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100 PURPOSE

The Purpose of these rules, guidelines and standards as adopted by the Delaware County Board of Commissioners, hereinafter referred to as the “County Commissioners”, is to provide engineering and surveying standards in Delaware County, Ohio. More specifically, these Standards define the minimum requirements for surveying, engineering, construction, and erosion and sedimentation control as applied to land development, and road and bridge construction projects under the jurisdiction of Delaware County.

101 TITLE

These rules, guidelines and standards shall be known as, and may be cited and referred to as, the DELAWARE COUNTY ENGINEER’S DESIGN, CONSTRUCTION AND SURVEYING STANDARDS, and shall hereinafter be referred to as the “Standards”.

102 AUTHORITY

The County Commissioners and the County Engineer are authorized to adopt general rules and regulations establishing standards for the design and construction of improvements shown on the plats and plans within their jurisdiction by virtue of Chapter 711 and Title 55 of the Ohio Revised Code (ORC).

103 JURISDICTION

These Standards shall be applicable to work within all public right-of-way and subdivisions of land as defined by Chapter 711 of the ORC hereinafter within the unincorporated areas of Delaware County.

104 INTERPRETATION OF TEXT

In the interpretation and application of the provisions of these Standards, these Rules, Guidelines, and Standards shall be the minimum requirements. It is not intended by these Standards to interfere with or abrogate or annul any easements, covenants, or other agreements between parties unless they violate these Standards. When two or more specific provisions of these Standards conflict with each other or when a provision of these Standards conflicts with any other lawfully adopted rule, regulation, standard, ordinance or resolution, the most restrictive or that imposing the higher standard shall apply.

105 ADMINISTRATION

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The Delaware County Engineer or designated representative, hereinafter referred to as the “County Engineer”, shall administer these Standards for the County Commissioners. These Standards are based on generally accepted engineering principles and practices. Therefore, any variances to these Standards must be submitted *in writing* to the County Engineer for review and approval. The County Engineer may grant variances to these Standards when, in the opinion of the County Engineer, they adhere to sound engineering principles and practices.

106 ADOPTION

These Standards shall become effective after: (1) the necessary public hearings, (2) adoption by the County Commissioners, and (3) certification to the Delaware County Recorder in accordance with Section 711.101 of the Ohio Revised Code.

107 AMENDMENTS

These Standards may be amended in accordance with the same procedure as stated in Section 106 of these Standards.

108 SEPARABILITY

The invalidation of any clause, sentence, paragraph or section of these Standards by a court of competent jurisdiction shall not affect the validity of the remainder of these Standards (either in whole or in part).

109 INTERPRETATION OF TERMS

For the purpose of these Standards, certain terms or words used herein shall be interpreted as follows:

- A. The word “person” includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.
- B. The word “shall” is a mandatory requirement, the word “may” is a permissive requirement and the word “should” is a preferred requirement.
- C. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

110 ABBREVIATIONS and DEFINITIONS (as used herein)

- 1. ACOE: Army Corps of Engineers

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2. ADT: Average Daily Traffic.
3. CBR: California Bearing Ratio.
4. CMS: Construction and Material Specifications
5. County Commissioners: The Board of Delaware County Commissioners or designated representative.
6. County Engineer: The Delaware County Engineer or designated representative.
7. County Engineer Website: <http://www.co.delaware.oh.us/engineer>
8. County Sanitary Engineer: The Delaware County Sanitary Engineer or designated representative.
9. County: Delaware County, State of Ohio.
10. Drainage, Erosion and Sediment Control (DESC) Certification Letter – A form certified by an Ohio Licensed Professional Surveyor or Engineer, stating that the finished grade elevations, sanitary & storm manholes, storm water structures, and flood routing on the provided “as-built” survey/plans have been verified.
11. DESC Program – The program administered by the Delaware County Engineer’s Stormwater Department as part of the Phase II National Pollution Discharge Elimination System (NPDES) Storm Water Program for managing drainage, erosion, and sediment control from construction activities.
12. Design Engineer: An Ohio Registered Professional Engineer retained by the Owner.
13. Easement: A grant by the property owner for the use of an area of land by the public, a corporation or another person for specific purposes.
14. General DESC Plan – A plan consisting of the grading plan and storm water pollution prevention plan (SWP3) that details the drainage, erosion, and sediment controls for construction and post-construction activities
15. General DESC Permit – A permit issued by the Delaware County Engineer’s Stormwater Department upon approval of General DESC Plan that authorizes storm water discharges from construction activities.

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16. Individual Lot DESC Plan – A lot plan consisting of the grading and storm water pollution prevention plan (SWP3) that details the drainage, erosion, and sediment controls for the construction and post-construction activities
17. Individual Lot DESC Permit – A permit issued by the Delaware County Engineer’s Stormwater Department upon approval of an Individual Lot DESC Plan that authorizes storm water discharges from construction activities.
18. ODNR: The Ohio Department of Natural Resources.
19. ODOT: The Ohio Department of Transportation.
20. OEPA: Ohio Environmental Protection Agency.
21. ORC: The Ohio Revised Code.
22. Owner: Any individual, developer, firm, association, syndicate, partnership, corporation, trust or any other legal entity commencing proceedings under these Standards to affect a subdivision of land hereunder for itself or for another or its designated representative.
23. Professional Engineer: A registered engineer authorized to practice professional engineering by the State of Ohio Board of Registration as specified under Section 4733 (Administrative Code), ORC.
24. Professional Surveyor: A registered surveyor authorized to practice professional surveying by the State of Ohio Board of Registration as specified under Section 4733 (Administrative Code), ORC.
25. Project Agreement: An agreement between an Owner and Delaware County setting forth the financial and performance responsibilities of both parties.
26. Public Utility: Any firm, corporation, governmental agency or board having a Public Utility Commission permit to furnish to the public, under regulations, electricity, gas, sewer, telephone, transportation, water or other similar public services.
27. Regional Planning Commission (RPC): The Delaware County Regional Planning Commission or designated representative.
28. Stormwater Management System: Publicly maintained Stormwater Systems (e.g. storm pipes, retention/detention ponds, etc.)

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29. Street, Private: A privately maintained roadway in a platted subdivision designed and constructed to these Standards but not accepted by the County Commissioners.
30. Street, Public: A roadway within a dedicated right-of-way designed and constructed to these Standards and accepted by the County Commissioners for vehicular transportation use by the public (with or without provisions for pedestrians).
31. Subdivision: As defined by Chapter 711 of the Ohio Revised Code.
32. Thoroughfare Plan: Delaware County Thoroughfare Plan, Latest Edition.
33. Traffic Impact Study (TIS): Delaware County Traffic Impact Study **Standards Guidelines**, Latest Edition.
34. Variance: A modification of the strict terms of the relevant standards where such modification shall not be contrary to public interest, and where owing to conditions peculiar to the subject property and not the result of the action of the applicant and literal enforcement of the Standards would result in unnecessary and undue hardship. The County Engineer may grant said variance.

111 REVIEW

Any requests for a review of the text of these Standards shall be made in writing to the County Commissioners and County Engineer with the reasons for the review being stated. The County Commissioners and the County Engineer shall review any such request and if they feel it necessary, shall conduct a public hearing.