



City of Parma Heights Council Meeting

6281 Pearl Road

Monday, June 27, 2022 7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

ACTION ON MINUTES:

- **June 13, 2022** – Parma Heights City Council Meeting

REPORTS FROM MAYOR AND DIRECTORS

COMMUNICATIONS: None at this time.

LEGISLATION

Third Reading

1. **2022 – 20 AN ORDINANCE AMENDING SECTION 678.01 ENTITLED “DESTRUCTION OF NOXIOUS WEEDS AND REMOVAL OF LITTER REQUIRED” OF THE PARMA HEIGHTS CODIFIED ORDINANCES.**
2. **2022 – 21 AN ORDINANCE AMENDING SECTION 965.11 ENTITLED “SOLID WASTE COLLECTION FEE” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA HEIGHTS, AND DECLARING AN EMERGENCY.**

Second Reading

3. **2022 – 22 AN ORDINANCE AMENDING CHAPTER 1305 OF THE PARMA HEIGHTS CODIFIED ORDINANCES TO PROVIDE FOR ADOPTION OF THE NATIONAL ELECTRICAL CODE, AS MAY BE AMENDED BY THE STATE OF OHIO FROM TIME TO TIME.**

First Reading

4. **2022 – 13 A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF PARMA HEIGHTS FOR THE FISCAL YEAR OF 2023, DIRECTING THAT THE SAME BE SUBMITTED TO THE FISCAL OFFICE OF CUYAHOGA COUNTY, AND DECLARING AN EMERGENCY.**
5. **2022 – 23 AN ORDINANCE AMENDING SECTION 618.10 ENTITLED “ANIMALS RUNNING AT LARGE; ANIMAL OWNER LIABLE FOR DAMAGE TO PUBLIC OR PRIVATE PROPERTY” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.**

6. **2022 – 24 AN ORDINANCE AMENDING SECTION 618.15 ENTITLED “ANIMALS IN CITY PLAYGROUNDS AND CERTAIN OTHER PARK AREAS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.**
7. **2022 – 25 AN ORDINANCE AMENDING SECTION 618.21 ENTITLED “HUNTING, POISONING AND TRAPPING PROHIBITED” OF THE PARMA HEIGHTS CODIFIED ORDINANCES.**

ADJOURN TO EXECUTIVE SESSION TO DISCUSS CONFIDENTIAL BUSINESS INFORMATION OF AN APPLICANT FOR ECONOMIC DEVELOPMENT ASSISTANCE.

PUBLIC SESSION

ADJOURNMENT

CITY HALL WILL BE OPEN FOR THE COUNCIL MEETING

City of Parma Heights
6281 Pearl Road Parma Heights, OH 44130

ORDINANCE NO. 2022 - 20

AN ORDINANCE AMENDING SECTION 678.01 ENTITLED “DESTRUCTION OF NOXIOUS WEEDS AND REMOVAL OF LITTER REQUIRED” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Mayor and Recreation Program Coordinator recommend that Section 678.01 of the City of Parma Heights Codified Ordinances be amended, in part, to remove milk weed and iron weed from the list of noxious weeds; and

WHEREAS, this update to the Parma Heights Codified Ordinances regarding noxious weeds would allow for the planting of both milk weed and iron weed in the community as they have both been discovered to provide contributions to the health of the local ecosystem.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That Section 678.01 of the Codified Ordinances shall be amended and, as amended, shall henceforth read as shown by edits set forth in Exhibit A, which is attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meeting open to the public, in compliance with the law.

Section 3: That this Ordinance shall take effect and be in force from and after the earliest date provided for by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR MARIE GALLO

EXHIBIT A

678.01 DESTRUCTION OF NOXIOUS WEEDS AND REMOVAL OF LITTER REQUIRED.

(a) (1) No person having charge of the following described lots or lands within the City shall fail to cut noxious weeds upon them as hereinafter described:

- A. All sublots in a recorded subdivision in their entirety;
- B. All land which lies within twenty feet of a lot line which is adjacent to lots or lands upon which a residential or commercial building exists;
- C. All land which lies within 120 feet of a dedicated thoroughfare;
- D. No person being the owner, occupant, lessee, agent, tenant or person in charge of any lot or parcel within the City shall allow or maintain on such lot or parcel of land between May 1 and November 1 of each year any growth of grass, weeds or other similar types of vegetation in excess of six inches in height.

