

**ARTICLE 5**  
**SUPPLEMENTARY DISTRICT REGULATIONS**

**SECTION 501                    GENERAL PROVISIONS**

The following supplemental regulations are applicable to all Zoning Districts within Munson Township unless otherwise modified by the requirements of a specific Zoning District.

**SECTION 502                    FRONTAGE REQUIRED**

No new lot shall be created nor shall any building or structure be erected upon a lot which does not possess the required minimum frontage upon a public or private road established for the district in which such lot is located.

**SECTION 503                    PRINCIPAL STRUCTURES PER LOT**

No more than one principal structure may be constructed upon any one lot for the purposes of this Resolution. The construction of more than one principal structure upon any one lot shall require the approval of a variance from the Board of Zoning Appeals.

**SECTION 504                    REDUCTION OF AREA OF SPACE**

No lot, yard, court, parking area, or other space shall be reduced in area or dimension, thus making said area or dimension less than the minimum required by this Resolution and, if said area or dimension is already less than the minimum required by this Resolution, it shall not be further reduced.

**SECTION 505                    ARCHITECTURAL PROJECTIONS INTO REQUIRED YARDS**

All architectural projections shall be in accordance with the following provisions:

- 505.1 Chimneys, flues, sills, pilasters, cornices, eaves, gutters, and other similar architectural features may project into any required yard a maximum of twenty-four (24) inches.
- 505.2 Landings and steps, whose sole function is to provide safe entrance and exit to or from the structure, may extend from the dwelling into the required front yard a maximum of ten (10) feet. Open structures such as roofed porches, canopies, balconies, decks, platforms, and carports, shall be considered parts of the building to which attached and shall not project into any required yard.

**SECTION 506                    MAXIMUM BUILDING AND STRUCTURE HEIGHT**

Unless otherwise provided for by this Resolution, the height of all buildings (excluding church spires, belfry, clock tower, stage tower, chimneys, antennas, or other mechanical appurtenances usually placed above roof level and not intended for human occupancy) shall be limited to thirty-five (35) feet. There shall be no living space above twenty-eight (28) feet. The height of any structure, other than a building, or of any building together with the above mentioned appurtenances, shall be limited to sixty (60) feet.

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**SECTION 507                    PLACES OF WORSHIP**

- 507.1    The minimum lot area shall be in accordance with the regulations affecting the district in which the Place of Worship is located.
- 507.2    Parking as regulated in Section 521.
- 507.3    Adequate screening shall be provided along all property lines bordering residential lots.

**SECTION 508                    DRAINAGE**

All district sites shall be graded for proper drainage so that all water is drained to a properly constructed drainage system within the area to avoid drainage upon roads or adjoining property. In all zoning districts an erosion control plan shall be included with the application for a zoning certificate for the construction of all principal permitted, accessory and conditional buildings, structures, uses, and off-street parking, loading/unloading areas allowed by this resolution and any additions thereto on lots less than five (5) acres in size; provided, however, an erosion control plan shall not be required for any principal permitted, accessory or conditional buildings, structures, and off-street parking or loading/unloading areas containing less than three hundred (300) square feet in area. If the lot is five (5) acres or more in area, the applicant shall include with the application for a zoning certificate written documentation from the Geauga Soil and Water Conservation District (SWCD) that an erosion control plan has been submitted to the Geauga Soil and Water Conservation District and approved for the subject lot.

- 508.1    An erosion control plan shall be prepared by the applicant, a professional engineer registered with the state of Ohio, a soils scientist, or a private contractor and must address temporary and permanent measures for controlling erosion during and following construction. The content of the plan and such temporary and permanent measures to control erosion shall meet all requirements for sediment and erosion control contained within the Geauga Soil and Water Conservation District regulations.
- 508.2    An erosion control plan shall be submitted by the applicant to the Zoning Inspector. The Zoning Inspector shall advise the applicant that the plan may be forwarded by the Zoning Inspector to the Geauga Soil and Water Conservation District for technical assistance and review.
- 508.3    All areas affected by earth disturbing activities on a lot shall be permanently seeded and mulched pursuant to the erosion control plan within one hundred and twenty (120) days after the date an occupancy permit has been issued by the Geauga County Building Department. If said permit is issued between the time period of November 1<sup>st</sup> to April 15<sup>th</sup> of the following calendar year, temporary stabilization measures pursuant to the erosion control plan shall be utilized.

