

# DRAFT

## VILLAGE OF CHAGRIN FALLS PLANNING AND ZONING COMMISSION February 20, 2013

Members present: Rogoff, Baker, Chess  
Also present: Lindner, Edwards

The meeting was called to order at 7:30 p.m. by Chairman Nancy Rogoff.

### PUBLIC ART GUIDELINES

Mrs. Rogoff mentioned that she has received complaints about having guidelines. She said people think the parks are beautiful and that we should just not permit anybody to do anything. They are concerned about it getting out of hand.

Mrs. Baker said maybe they should make a recommendation to Council that the Planning and Zoning Commission has discussed this and they could put guidelines in place but they feel it would be better to discourage anything additional.

The commission and Mrs. Lindner reviewed and discussed the draft presented by Mrs. Lindner. Mrs. Lindner will incorporate the suggested revisions to the draft and present it to the commission at the next meeting.

### REVIEW CODE FOR CONSISTENCY

The commission and Mrs. Lindner reviewed and discussed zoning code inconsistencies and revisions. There will be further discussion.

### HILLSIDE REGULATIONS

There was brief discussion. It will be discussed further.

### RIVER BUFFER

The recommendation is to put this in the zoning code; right now it is in the building code. This will be discussed further at the next meeting.

The meeting adjourned at 9:03 p.m.

# DRAFT

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Nancy Rogoff, Chairman  
lgb

**Village of Chagrin Falls  
Proposed Public Arts Policy - Draft #1**

**Introduction**

The placement of art in public places has the potential to enrich and enhance the Village and to complement the existing buildings and streetscape. The purpose of the Village of Chagrin Falls Public Art Policy is to provide a guide to the Village Council, Arts Commission, Parks Commission and Village residents in siting, selecting and maintaining public art within the Village of Chagrin Falls.

**Overseeing Authority**

The Chagrin Falls Arts Commission shall act as an advisory commission on the arts to the Chagrin Falls Village Council with the following responsibilities:

- Make recommendations to the Village Council regarding the location, selection and acceptance of public art
- Coordinate with the Park Board concerning proposed artwork in Village parks.
- Maintain an inventory of artwork located on Village property.
- Apply the Artwork Selection Criteria in making their recommendations.
- Recommend relocation and de-accession of artwork.

**Artwork Selection Criteria**

<u>Suitability</u>	Is the artwork appropriate in scale, material, form, and content for the Village and the physical environment?
<u>Siting</u>	Can the artwork be appropriately placed on the proposed site to be compatible with its surroundings and present no obstruction to pedestrian or vehicular access? Will the artwork interfere with future plans for the site?
<u>Durability</u>	Is the artwork structurally sound and reasonably able to withstand the conditions of its placement? Does it demonstrate structural and surface integrity as well as resistance to vandalism?

**Artwork Prohibited on Village Property**

Interactive, animated, electrified, or illuminated works of art will not be situated on Village property.

**Maintenance of Public Art**

Artwork requiring maintenance beyond the regular scope of Village groundskeeping will not be considered without an estimate for the cost of long term maintenance and identified method for funding such maintenance.

**Resiting and De-accession Policy**

All donated works become property of the Village of Chagrin Falls and, as such, may be relocated or disposed. Artwork shall be disposed using appropriate procedures for disposing of Village property.

**Funding**

The Village of Chagrin Falls does not provide funding support to purchase, install or maintain public art in its regular budget.

Respectfully Submitted  
Julie S. Lindner, AICP  
February 13, 2013

**1107.04 AUTOMOTIVE: GARAGES, SERVICE STATIONS.**

(b) Private garage" means a completely enclosed structure garage accessory to a residence(s) that may be either attached or detached, with a permanent roof, continuous foundation, concrete floor, and exterior walls pierced only by windows and doors, and used for parking of the occupants' personal vehicles.

**1125.03 AREA, YARD AND HEIGHT REGULATIONS; MAIN BUILDINGS.**

(n) Garages. Each residential building shall be served by a garage located on the same lot. *An attached garage shall be considered part of the main building when, a wall or roof between the dwelling and attached garage has a minimum of forty percent (40%) of the length of the garage wall or roof is common with the dwelling wall or roof* For residential buildings located on a corner lot and having an attached garage with garage doors facing the side street, the minimum distance from the side street line to the garage portion of the main building shall be twenty feet.