(2) No person having charge of any lot or land described in this section shall fail to keep such lands free from Russian, Canadian or common thistle, wild lettuce, wild mustard, wild parsley, ragweed, ~~milk weed, iron weed~~ and all other noxious weeds growing or upon the lot or lands. Such weeds shall be destroyed by spraying with a chemical compound approved by the Director of Public Service, by cutting or digging under or by any other method approved by the Director.

(3) Upon written information that noxious weeds are growing on lands as hereinbefore described and are about to spread or mature seeds, the Director of Public Service shall cause a written notice to be served upon the owner, lessee, agent or tenant having charge of such land, notifying him that noxious weeds are growing on such lands and that they must be cut and destroyed within five days after the service of such notice.

(b) (1) As used in this chapter, "litter" includes weeds, grass and similar types of vegetation in excess of six inches in height, garbage, waste, peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, wagons, furniture, glass, debris, oil of an unsightly or unsanitary nature or anything else of an unsightly or unsanitary nature.

(2) Upon a finding by the Director of Public Service that litter has been placed on lands, has not been removed and constitutes a detriment to public health, the Director of Public Service shall cause a written notice to be served upon the owner, and, if different, upon the lessee, agent or tenant having charge of the littered land notifying him that litter is on the land, and that it must be collected and removed within 72 hours from the date of the service of the notice.

(3) If the owner or other person having charge of the land is a nonresident whose address is known, the notice shall be sent to his address by certified mail. If the last known address of the owner cannot be ascertained, the notice shall be posted on the outside front entrance of the building, or, if the premises are vacant land, then the notice shall be posted anywhere upon the vacant land.

(4) Service shall be perfected by any of the following methods:

- A. Ordinary mail;
- B. Certified mail;
- C. Personal service; and/or
- D. Posting in a conspicuous place on the premises.

(5) This notice shall be served only one time during the year. After such service it shall be mandatory for the owner, occupant, lessee, agent, tenant or person in charge of any lot or parcel of land to maintain the property or the City shall cause such weeds, grass or other similar type of vegetation to be cut during the growing season, as set forth above.

(6) The City will continue to maintain such lot or parcel of land until such time as the Director of Public Service is notified by the owner, occupant, lessee, agent, tenant or person in charge of such lot or parcel that arrangements have been made to properly landscape and maintain the lot or parcel of land.

(c) (1) Upon a finding by the Director of Public Service that the natural growth of lawns, landscaping and trees on land constitutes a blighting and deteriorating effect on the neighborhood in violation of Section 1363.08(b) of the Building Code, the Director shall cause a written notice to be served upon the owner, and, if different, upon the lessee, agent, tenant or person having charge of the land, notifying them that the violation of Section 1363.08(b) of the Building Code must be removed within 72 hours from the date of the service of notice.

(2) As used in this division, the natural growth of lawns in excess of six inches in height shall constitute a blighting or deteriorating effect on the neighborhood. If the owner or other person having charge of the land is a nonresident whose address is known, the notice shall be sent to the nonresident by certified mail. If the last known address of the owner cannot be ascertained, the notice shall be posted on the outside front entrance of the building, or, if the premises are vacant land, then the notice shall be posted anywhere upon the vacant land.

(3) Upon the completion of abatement, the Director of Public Service shall bill the property owner the price of the contractor's service and an additional ten dollars (\$10.00) for the City's administrative costs. The total costs shall be forwarded by the Director of Public Service to the Director of Finance who shall make a return in writing to the County Fiscal Officer of such total charge which shall be entered upon the tax duplicate of the county and be allocated on the taxes in accordance with Ohio R.C. 731.54.

(d) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the second degree.

(Ord. 1998-14. Passed 6-22-98; Ord. 2012-33. Passed 6-25-12.)