**SECTION 509                    ACCESSORY STRUCTURES**

All accessory structures shall be in conformity with the following provisions:

- 509.1    All accessory structures shall be anchored to the ground.

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509.2 No garage or other accessory structure shall be erected within the front yard of any district, except for fencing and a student bus stop shelter.

509.3 Accessory structures shall be located within the side and rear yards as set forth in Section 411. Accessory structures shall not be closer than fifteen (15) feet to the principal structure, except for the following freestanding structures: swimming pools, fences, dish antennas, decks, and gazebos.

509.4 ***Student Bus Stop Shelter***

Shall be in conformity with the following provisions:

- a. No student bus stop shelter shall be placed within any public right-of-way.
- b. Should any student bus stop shelter be or become unsafe, unsightly, or be in danger of falling, the owner of the real property upon which the shelter is located shall, upon receipt of written notice from the zoning inspector, proceed at once to put such shelter in a safe and secure condition or remove the shelter.
- c. The floor area shall not exceed thirty-two (32) square feet.
- d. The height shall not exceed eight (8) feet.

509.5 ***Fences, Gates, and Walls***

Shall be in conformity with the following provisions:

- a. Fences, gates, and walls shall be erected outside of the right-of-way of any public or private road.
- b. Fences, gates, and walls shall not block or impede clear sight distance of vehicle operators at the intersection of any public or private road.
- c. Fences and walls shall be a maximum of four (4) feet in height in any front yard and no more than six (6) feet in height in any side or rear yard, except as otherwise provided herein.

**SECTION 510                      CORNER LOT YARDS**

In a Residential District, in the case of a lot located at the intersection of two roads, the front yard setback shall be a minimum of eighty (80) feet from the road right-of-way, and the side yard setback adjacent to the intersecting road shall be a minimum of sixty (60) feet from the right-of-way of the intersecting road. For other district corner lot yards see Section 411.

**SECTION 511                      DRIVEWAYS**

Driveways shall be a minimum of fifteen (15) feet from any lot line, have a minimum width of twelve (12) feet, and a minimum apron width of twenty (20) feet at the road pavement, and as regulated in Section 521 for Commercial, Industrial, Institutional and Medical Use Districts.

**SECTION 512                    REQUIRED TRASH AREAS**

All commercial and industrial uses that provide trash and/or garbage collection areas shall have such areas enclosed on at least three sides by a solid wall or fence adequate in height to screen the containers, if such area is not within an enclosed structure. Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage as determined by the Zoning Inspector shall be required.

**SECTION 513                    OUTDOOR STORAGE AND WASTE DISPOSAL**

All outdoor storage and waste disposal shall be in accordance with the following provisions:

- 513.1 Materials or wastes which might cause fumes, dust, which constitute a fire hazard, or which may be edible or attractive to rodents or insects shall be stored indoors only in closed containers constructed of impervious materials.
- 513.2 No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by wind, flood, or natural causes or forces.

**SECTION 514                    PRIVATE SWIMMING POOLS**

Private swimming pools may be permitted in any district, provided the following provisions are met:

- 514.1 The pool is intended solely for the enjoyment of the occupants and guests of the principal user of the property on which it is located.
- 514.2 The pool must be located on the property so as to conform to the minimum dimensional requirements set forth in Section 411, and may not encroach upon any required front yard, or any required on-site wastewater leaching areas or replacement areas designated by the Geauga County Health Department.
- 514.3 An outdoor in-ground swimming pool shall be surrounded by a barrier or fence, except as may otherwise be provided herein, which shall comply with the following sub-paragraphs a-d:
  - a. not be less than four (4) feet in height and four (4) feet from the pool's edge;
  - b. fencing shall be constructed so as to prohibit the passage of a sphere larger than four (4) inches in diameter through any opening or under the fencing. Fencing shall be designed to withstand a horizontal concentrated load of two hundred (200) pounds applied on a one (1) square foot area at any point of the fencing; and
  - c. access gates shall comply with the fence requirements of this section, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool, and shall be self-closing and shall have a self-latching device. Gates other than pedestrian access gates shall have a self-closing and self-latching device. Where the release mechanism of the self-latching device is located less than fifty-four (54) inches from the bottom of the gate, the release mechanism and openings shall comply with the following:
    - 1. The release mechanism shall be located on the pool-side of the gate at least three (3) inches below the top of the gate.