Respectfully submitted,  
Julie S. Lindner , AICP  
February 13, 2013

Chagrin Falls Zoning Code inconsistencies  
Status as of February 2013

Reference	Comment	Status
General	"Municipality" vs. "Village" used interchangeably throughout	Ok as is 1/13
1107.03	"porches" excluded from dwelling unit area. What if enclosed?	Approved 7/16/12
1109.03(b)	Requires lots to be located on a public street, but there are some instances where we allow lots on private streets. Defined in 1107.20(b) and allowed in RMU 1130 and Cluster 1150 as well as 1142.04(c)	Drafted 7/16/12; action pending
1111.04 1113.04	Notice for amendments - newspaper 30 days; neighbors 20 days Notice for BZA - newspaper 15 days; neighbors 15 days	Drafted 8/20/12; action pending
General	"wholly enclosed" [7 occurrences and not defined] vs. "completely enclosed" [4 occurrences and defined in 1107.06(g)]	pending
1123	Keep "Special Hospital Uses" permitted in PI District?	Approved 7/16/12
1125.02(b)(3) and (4)	Cross reference to 1142 and 1148	pending
1125.03(n)	Attached Garage clarification [also 1107.04(b)]	Drafted 2/13/13 Action pending
1125.04	Regulations for Accessory Uses - Applicability to 1150? 1130?	pending
1125.04	Assess effectiveness of 1125.04(a)(6), (7), & (8)	pending
1125.04(e)	Central AC Units - Can entire 15 ft. be on abutting property (> burden on neighbor? Can they put addition in this area later?) written approval?	pending
1127.04 (b)	6 ft. height limit for accessory structures not buildings. Inconsistent with 1148 for pools and tennis courts?	pending
Residential Districts	Both enclosed and unenclosed porches allowed to encroach into setback. Reconsider enclosed?	Approved 7/16/12
1127.07 (g)	Replace swimming pool language with cross reference to 1148's?	pending
1129.07 (c) 1130.09 (c)	Prior discussions indicated that this is confusing language. Clarify?	pending
1137.02 (a)(5)	Amusement Machines - Delete "coin operated" ?	pending
1137.03(c)(2)	Conflict with 1148? Fence defined as structure but 1148 has 8 ft. limit.	
1137.05 (a)	Should we add any clarification that "outdoor seating" here is not the same as "sidewalk dining" allowed on public sidewalks by Council?	pending
1142.04(c)	Add RMU and Cluster	pending
1148.02	Define Retaining wall? Does not function like "wall" as defined here	Drafted 9/11/09 Action pending
1148.04 (b)	Consent?	pending
1148.05	What about swimming pools and Tennis Courts in PI (nonresidential)	pending
1161	Hillside - retaining walls? Geotechnical studies?	pending

Respectfully submitted,  
Julie S. Lindner, AICP  
February 13, 2013

## CHAPTER 1165

### Hillside Protection

- 1165.01 Intent.
- 1165.02 Definitions.
- 1165.03 Procedures.
- 1165.04 Required hillside control measures, standards and plans.
- 1165.05 Hold harmless provisions.
- 1165.06 Administration and enforcement.

### CROSS REFERENCES

Landscaping regulations - see P. & Z. Ch. 1142

Flood damage protection - see BLDG. Ch. 1353

Comprehensive Storm Water Management – see BLDG. Ch. 1357

#### 1165.01 INTENT.

Whereas the hillside areas of the Municipality differ from the Municipality's flatlands, hillsides necessitate different provisions for their development and their protection. The Hillside Protection Regulations are established to achieve, -among others, the following objectives:

- (a) To permit development on hillside areas while conserving and promoting the public health, safety, convenience and general welfare by minimizing disruption to slopes, reduction of slope stability, water run-off and soil erosion problems incurred in adjustment of the topography to meet development needs;
- (b) To use the best generally accepted design, landscape architecture, architecture, and civil engineering, and geotechnical engineering practices to preserve, enhance and promote the existing and future appearance and resources safety appearance [A1E1] and stability safety [A1E2] of hillside areas;
- (c) To preserve and enhance the natural beauty of the landscape by encouraging the maximum retention of natural topographic features such as natural drainage swales, streams, slope ridge lines, rock outcroppings, vistas from and of the hillsides, trees and other natural plant formations and to retain the sense of identity and image that the hillside areas now impart to the Municipality.

(Ord. 1988-32. Approved by voters 11-8-88.)

1165.02 DEFINITIONS.

- (a) "Average percent slope."