ORDINANCE NO. 2022 - 21

AN ORDINANCE AMENDING SECTION 965.11 ENTITLED “SOLID WASTE COLLECTION FEE” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA HEIGHTS, AND DECLARING AN EMERGENCY

WHEREAS, the collection and disposal of garbage and refuse in the City is a matter which affects the public health, welfare and safety of all City residents; and

WHEREAS, the City of Parma Heights wishes to maintain the highest level of public services to City residents; and

WHEREAS, the Ohio Revised Code Section 701.05 and Chapter 965 of the Codified Ordinances permit the assessment for the Solid Waste Fee Collection; and

WHEREAS, Codified Ordinances Section 965.11 (a) provides that the Council establish a rate for solid waste collection and disposal; and

WHEREAS, the Finance Director has determined the applicable monthly rate for collections and disposal services occurring in 2023 at \$17.77 per residence and \$16.77 for qualified residents with a Homestead Exemption; which rate is to be levied on the 2022 property tax duplicate, for collection in 2023; and

WHEREAS, the Council and Mayor are desirous of amending Section 965.11 of the Codified Ordinances, entitled Solid Waste Collection Fee, to certify to the County Fiscal Officer the costs due to the City for waste collection fees.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1: That Section 965.11 of the Codified Ordinances shall be amended and, as amended, shall henceforth read as shown by edits set forth in Exhibit A, which is attached hereto and incorporated by reference.

Section 2: Section 965.11 of the Codified Ordinances as it has heretofore existed is hereby repealed effective immediately.

Section 3: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 4: This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace, and safety of this municipality and for the further reason that waste collection fees are necessary for the usual daily operation of the municipality; wherefore, it shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

EXHIBIT A

965.11 SOLID WASTE COLLECTION FEE.

(a) For solid waste collection and disposal, the City shall charge to each residential dwelling within the municipality a monthly rate to be paid by the owner of said property. Such rate shall be ~~eleven dollars and twenty cents (\$11.20)~~ seventeen dollars and seventy-seven cents (\$17.77) per month per residence and ~~ten dollars and twenty cents (\$10.20)~~ sixteen dollars and seventy-seven cents (\$16.77) per month for qualified residents with Homestead Exemption for collection and disposal services occurring in ~~2022~~ 2023; which rate is to be levied on the ~~2021~~ 2022 property tax duplicate for collection in ~~2022~~ 2023. The Council shall review the monthly rate to be paid by the owner(s) of a residential dwelling within the municipality on a yearly basis to determine the necessity and amount of fee for the ensuing year.

(b) A residential dwelling is defined as a dwelling within the corporate limits of the municipality occupied by a person or group of persons, and multiple dwelling units where units have private means of egress.

(c) It is a determination of this Council to proceed with the assessing for the cost and expense of waste collection within the City in accordance with R.C. § 701.05 and this section, upon the residential properties, as defined in paragraph (b) herein, in the City of Parma Heights on file in the Office of the County Fiscal Officer for the ~~2021~~ 2022 tax duplicate and collection in the year ~~2022~~ 2023.

(d) The waste collection fee so assessed through the residential tax duplicate shall be reimbursed to the City by the County Fiscal Officer; and shall be credited to the General Fund of the City of Parma Heights.

(e) The Finance Director is authorized and directed to send to the Office of the County Fiscal Officer certified copies of this section in such numbers as are required.

(Ord. 2010-5. Passed 3-30-10; Ord. 2010-22. Passed 10-12-10; Ord. 2011-28. Passed 9-6-11; Ord. 2012-30. Passed 6-25-12; Ord. 2013-35. Passed 8-19-13; Ord. 2014-19. Passed 8-11-14; Ord. 2015-30. Passed 8-24-15; Ord. 2016-18. Passed 8-8-16; Ord. 2017-14. Passed 8-7-17; Ord. 2018-41. Passed 8-1-18; Ord. 2019-31. Passed 8-26-19; Ord. 2020-19. Passed 8-3-20; Ord. 2021-25. Passed 8-9-21.)

ORDINANCE NO. 2022 - 22

**AN ORDINANCE AMENDING CHAPTER 1305 OF THE PARMA HEIGHTS
CODIFIED ORDINANCES TO PROVIDE FOR ADOPTION OF THE NATIONAL
ELECTRICAL CODE, AS MAY BE AMENDED BY THE STATE OF OHIO
FROM TIME TO TIME.**

WHEREAS, the Director of Public Service and Chief Building Official recommend that Chapter 1305 of the City of Parma Heights Codified Ordinances be updated and amended, in part, to refer to, adopt, and incorporate the National Electrical Code (NEC), as may be amended by the State of Ohio, Board of Building Standards, from time to time; and

WHEREAS, Ohio Revised Code Section 731.231 grants the City full authority to adopt, enforce, and incorporate by reference the National Electrical Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That Chapter 1305 of the Codified Ordinances shall be amended and, as amended, shall henceforth read as shown by edits set forth in Exhibit A, which is attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meeting open to the public, in compliance with the law.