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- d. Where a wall of a dwelling serves as part of the barrier, one of the following regulations shall be met:
  - 1. The pool shall be equipped with a power safety cover in compliance with ASTM F 1346-91 and shall be used and in place when the pool is not in use.
  - 2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017.
- e. Where an above ground pool structure is used as a barrier or where the barrier is a safety cover mounted on top of the pool structure and the means of access is a ladder or steps:
  - 1. The ladder or steps shall be capable of being secured, locked or removed when the pool is not in use to prevent access.
  - 2. When the ladder or steps are secure, locked or removed, any opening created shall not allow the passage of a four (4) inch diameter sphere.

514.4 A Zoning Certificate shall be required prior to the construction of all pools except storable pools; however, storable pools shall require a Zoning Certificate in any of the following situations:

- a. If the pool remains assembled for a period greater than seven (7) consecutive months.
- b. If the pool is set into the ground, regardless of its size and/or depth.
- c. If a deck is built adjacent to the pool.
- d. If permanent connections are made for the filter and/or heater. Where electrical and/or plumbing work is required incidental to any pool construction, all applicable county permits shall be required.

514.5 No swimming pool shall be constructed so as to allow water to drain into any sanitary sewer or septic tank, not to overflow upon or cause damage to any adjoining lot.

514.6 Exterior lighting shall be shaded wherever necessary in order to avoid casting direct light upon any other property or any public street.

**SECTION 515                      DRIVE-IN SERVICE**

Establishments, which by their nature create lines of customers waiting to be served within automobiles, shall provide off- road waiting spaces in accordance with the following requirements:

515.1 Photo pick-ups, restaurants, drive-thru beverage docks, and other similar commercial establishments that can normally serve customers in three minutes or less shall provide no less than five (5) waiting spaces per window. Drive-in restaurants and other similar uses which require an additional stopping point for ordering shall provide a minimum of five (5) waiting spaces for each such stopping point.

515.2 Commercial establishments which require a transaction time in excess of three minutes such as banks, savings and loan offices, or other similar money windows shall provide no less than seven (7) waiting spaces per window.

**SECTION 516                      STORAGE OF CONSTRUCTION EQUIPMENT AND OTHER LARGE VEHICLES**

**516.1                              Construction Equipment Within Residential Districts**

Outdoor storage or parking of backhoes, bulldozers, well rigs, and other similar equipment used for commercial purposes, other than equipment temporarily used for construction upon the site, shall not be permitted within any Residential District.

**516.2                              Other Vehicles**

The storage or parking of any vehicle having a gross vehicle weight rating greater than ten thousand (10,000) pounds or an overall vehicle length greater than twenty-one (21) feet shall not be permitted within any Residential District, excluding vehicles making temporary service or delivery calls, and a maximum of one (1) boat and one (1) recreational vehicle. Any such boat or recreational vehicle shall not be used for habitational purposes, shall have a current license, may not be parked within the front yard, and shall not be located closer than twenty (20) feet from any lot line.

**516.3                              Junk Vehicles**

Outdoor storage or parking of junk vehicles shall not be permitted within any district.

**SECTION 517                      JUNK**

The purpose of this section is to promote the health, safety, and welfare of Munson Township by among other things, eliminating environments for breeding of vermin, rodents, insects, and infestations. Junk, or its storage, shall not be permitted in any district.

**SECTION 518                      DEBRIS ON ROADS**

Any mud, trash or debris left on roads or highways, deposited by any person or vehicles is to be immediately removed by the responsible person and such road or highway surface to be returned to, and maintained in, a safe condition for public driving.