Average percent slope "S" is computed by the formula:

$$S = \frac{0.00229 \cdot I \cdot L}{A}$$

A

where S = Average percent slope

I = Contour interval, in feet\*

L = Summation of length of contours, in feet

A = Area in acres of parcel being considered

\*Calculations of average percent slope should be based upon accurate topographic surveys using a contour interval no greater than ten feet and a horizontal map scale of 1" : 200' or larger. The area of the zoning lot shall be used in this calculation.———

- (b) "Cut" means a portion of land surface or areas from which the earth has been removed or will be removed by excavation; the depth below the original ground surface or excavating surface.
- (c) "Earth moving" means any excavating, cutting or filling, or any stockpiling thereof.
- (d) "Erosion" means the general process whereby soils are detached and moved by the flow of surface or subsurface water, wind, ice and gravity.
- (e) "Excavating" means removing of soil or other materials by any means whatsoever from water or land on or beneath the surface thereof or beneath the land surface, whether exposed or submerged.
- (f) "Fill" means depositing of soil, rock or other materials by other than natural means.

(g) "Finish grade" means the final grade or elevation of the ground surface after grading is completed.

(h) "Geotechnical Engineer" means a Registered Professional Engineer in the State of Ohio with training in geotechnical engineering and experience in slope stability analysis and stabilization methods.

(hi) "Grade" means the degree of rise or descent of a sloping surface.

(ij) "Grading" means any excavating, cutting or filling, stockpiling of land or earth or combination thereof, including the conditions resulting from any of the above.

(jk) "Hillside area" includes land in all zoning districts in the Municipality with an average percent slope of twelve percent (12%) or greater; slopes within a development impact area and any area adjacent to such a slope within a distance of equal to one times the height of the slope. Hillside areas may include those temporarily constructed by excavation or embankment necessary for development.

(kl) "Hillside control measures" means all of the planning work and control that is required and specified by this chapter.

(lm) "Impervious surface" means roads, buildings and structures as defined in Section 1107.05, tennis courts, roofs, driveways, sidewalks, pools, patios, pool decks, decks, parking lots and other similar surfaces.

(mn) "Natural ground surface" means the ground surface in its original state before any grading, excavation or filling.

(no) "Natural vegetation" means plant materials which are indigenous to the area and exist on a site prior to any construction or earth moving activity.

(op) "Owner/developer/builder" means an individual, firm, association, syndicate, partnership or corporation having sufficient proprietary interest to seek development of land.

(pg) "Run-off" means the part of precipitation which flows over land without filtering into the soil.

(qr) "Slope" means any incline with a calculated grade of 12 percent (12%) or greater.

(s) "Slope ratio" is the ratio of horizontal run (H) to vertical rise (V) of sloping ground expressed as H:V. [AUE3]

(rtq) "Undisturbed" means that portion of the parcel to be developed which will not be regraded, have any vegetation removed from or have any impervious surface constructed on or over as specified in this chapter. [TRL4]

(Ord. 1992-83. Passed 11-9-92.)

#### 1165.03 PROCEDURES.

Upon the filing of a request for approval of a building permit, grade plan approval or subdivision, the Village Chief Administrative Officer shall use the following procedures to determine whether the proposed action is governed by provisions of this chapter and whether a hillside protection permit is required for a parcel or part of a parcel.

(a) The average percent slope shall be calculated and this information shall be supplied by the applicant at the time of filing of the application with the Municipality.

(b) The application shall be reviewed by the Village Engineer who shall then notify the Village Chief Administrative Officer if a hillside protection permit is required.

(c) If a hillside protection permit is required, the owner/developer shall be required to include hillside control measures with grading, hydrological and landscaping plans as specified in Section 1165.04.

These plans shall be submitted to the Village Engineer for approval.

(d) If it is determined by the Village Chief Administrative Officer that the action is governed by these provisions, then a hillside protection permit shall be required before any building, demolition or ~~permit or~~ subdivision permit is issued to the owner or developer by the Village. A hillside protection permit shall be issued in phases as determined by the Village Chief Administrative Officer and the Village Engineer before the next phase permit will be issued.