Section 3: That this Ordinance shall take effect and be in force from and after the earliest date provided for by law.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

CHAPTER 1305 National Electrical Code

1305.01 ~~2002 edition~~ National Electric Code adopted; purpose.

1305.02 File copies.

1305.03 Conflict of laws.

1305.04 Amendments.

1305.99 Penalty.

CROSS REFERENCES

Prosecutions for theft of utilities - see GEN. OFF. [642.26](#)

Electric fences - see GEN. OFF. [660.14](#)

Building Inspector - see BLDG. [Ch. 1323](#)

Electrical permit fee schedule - see BLDG. [1329.03](#)

Exterior lampposts - see BLDG. [Ch. 1361](#)

Smoke detectors - see FIRE. PREV. [1505.02](#) (BOCA F-510.0)

Signs - see BLDG. [Ch. 1383](#)

1305.01 ~~2002 EDITION~~ NATIONAL ELECTRIC CODE ADOPTED; PURPOSE.

Pursuant to Ohio R.C. 731.231, the City adopts, enforces, and incorporates herein by reference, for the purpose of establishing minimum standards for electrical materials and installations in one, two and three-family dwellings, mobile homes, multi-family dwellings and commercial and industrial occupancy, that certain code known as the National Electrical Code, ~~being specifically the 2002 edition thereof, promulgated by the National Fire Protection Association as adopted by the Ohio Board of Building Standards pursuant to Revised Code 3781.10, as may be amended from time to time, and which is codified at Ohio Administrative Code 4101:8-34-01, designated NFPA No.70-2002,~~ save and except such portions as are hereinafter modified or deleted.

(Ord. 1999-31. Passed 11 8 99; Ord. 2002-7. Passed 2 27 02.)

1305.02 FILE COPIES.

A complete copy of the National Electrical Code, as adopted in Section [1305.01](#), is on file with the Clerk of Council for inspection by the public. One copy shall also be on file

in the Cuyahoga County Law Library Parma Heights Library. The Clerk of Council has copies available for distribution to the public at cost.

(Ord. 1987-44. Passed 10-13-87; Ord. 2002-7. Passed 2-27-02.)

1305.03 CONFLICT OF LAWS.

In the event of a conflict between any of the provisions of the National Electrical Code, as adopted in Section [1305.01](#), and a provision of any local ordinance or resolution, the local ordinance or resolution shall prevail.

(Ord. 1999-31. Passed 11-8-99; Ord. 2002-7. Passed 2-27-02.)

1305.04 AMENDMENTS.

The National Electrical Code, as adopted in Section [1305.01](#), is hereby amended as follows:

Article 210 — Branch Circuits

~~NEC Section 210.19. Conductors — Minimum Ampacity and Size. (Amended)~~

~~—(a) No change~~

~~—(b) No change~~

~~—(c) No change~~

~~—(d) Other Loads. Branch circuit conductors that supply loads other than those specified in 210.2 and other than cooking appliances as covered in 210.9(C) shall have an ampacity sufficient for the loads served and shall not be smaller than 12 AWG.~~

Article 220 — Branch-Circuit, Feeder, and Service Calculations

~~NEC Section 220.4. Minimum loads. (Amended)~~

~~— Not more than four duplex receptacle outlets per circuit shall be installed on the required appliance branch circuits and not more than eight duplex outlets per circuit shall be installed on the required general lighting branch circuits. The total load shall not exceed the rating of the branch circuit, and it shall not exceed the maximum loads specified in 220.4(A) through (C) under the conditions specified therein.~~

Article 230 — Services

~~NEC Section 230.70. General. (Amended)~~

~~(a) Location. The service disconnecting means shall be installed inside a building or structure at a readily accessible location nearest the point of entrance of the service conductors.~~

Article 300 — Wiring Methods

~~NEC Section 300.13. Mechanical and Electrical Continuity Conductors. (Amended)~~

~~(a) No Change~~

~~(b) Device Removal. The continuity of grounded and ungrounded conductors in branch circuits shall not be dependent upon device connections.~~