**SECTION 519                      TEMPORARY USES**

The following regulations are necessary to govern the operation of certain uses which are non-permanent in nature. Application for a Temporary Zoning Certificate shall be made to the Zoning Inspector, containing a graphic description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, and parking space for the proposed temporary use. The following uses are deemed to be temporary uses and shall be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located:



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Home Occupations shall not:

- a. Employ anyone not a member of the resident family;
- b. Produce unreasonable and excessive noise, smoke, dust, heat, odor, or vibration that would disturb a reasonable person of ordinary sensibilities;
- c. Offer for sale material products not produced by such home occupation;
- d. Present outward evidence of such use, including but not limited to signage;
- e. Operate any business that offers or provides lodging to the general public for compensation;
- f. Operate in violation of any federal, state or local laws or regulations

**SECTION 521                    GENERAL REQUIREMENTS FOR PARKING, AND LOADING/UNLOADING SPACES**

- a. Adequate parking and Loading/Unloading Spaces in accordance with this Resolution shall be provided at the time any building, structure or use is located, erected, constructed, reconstructed, enlarged, or structurally altered, or any use is changed.
- b. All parking and Loading/Unloading Spaces shall be located totally outside of the right-of-way of any public or private road.
- c. All parking and Loading/Unloading Spaces shall be located on the same lot as the use to be served, unless otherwise specified herein.
- d. All parking and Loading/Unloading Spaces shall provide for the proper drainage of surface water to prevent the drainage of such water onto adjacent properties, walkways, and roads.
- e. All parking and Loading/Unloading Spaces together with driveways, aisles, and other circulation areas shall be improved with such material to provide a durable all-weather and dust-free surface such as concrete or asphalt.
- f. The owner of the property used for parking and Loading/Unloading Spaces shall maintain such areas in good condition without holes and free of all dust, trash, and other debris.
- g. All parking and Loading/Unloading Spaces intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot or Loading/Unloading Space shall be so arranged as to reflect the light away from the adjoining property or roads, and shall be in accordance with the lighting regulations for the zoning district in which located.
- h. All hard-surfaced parking lots shall be striped between spaces to facilitate the movement into or out of parking spaces with a capacity of ten (10) or more.
- i. All parking lots and Loading/Unloading Spaces shall be designed in such a manner that any vehicle entering or leaving such parking lots and Loading/Unloading Spaces from or into a public or private road shall be traveling in a forward motion. Access driveways for parking lots and Loading/Unloading Spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the access driveway from a public or private road.
- j. All entrances and exits to a parking lot shall be clearly delineated by appropriate directional signage and/or pavement markings. Interior vehicular circulation patterns shall be delineated by appropriate directional signage and/or pavement markings. Driveways providing access to a parking lot and aisles delineating interior circulation patterns within a parking lot shall maintain the following minimum standards:
  - 1. For one-way traffic the minimum width of access driveways and aisles shall be fourteen (14) feet.





**521.4                                    *Size of Loading/Unloading Spaces***

The width of a Loading/Unloading Space shall be a minimum of twenty (20) feet and the length shall be a minimum of fifty (50) feet. The total area of a Loading/Unloading Space shall be a minimum of one thousand (1000) square feet.

**521.5                                    *Determination of the Number of Parking, Loading/ Unloading Spaces Required***

- a. The collective provision of parking and Loading/Unloading Spaces for two or more uses may be permitted, provided that the total number of such spaces shall not be less than the sum of the spaces required for such uses computed separately, in accordance with this Resolution.
- b. Whenever a lawfully existing building, structure, or use is enlarged, reconstructed, or structurally altered so as to increase its floor area, additional parking and Loading/Unloading Spaces shall be provided on the basis of the floor area of such enlargement, reconstruction, or structural alteration.
- c. If fractional spaces result, the number of spaces required shall be determined to be the next highest whole number.

**521.6                                    *Handicapped Parking***

Off- road parking spaces serving buildings and uses required to be accessible to the physically handicapped shall have conveniently located designated spaces provided in accordance with applicable federal, state, or other local codes.