*((e) through (h) delete or move to the subdivision chapter)*

~~(e) The Planning and Zoning Commission shall have the authority to request the developer to modify the hillside protection plans and preliminary plot plans in hillside areas to better meet the standards and control measures of this chapter, to protect the health and welfare of the adjacent property owner and to protect the surrounding hillside and its natural topography.~~

~~\_\_\_\_\_ (f) \_\_\_\_\_ The Planning and Zoning Commission shall have the authority to modify or waive building setback requirements on a lot by lot basis. This authority shall be based on a greater concern for the protection of the surrounding hillside and its natural topography.~~

~~\_\_\_\_\_ (g) \_\_\_\_\_ The Planning and Zoning Commission shall have the authority to require the owner to place dwelling units on the portion of the property to be developed that has a slope of less than twelve percent (12%) when this is feasible and possible within the confines of the area to be developed.~~

~~(h) \_\_\_\_\_ The Planning and Zoning Commission shall approve hillside control measures, subdivision and building plans or preliminary plot plans for hillside areas if it finds based on the examination of the required studies, plans and improvements and upon the recommendations of the Village Chief Administrative Officer and Village Engineer that the proposed development is consistent with development policies and basic technical standards set forth in this chapter provided, however, that the Planning and Zoning Commission may deny a permit if it is in the Commission's opinion that the proposed project is so designed or will be so located, constructed and maintained that the public health, safety and welfare will be endangered.~~

Refer to Section 1165.06 for additional information on administration and enforcement.

(Ord. 1992-83. Passed 11-9-92.)

#### 1165.04 REQUIRED HILLSIDE CONTROL MEASURES, STANDARDS AND PLANS.

The owner/developer shall comply with the following provisions:

(a) Pre-Construction Record. ~~A photographic video tape record shall be filed with the Village Chief Administrative Officer prior to any building, grading or clearing activity on the parcel to be developed. This video tape record shall completely depict the pre-development condition of the parcel in sufficient detail to enable the Chief Administrative Officer to evaluate compliance with these regulations during and following completion of construction activities under these regulations. The Chief Administrative Officer shall have the authority to request additional photographs video tape records of pre-development conditions of the parcel being developed to satisfy the intent of this section when in his opinion such additional records are required.~~

(b) Geotechnical Report. ~~When deemed necessary by the Village Engineer, a geotechnical report by a qualified geotechnical engineer as defined in 1165.02 (h), that addresses all factors pertinent to present, short term, and future site stability, both present and future, will be required by the Village, and shall include the following:~~

1. Present stability evaluation. ~~An evaluation of the present stability of the site, based on field exploration that may include test borings, instrumentation, piezometers and/or wells, and laboratory testing, and slope stability analysis.~~

2. Short term stability evaluation. ~~Where construction will occur within the hillside area as defined in 1165.02 (h) short term stability shall be evaluated for all significant phases of construction. Such evaluation shall consider demolition, the use of temporary support systems, temporary cuts and fills, excavation stability, protection of adjacent structures, or other conditions as directed by the Village Engineer.~~

23. Future stability evaluation. An evaluation of the effect of the planned demolition and/or construction on stability based on the findings under paragraph (c)(1) hereof. Stability after construction is complete generally based on final grading plans with all permanent structures in place.

34. Recommended strategies. Detailed strategies to ensure that existing or potential instabilities will be mitigated.

4. Instrumentation. Instrumentation shall be required where, in the opinion of the Village Engineer, there is evidence of slope movement, damage to adjacent structures, head scarps, toe bulges, open fissures, misalignment of fence lines, vertical drops or any other evidence that suggest past or active slope failure.

5. Minimum Requirements. The Village Engineer shall have the authority to set minimum standards for the Geotechnical Report based on current engineering standards and site conditions.

A. Stability analysis that addresses short term stability, i.e., during construction, may, where appropriate, be based on undrained shear strengths determined in laboratory tests. Stability analysis that addresses long term present or future stability shall be based on drained shear strengths determined in laboratory tests.

B. Soil borings shall be sufficient in number and depth to characterize soil and groundwater conditions from the top to at least 15 feet below the toe of the slope except where stable rock is encountered at a lesser depth.

C. Instrumentation shall be required where, in the opinion of the Village Engineer, it is necessary to monitor performance during construction, or where there is evidence of slope movement, damage to adjacent structures, head scarps, toe bulges, open fissures, misalignment of fence lines, vertical drops or any other evidence that suggest past or active slope movement.

(b) Grading Plans. A grading plan shall be required for each lot in conformance with Section 1307.19 of the Building Code and in addition shall show the natural topography of the total parcel to be developed and any steep (10%) slopes on adjacent properties that, in the opinion of the Village Engineer, may be affected by the development, the location and size of all structures, the finish grade of all improvement locations and the dimensions, elevations and contours of any proposed earth moving and shall be submitted with each application for a hillside protection permit and shall show the following. No building or demolition permits may be issued and no construction activity initiated until a grading plan permit is issued:

(1) A detailed topographic map. A contour map with one-two-foot intervals or suitable cross sections or profiles of areas where streets, driveways, buildings, utilities or grading construction is proposed shall be required.