~~Article 310 Conductors For General Wiring~~

~~NEC Section 310.2. Conductors. (Amended)~~

~~(a) No Change~~

~~(b) Conductor Material. All conductors on load side of service equipment shall be copper (200 amp service or less).~~

~~Article 334 Nonmetallic Sheathed Cable~~

~~NEC Section 334.4. Uses permitted. (Amended)~~

~~—Type NM and Type NMC cables shall be permitted to be used in one, two and three-family dwellings only. The dwellings are defined by the Regional Dwelling House Code Ch. 17. Sect. 1517.05.~~

~~Article 334 II Installation~~

~~NEC Section 334.10. Uses permitted. (Amended)~~

~~—Type NM (nonmetallic sheathed cable) shall not be run exposed in detached garages or sheds.~~

~~NEC Section 334.10. Exposed work General. (Amended)~~

~~—A. Unchanged~~

~~—B. Unchanged~~

~~—C. In Unfinished Basements. Type NM (nonmetallic sheathed cable) shall not be permitted to be secured to the lower edges of the joists. All cable running perpendicular to joists shall be run through bored holes. Cable run exposed in basements shall be limited to wiring serving the load of the immediate area only (i.e. lighting and receptacles). Wiring located below the level of the ceiling joists must be protected by conduit.~~

~~—(1) New Construction. Wiring for branch circuits whose load is not found in the basement area shall not be routed through the basement joists. Such wiring shall leave the panel board and pass through the floor in the area immediately above the panel board.~~

~~NEC Section 334.40. Boxes and Fittings. (Amended)~~

~~—A. No Change.~~

~~— B. This Section shall be deleted.~~

~~— C. No Change.~~

~~NEC Section 334.104. Conductors. (Amended)~~

~~— Notwithstanding any provision to the contrary in this section, the minimum size conductor shall be No. 12 AWG copper for power conductors. The signaling conductors shall comply with 780.5.~~

~~NEC Section 514 Gasoline Dispensing and Service Stations~~

~~NEC Section 514.8. Underground Wiring. (Amended)~~

~~— Underground wiring shall be installed in threaded rigid metal conduit. Exception No. 2 shall be deleted.~~

~~NEC Section 514.16. Grounding. (Amended)~~

~~— Metal portions of dispensing pumps, metal raceways and noncurrent-carrying metal parts of electric equipment, regardless of voltage, shall be grounded as provided in Article 250-100, and as per NFPA Article 30A, Chapter 4.3.1; NFPA Article 30, Chapter 2.5.3.4.~~

~~Article 600 Electric Signs and Outlined Lighting~~

~~NEC Section 600.5(c). Wiring Methods. (Amended)~~

~~— Conductors feeding sign structures shall be installed underground by an approved means.~~

~~— References: Section 1303.09 and Chapter 1383 of the Codified Ordinances of the City of Parma Heights.~~

~~NEC Section 600.10. Outdoor Portable Signs. (Added)~~

~~— Temporary signs shall be fed from receptacles which are an approved extension of building wiring or which are an integral part of an existing sign. The use of extension cords across parking lots, driveways or sidewalks is prohibited. Receptacles feeding temporary signs must be ground fault protected.~~

~~Article 700 Emergency Systems~~

~~NEC Section 700.1. Emergency System. (Amended)~~

~~— Exit and emergency lighting shall be provided in all commercial establishments.~~

~~(Ord. 1999-31. Passed 11-8-99; Ord. 2002-7. Passed 2-27-02.)~~

1305.99 PENALTY.

(a) Whoever violates or fails to comply with any of the provisions of the National Electrical Code is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned not more than 30 days, or both. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

(Ord. 1999-31. Passed 11-8-99; Ord. 2002-7. Passed 2-27-02.)

RESOLUTION NO. 2022 - 13

A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF PARMA HEIGHTS FOR THE FISCAL YEAR OF 2023, DIRECTING THAT THE SAME BE SUBMITTED TO THE FISCAL OFFICE OF CUYAHOGA COUNTY, AND DECLARING AN EMERGENCY

WHEREAS, the expenditure of money is necessary to secure needed City services and adoption of a tax budget is immediately required to provide funds necessary for such expenditures, and to comply with the statutory requirements for the filing thereof; and

WHEREAS, the Director of Finance prepared a tax budget for the City for the fiscal year beginning January 1, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1: The tax budget of the City of Parma Heights for the fiscal year beginning January 1, 2023 prepared by the Director of Finance and submitted to this Council, attached as Exhibit A, is adopted as the tax budget of the City of Parma Heights, Ohio for the fiscal year beginning January 1, 2023.