**SECTION 522                            *FIRE DEPARTMENT WATER RESOURCE***

522.1 For the purpose of protection of public safety, the real property owner(s) within platted subdivision(s) having a road serving the buildings, structures, and uses within said subdivision shall provide for or demonstrate the existence of an acceptable fire department water resource (see Section 202). This fire department water resource is to be located so that no lot within the subdivision is further than one and one-half (1-½) miles by road from said water resource. If all lots within a platted subdivision are within one and one-half (1-½) miles by road from an existing acceptable water resource, then no new water resource need be installed within said subdivision.

- a. A dry hydrant installation shall conform to Soil Conservation Engineering standard 235 (dry hydrant assembly). This standard is available from the Munson Fire Department.
- b. Location of a dry hydrant connection shall be within ten (10) feet of a hard surface access to a public or private road or driveway. The hard surface access shall have a minimum width of fifteen (15) feet. The dry hydrant shall not be located within a public road right-of-way.
- c. The affected property owners shall maintain year round any private road or driveway connecting a Fire Department water resource and dry hydrant.
- d. The owner(s) of affected lots shall grant a permanent easement to Munson Township allowing access to a dry hydrant and water resource.

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- 522.2 Detailed plans for the design of the fire department water resource shall be reviewed by the Township Zoning Inspector, the Munson Fire Department, and the Geauga Soil and Water Conservation District at the same time that the owner submits plans for soil erosion and drainage for their approval, in accordance with the *memorandum of understanding* between Munson Township and the Geauga Soil and Water Conservation District. Notice of approval of the plans for the water resource shall be forwarded to the Township Zoning Inspector by the Geauga Soil and Water Conservation District and the Munson Fire Department. The Township Zoning Inspector shall not issue any zoning certificate for a building, structure, or use within the subdivision nor sign the final plat for the subdivision until such notice of approval is received.
- 522.3 In order to assure compatibility of a Dry Hydrant with the equipment of the Munson Fire Department, plans for the dry hydrant installation shall be submitted to the Township Zoning Inspector who, upon consultation with the Munson Fire Department Fire Chief or his designate, shall approve or deny the installation plans. No Zoning Certificate shall be issued for any building, structure, or use within the subdivision until the Township Zoning Inspector has granted approval of the actual dry hydrant installation.

**SECTION 523                      MANUFACTURED HOMES**

Manufactured homes shall conform with the following:

- A. A Manufactured Home shall be permanently sited on a lot and shall:
1. Conform to the Federal Manufactured Housing Construction and Safety Standards Act of 1974 and have a certification to that effect, in the form of a label or tag permanently affixed to such manufactured home in the manner required by 42 U.S.C.A. Section 5415, and be manufactured after January 1, 1995 and
  2. Have all hitches, axles, wheels, running lights and other indicia of mobility removed from the home, and
  3. Be exclusive of any addition having a width of not less than twenty-two (22) feet at one point, and a minimum floor area in accordance with the residential district in which it is located; and
  4. Have a minimum (A) roof pitch of 3:12, conventional residential siding, and a minimum six (6) inch eaves overhang, including appropriate guttering; and
  5. Be permanently installed upon and properly attached to a continuous perimeter foundation that meets the manufacturer's installation requirements and applicable state and county building regulations and connected to appropriate facilities; and
  6. Conforms to all residential district regulations for the district in which it is located.
- B. In addition to the above requirements, the owner shall:
1. Surrender the title to the Manufactured Home to the county auditor upon its placement on a permanent foundation and such surrender shall be notice to the county auditor to tax the manufactured home as real property.

**SECTION 524                    CARE CENTERS**

524.1                            Child Day-Care Center

Type B family day-care home and Type B home – a permanent residence of the provider in which child care is provided for one (1) to six (6) children at one time and in which no more than three (3) children are under two (2) years of age at one time and as defined in O.R.C. Section 5104.01 (UU) or as amended.

524.2                            Licensed Residential Facility

As defined in O.R.C. 5123.19 (O) as amended.