(2) Road profiles. Profiles and cross sections of all significant changes in the cross slopes; the cross section to show proposed and natural grade at the centerline of the road, the right-of-way line and the proposed building setback lines shall be required.

(3) Special terrain notes. Notes and details of existing terrain shall be shown over the required topographic information.

(4) Material disposal. A description shall be included of methods to be employed in disposing of soil and other material removed, including the location of the disposal site.

(5) Timetable. A schedule shall be included showing when each stage of the project will be completed, including the estimated starting and completion dates.

(c) Earth Moving Controls. The following minimum standards shall apply to earth moving:

(1) Minimum alterations. Earth moving shall be limited to the minimum required for building foundations, driveways, drainage control structures and immediate yard areas. ~~With the exception of purely stockpiling or restoration efforts, substantial earth moving shall not be permitted.~~

(2) Erosion control. All earth moving shall create the lowest possible potential for airborne or waterborne transportation of soil.

(3) Compaction. All fill shall be ~~placed~~ stabilized in conformance with generally accepted engineering standards, including a moisture control and compacted density of a least ninety-five percent (95%) in conformance with the approved Geotechnical Report.

(4) Prompt completion. All earth moving shall be accomplished in the shortest practical period of time. In no event shall the existing natural vegetation be destroyed, removed or disturbed more than fifteen days prior to the initiation of construction.

(5) Cut and fill. Cut and fill slopes shall be no steeper than two horizontal to one vertical; ~~fill slopes shall not be located on natural slopes steeper than 2:1.~~ ~~or where the fill slope toes out within twelve feet horizontal of the top of an existing or planned cut slope. The 2:1 slope ratio in this section establishes a maximum steepness that will be accepted. It is not the intent of this section to imply that a 2:1 slope ratio is sufficient for stability, or that a twelve foot horizontal setback is sufficient to assure stability where fill is placed near an existing slope. A Geotechnical Report will be required to determine required maximum slope ratios and minimum setbacks when deemed necessary by the Village Engineer.~~

(6) Slope Stability. Include recommended strategies from the Geotechnical Report to provide ~~TRL7~~ ~~A/E8~~ an acceptable level/degree of slope stability including slopes on adjacent properties.

(76) No unnecessary cuts ~~A/E9~~ and/or fills shall be allowed in order to create additional lots or building sites. ~~TRL10~~

(d) Hydrological Controls. The following standards shall apply to hydrological controls:

(1) Natural channels. Natural drainageways shall be preserved to the maximum extent possible.

(2) Controlled run-off. Run-off from concentrated impervious surfaces shall be collected and transported in a pipe or other approved manner to a Municipal storm sewer system if available, or if unavailable, to the bottom of a ravine in a safe, adequate and nonerosive manner. Where required by the Village engineer, storm water retention facilities shall be installed.

(3) Interceptor ditches. Where required, interceptor ditches shall be established above steep slopes in such a way as not to saturate or erode soil, and the intercepted water shall be conveyed in a pipe or other approved manner to a Municipal storm sewer system or to the bottom of a ravine or steep slope.

(4) Discharge point stabilization. Natural drainageways shall be established by means consistent with sound professional engineering practice, below drainage and culvert discharge points for a distance sufficient to convey the discharge without channel erosion and in such manner as to dissipate the energy of the discharge.

(5) Early completion. The overall drainage system shall be completed and made operational at the earliest possible time during construction.

(6) Impact on adjacent property. Natural or usual flow of surface or subsurface water shall not be altered or obstructed in any way by grade changes that may adversely affect the property of another by either contributing to pooling or collection of waters, or to the concentration or intensification of surface water discharge. However, construction which might otherwise be prohibited hereinabove may be allowed if such waters are safely and adequately drained in a nonerosive manner by a pipe or other approved manner to a storm sewer or to a channel at the bottom of a ravine or steep slope.

(e) Hydrological Control Plan. A hydrological control plan, prepared by a registered professional civil engineer or landscape architect, shall be submitted with each application for a hillside protection permit. This plan shall include the following:

(1) Hydrologic inventory. A reasonably detailed description of:

- A. The direction of flow within the local drainage basin;
- B. All natural drainage channels directed toward and away from the site within fifty feet of the perimeter of the site;
- C. Other natural drainageways which may affect or be affected by the proposal; and
- D. Any future realignment of the natural ravine channel.

