

COPY

RESOLUTION NO. 2003- 3

A RESOLUTION OF THE BOARD OF DIRECTORS  
ADOPTING DRAINAGE AND EROSION SEDIMENT CONTROL REGULATIONS  
OF THE OAK PARK CONSERVANCY DISTRICT

Whereas, the Board of Directors (hereinafter "Board") of the Oak Park Conservancy District (hereinafter "OPCD") has established that drainage is a purpose of it's charter, and has filed with the Indiana Department of Environmental Management (IDEM) for an individual permit in the Phase II permitting process; and

Whereas, the Board has determined immediate drainage and erosion sediment control regulations are necessary to efficiently control the purpose of drainage; and

Whereas, the Board is in the process of developing specifications for the installation of drainage and erosion control to better protect the ratepayers (customers) of OPCD against the acts or omissions of developers and other persons using, repairing, modifying or adding new developments onto the system; and

Whereas, I.C. 14-33-5-20 provides that the responsibilities of the Board include, but are not limited to, the duties to;

- a) Exercise general supervision of and make regulations for the administration of the affairs of the district;
- b) Prescribe uniform rules pertaining to investigations and hearings; and
- c) Supervise the fiscal affairs and responsibilities of the district.

Now Therefore, be it resolved by the Board of Directors of the Oak Park Conservancy District that until permanent *Standard Specifications for Drainage and Erosion Sediment Control* of the Oak Park Conservancy District are adopted, contractors and/or developers shall follow the standard specifications currently used by *Clark County Drainage Board*, the *Indiana Department of Transportation (INDOT)* and *Standard Engineering Practices Manual of the American Society of Civil Engineering for the Design and Construction of Sanitary and Storm Sewers* ( latest edition) or whichever is more stringent, general engineering practices shall be used. Plans shall be submitted to the District for review, approval and permit issuance. Permit issuance must be obtained in the form of written approval prior to commencement of any construction.


Be it further resolved that all plans must be approved by the Board and a two year bond shall be posted for maintenance of the storm water and erosion control system after construction is complete. This resolution shall apply to all developments not already approved by the Board to date.

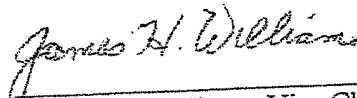
Be it further resolved that this resolution shall apply to existing storm water and erosion sediment control systems;

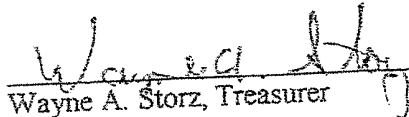
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- (1) Any person who obtains approval to perform repairs to or construct or make modifications to the current Storm Water and Erosion Sediment Control System and causes any alterations to be made shall be responsible to complete the construction in accordance this resolution and approval obtained from the Board of Directors
- (2) In the event that a person fails to perform repairs, alterations, extensions or modifications to the Storm Water and Erosion Sediment Control System in the time specified and in accordance with the approval obtained from the Board of Directors (Control Authority), the Board of Directors may, after providing or attempting to provide notice to the person, cause the repairs, alterations extensions or modifications to the Storm Water and Erosion Sediment Control System to be made by another, or by employees of the Board. In that case, the person originally receiving approval to perform the repairs, alterations, extensions or modifications shall, in addition to other penalties which could be imposed, be held responsible to reimburse the District for the cost of completing the repairs, alterations, extensions or modifications.
- (3) In the event it is determined that a person has violated any regulation herein that person shall be responsible to reimburse the District for all costs incurred by the District in investigating and enforcing these regulations, including but not limited to the costs of attorney's fees, court costs and in-house staff and/or material costs. This shall be in addition to any other penalties which may be imposed under these or any other regulations.

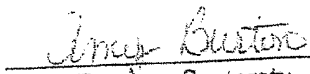
This resolution adopted by the Board of Directors of the Oak Park Conservancy District on this 7<sup>th</sup> day of May, 2003 and shall be in full force and effect until permanent specifications are adopted.

  
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 Ralph T. Lee, Chairman

  
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 James H. Williams, Vice Chairman

  
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 Wayne A. Storz, Treasurer

ATTEST:

  
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 Amy Burton, Secretary