**SECTION 525                    EXTERIOR LIGHTING**

525.1                            **General requirements for exterior lighting in all districts:**

- a. All new or replacement sources of exterior illumination of a building, structure, or lot shall be shielded so as not to cause direct glare and shall be directed away from perimeter lot lines and toward the principal building, structure, or use on a lot. In order to minimize light trespass, all exterior lighting fixtures with lamps rated at two thousand five hundred (2,500) lumens or more shall be of the full cutoff type. Such exterior lighting fixtures shall be installed so that they operate at all times as full cutoff as defined in this resolution.
- b. Up-lighting for buildings, structures, and landscaping is not permitted unless utilizing a shielded lighting fixture.
- c. Lighting of governmental flags is exempt.
- a. Sign lighting shall comply with all applicable provisions in this resolution. Exterior lighted signs shall utilize shielded fixtures from which direct light is not emitted beyond the boundaries of the sign.

525.2                            **Exceptions to Section 525.1 are:**

- a. All exterior lighting fixtures with a combined output of less than two-thousand five hundred (2,500) lumens per fixture.
- b. Lighting fixtures producing light directly by the combustion of fossil fuels, such as natural gas or kerosene.
- c. Temporary lighting including holiday lighting or emergency lighting.

**SECTION 526                    FREESTANDING SOLAR ENERGY PANELS AND ARRAYS**

526.1    Freestanding Solar Energy Panels and/or Arrays may be permitted in any district, provided the following provisions are met:

- a. The number of Freestanding Solar Energy Panels and/or Arrays permitted in any district shall encompass no more than twenty percent (20%) of the total area of the lot upon which the panels and/or arrays are installed.
- b. Freestanding Solar Energy Panels and/or Arrays shall not be located in front of a principal structure in a Residential District

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- c. A freestanding Panel and/or Array shall be no higher than thirty-five (35) feet from ground level.
- d. All panels and/or arrays shall comply with the minimum setback requirements for the zoning district in which they are located.
- e. An application and site plan for a Zoning Certificate shall be submitted to the Zoning Inspector on forms provided by the Zoning Inspector.
- f. Freestanding Solar Energy Panels and/or Arrays shall have a ground installed, a storage battery, and/or a secured cover in place over each light gathering panel for safety reasons.
- g. All freestanding Solar Energy Panels and/or Arrays shall be able to withstand wind velocities of no less than one-hundred thirty (130) MPH or more.

526.2 All freestanding Solar Energy Panels and/or Arrays shall be walled or fenced and said wall or fence shall:

- a. Not be less than four (4) feet in height;
- b. Not be less than four (4) feet nor more than fifteen (15) feet from the Solar Energy Panel and/or Array's edge; and
- c. Maintained in good condition with a gate and lock.

**SECTION 527                      ROOF AND WALL INSTALLED SOLAR PANELS**

527.1 All Roof or Wall Installed Solar Panels shall require a Zoning Certificate prior to installation. Within thirty (30) days after installation the owner shall provide the Zoning Inspector with a certified letter from a qualified person or entity that reflects that the system has been installed in compliance with Section 526.

527.2 An application and site plan for a Zoning Certificate shall be submitted to the Zoning Inspector on forms provided by the Zoning Inspector.

527.3 All Roof or Wall Installed Solar Panels or multiples of these shall have a ground installed, a storage battery, and/or a secured cover in place over each light gathering panel for safety reasons.

**SECTION 528                      DECOMMISSIONING**

- a. The owner of the Panels and/or Arrays shall keep all equipment functional and in good order. When a panel and/or array ends its useful life, the owner of the panel and/or array shall remove the panel(s) and/or array(s) within one-hundred eighty (180) days from the date on which the system last functioned, unless the Applicant produces evidence of mitigating circumstances. The cost and expense of removal shall be borne by the owner.
- b. Solar Energy Panels and/or Solar Energy Arrays will be dismantled using best management practices. Non-panel and/or array components such as foundations, anchor bolts, rebar, conduit, construction pads, and other subsurface components to be removed to a minimum of thirty-six (36) inches below grade. Items not known to be harmful to the environment buried greater than thirty-six (36) inches below grade may be left in place at the applicant's discretion. Once removal is complete, the

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excavation will be backfilled with material of quality soil comparable to the immediate surrounding area. The disturbed soils of the site will be rehabilitated including appropriate grading and reseeding of the area.