Section 2: The Director of Finance is authorized and directed to certify a copy of said tax budget and a copy of this Resolution, and to transmit the same to the Fiscal Office of Cuyahoga County, Ohio.

Section 3: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meeting open to the public, in compliance with the law.

Section 4: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of said City and for the further reason that the expenditure of money is necessary to secure needed city services, and adoption of a tax budget is immediately required to provide funds necessary for such expenditures; wherefore, it shall be in full force and effect from and immediately after its passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

EXHIBIT A

ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit: CITY OF PARMA HEIGHTS

For the Fiscal Year Commencing: JANUARY 1, 2023

Fiscal Officer Signature *K. Krasni* Date 6/24/2022

COUNTY OF CUYAHOGA

Background

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

Ohio Revised Code Section 5705.281

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit.

However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

County Budget Commission Duties

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

County Budget Commission Action

On October 11, 2002, during the Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281, but shall require the filing of this Alternative Tax Budget Information document on an annual basis.

Alternative Tax Budget Information Filing Deadline

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.

GUIDELINES FOR COMPLETING THE ALTERNATIVE TAX BUDGET INFORMATION

SCHEDULE 1

The general purpose of schedule 1 is to meet the requirement of Ohio Revised Code (ORC) Section 5705.04 which requires the taxing authority of each subdivision to divide the taxes levied into separate levies. For help use the schedule B issued by the budget commission for the current year and add any new levies. This will help to ensure that no levies are missed.

In column 1 list only those individual funds which are requesting general property tax revenue. In column 2 purpose refers to the following terms, inside, current expenses, and special levy for example. In column 4 levy type refers to renewal, additional, and replacement for example. In column 9 identify the amount of general property tax you wish to request.

NOTE:

The general purpose of column 9 is to demonstrate the need to produce property tax revenues to cover the estimated expenditures for the budget year. ORC Section 5705.341 states in part;

"Nothing in this section or any section of the ORC shall permit or require the levying of any rate of taxation, whether within the 10 mill limitation or whether the levy has been approved by the electors, the political subdivision or the charter of a municipal corporation in excess of such 10 mill limitation, unless such rate of taxation for the ensuing fiscal year is clearly required by a budget properly and lawfully, adopted under this chapter or by other information required per ORC 5705.281."

Property tax revenue includes real estate taxes, personal property taxes, homestead and rollback, and the personal property 10,000 exempt monies.

SCHEDULE 2

The general purpose of schedule 2 is to produce an Official Certificate of Estimated Resources for all funds.

In column 3, total estimated receipts should include all revenues plus transfers in excluding property taxes and local government revenue. All taxing authority must submit a list of all tax transfers.

SCHEDULE 3

The general purpose of schedule 3 is to provide inside/charter millage for debt service. The basic security for payment of general obligation debt is the requirement of the levy of ad valorem property taxes within the 10 mill limitation imposed by Ohio law. Ohio law requires a levy and collection of ad valorem property tax to pay debt service on general obligation debt as it becomes due, unless that debt service is paid from other sources.

SCHEDULE 4

The general purpose of schedule 4 is to provide for the proper amount of millage to cover debt service requirements on voted bond issues. Major capital improvement projects are sometimes financed through the use of voted bonds. The taxing authority seeks voter approval of general obligation bonds and of the levy of property taxes outside the indirect debt limitation in whatever amount is necessary to pay debt service on those bonds.

SCHEDULE 5

The general purpose of schedule 5 is to properly account for tax anticipation notes. See schedule 5 for more details.

