIREMENTS are defined in Section 23.02 of Chapter 942 Appendix A.
3. PERMIT EXEMPTIONS are defined in Section 23.03 of Chapter 942 Appendix A.
4. PROHIBITED EXCAVATION, GRADING OR FILLING are defined in Section 23.04 of Chapter 942 Appendix A.
5. PERMIT APPLICATION; FEES; EXPIRATION are defined in Section 23.05 of Chapter 942 Appendix A.
6. BOND REQUIREMENTS are defined in Section 23.051 of Chapter 942 Appendix A.
7. STANDARDS are defined in Section 23.06 of Chapter 942 Appendix A.
8. OPERATIONS are defined in Section 23.07 of Chapter 942 Appendix A.
9. FINISHED GRADING ON FILL OPERATIONS; REESTABLISHMENT OF SITE ON EXCAVATION AND REMOVAL OPERATIONS are defined in Section 23.08 of Chapter 942 Appendix A.
10. Permittee shall notify the office of County Engineer (330-643-8010), at least twenty-four (24) hours prior to starting work.
11. A copy of this permit and plan of work must be on the job and available to the County Inspectors or work may be stopped.
12. The permittee agrees to provide barricades, lights, warning signs, uniformed officers, or flagmen, as necessary, to protect the traveling public and agrees to save the County free from all damages and liabilities arising from the work done under this permit and to comply with county construction zone policy, as applicable.
13. The contractor shall notify the Utilities Protection Services at 1-800-362-2764 at least forty-eight (48) hours prior to starting.
14. The contractor shall comply with all State and Federal Safety Regulations for the construction site and agrees to save the County free from all damages and liabilities arising from non-compliance with the safety regulations.
15. The contractor shall notify the local police, fire department, road department, schools and any other affected agencies forty-eight (48) hours prior to the start of construction, as applicable.
16. The Application Fee as indicated above is non-refundable once the SWMD Grading Permit is applied for.