(2) Special notations. Special notations shall be included highlighting details of the terrain, existing natural surface drainage and areas subject to seepage or spring flow.

(3) Proposed facilities. The location of all surface and subsurface drainage devices and protective measures to be installed as part of the proposed development, together with a statement concerning any active erosion occurring at the outlet of existing or proposed systems.

(f) Vegetation and Revegetation. The following standards shall apply to vegetation and revegetation of Hillside Areas:

~~(1) Schedule. The percent of each parcel to remain in an undisturbed state shall be determined by the average percent of slope within each parcel to be developed. The following schedule shall apply to development in hillside areas:~~

Average Percent (%) — Minimum Percent (%) of —

Slope of Parcel — Parcel To Be Undisturbed —

~~12-18~~ ~~65~~ —

~~19-24~~ ~~73~~ —

~~25-30~~ ~~81~~ —

~~31-35~~ ~~89~~ —

~~36-100~~ — ~~97~~

~~(12) Smallest area. Shortest duration. Soil. The smallest practical area of land shall be exposed in any given time during development. Such exposure shall be kept to as short a duration of time as practical.~~

(23) Temporary measures. Where required, temporary vegetation, mulch or other acceptable cover shall be used to protect areas exposed during development and to prevent airborne or waterborne transportation of soil.

(34) Revegetation. A mix of plantings (preferably native with adequate deep root systems) shall be used to landscape steep slope areas disturbed by earth moving and construction.

(g) Landscape Plan. A landscape plan, prepared or approved in writing by a professional registered landscape architect trained and experienced in both the characteristics of plant material and proper procedures for installation, shall be submitted with each application for a hillside protection permit. This plan shall include the following:

(1) Existing inventory. A site plan inventory describing the existing vegetation cover of the property and showing those areas where the vegetation will be removed as part of the proposed development.

(2) Revegetation. A site plan describing proposed revegetation of disturbed areas and specifying the materials to be used.

(3) Written description. A detailed description of any slope stabilization and revegetation methods, together with the rationale for selecting the plant materials and planting techniques to be used.

(h) Driveways. The maximum grade on driveways shall not exceed ten percent (10%). Each drive shall provide sufficient space and distance to turn around prior to entering the street. [TRL11]

(i) Excluded Activities.

(1) Landscaping. This chapter shall not be interpreted to prohibit normal landscape maintenance or routine arboreal activities or to prohibit small scale planting of ornamental flowers or shrubs, or the removal of diseased, dead or damaged trees. However, such activities shall be carried out to conformance with the standards of vegetation or revegetation of this chapter.

(Ord. 1992-83. Passed 11-9-92.)

1165.05 HOLD HARMLESS PROVISIONS.

The following hold harmless provisions pertain to any construction or any earth moving activities permitted by the administration of this chapter:

(a) Limited Obligation. Compliance with the procedures of this chapter and the issuance of any related permits shall not be construed to impose any legal obligation upon the Municipality or its elected or appointed officials.

(b) Civil Claims. Compliance with the procedures of this chapter and the issuance of related permits shall not relieve the property owner from civil liability claims by other property owners.

(c) Endorsement. Compliance with the procedures of this chapter and the issuance of related permits do not imply approval of, the need for or the benefit or efficacy of the proposed construction; nor does it constitute any assertion that the proposed construction will not result in damage to the property in question or to adjoining property.

(Ord. 1992-83. Passed 11-9-92.)

1165.06 ADMINISTRATION AND ENFORCEMENT.

(a) Administration and Enforcement. As prescribed in Chapter 1109.

(b) Additional Site Inspections. Additional site inspections shall be scheduled by the Village Administrator or Engineer during and upon completion of each phase of the hillside development. Construction activity shall be halted if it is found upon inspection that a situation exists or could result which endangers the health, safety or welfare of adjacent property owners.

(c) Appeals. As prescribed in Chapter 1111 of the Planning and Zoning Code.

(d) Separability. If for any reason, any change, sentence paragraph, section or other part of these Subdivision Regulations should be decided by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of these Hillside Protection Regulations as a whole, or any part thereof, other than the part so held to be invalid.

(e) Relation To Other Laws. The provision of these Regulations shall supplement any and all laws of the State, ordinances of the Municipality or any and all rules and regulations promulgated by authority of such law or ordinance relating to the purpose and scope of these Regulations. Whenever the

requirements of any other lawfully adopted law, ordinance, regulation, resolution or rule, the more restrictive or that imposing the higher standards shall govern.

(Ord. 1992-83. Passed 11-9-92.)