DIVISION OF TAXES LEVIED

(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)
 (List All Levies Of The Taxing Authority)
 2023 TAX BUDGET

SCHEDULE 1

I Fund	II Purpose	III Authorized By Voters On MM/DD/YY	IV Levy Type	V Number Of Years Levy To Run	VI Tax Year Begins/ Ends	VII Collection Year Begins/ Ends	VIII Maximum Rate Authorized	IX \$ AMOUNT Requested Of Budget Commission
GENERAL FUND	Current Op	Charter Mill			1/1/2022	1/1/2023	6.9	\$2,800,000.00
BOND RETIREMENT	Debt Service	Charter Mill			1/1/2022	1/1/2023	1.5	\$600,000.00
CAPITAL IMPVT	Current Op	Charter Mill			1/1/2022	1/1/2023	0.5	\$120,000.00
RECREATION	Current Op	Charter Mill			1/1/2022	1/1/2023	0.5	\$120,000.00
POLICE PENSION	Current Op	Charter Mill			1/1/2022	1/1/2023	0.3	\$200,000.00
FIRE PENSION	Current Op	Charter Mill			1/1/2022	1/1/2023	0.3	\$200,000.00
Totals							10.00	\$4,040,000.00

STATEMENT OF FUND ACTIVITY

SCHEDULE 2

I	II	III	IV	V	VI	VII
Fund By Type	Beginning Estimated Unencumbered Fund Balance	Property Taxes and Local Government Revenue	Other Sources Receipts	Total Resources Available for Expenditures	Total Estimated Expenditures & Encumbrances	Ending Estimated Unencumbered Balance
GENERAL FUND	900,000.00	3,382,000.00	11,618,000.00	15,900,000.00	15,261,754.00	638,246.00
BOND RETIREMENT FUND	177,000.00	600,000.00	0.00	777,000.00	272,867.00	504,133.00
CAPITAL IMPROVEMENT FUND	26,000.00	120,000.00	0.00	146,000.00	128,296.00	17,704.00
RECREATION FUND	105,000.00	120,000.00	269,766.00	494,766.00	441,925.00	52,841.00
POLICE PENSION FUND	20,000.00	200,000.00	450,000.00	670,000.00	600,000.00	70,000.00
FIRE PENSION FUND	20,000.00	200,000.00	450,000.00	670,000.00	600,000.00	70,000.00
STREET MAINTENANCE FUND	38,000.00	972,750.00	934,750.00	972,750.00	937,000.00	35,750.00
HIGHWAY MAINTENANCE FUND	25,000.00	76,000.00	101,000.00	101,000.00	73,700.00	27,300.00
COMMUNITY DEVLPT BLOCK GRANT FUND	50,000.00	0.00	0.00	50,000.00	50,000.00	0.00
CEMETERY FUND	200.00	3,500.00	3,500.00	3,700.00	3,425.00	275.00
MUNICIPAL PERMISSIVE LEVY FUND	500.00	0.00	135,000.00	135,500.00	135,000.00	500.00
D.A.R.E. FUND	6.00	0.00	0.00	6.00	0.00	6.00
LAW ENFORCEMENT TRUST FUND	420.00	5,000.00	5,000.00	5,420.00	5,000.00	420.00
DRUG LAW ENFORCE. TRUST FUND	227.00	1,000.00	1,000.00	1,227.00	1,000.00	227.00
MAYOR'S COURT COMPUTER FUND	4,000.00	5,750.00	5,750.00	9,750.00	5,700.00	4,050.00
CAPITAL PROJECTS FUND	400,000.00	0.00	0.00	400,000.00	375,000.00	25,000.00
SAFETY FACILITIES/EQUIPMENT FUND	6540	115100	115100	121640	115000	6640
DEPOSIT TRUST FUND	5500	5350	5350	10850	10500	350
F.E.M.A. GRANT FUND	1	0	0	1	0	1
HOSPITAL IZATION RESERVE FUND	5500	0	0	5500	0	5500
MISCELLANEOUS TRUST FUND	22052	0	0	22052	0	22052
INDIGENT DRIVER FUND	8312	0	0	8312	0	8312
LAW ENFORCEMENT TRAINING FUND	421	0	0	421	0	421

TAX ANTICIPATION NOTES

(Schools Only)

NOT APPLICABLE

SCHEDULE 5

Tax anticipation notes are issued in anticipation of the collection of the proceeds of a property tax levy. The amount of money required to cover debt service must be deposited into a bond retirement fund, from collections and distribution of the tax levy, in the amounts and at the times required to pay those debt charges as provided in the legislation authorizing the tax anticipation notes. (ORC Section 133.24)

The appropriation to the fund which normally receives the tax levy proceeds is limited to the balance available after deducting the amounts to be applied to debt service.

After the issuance of general obligation securities or of securities to which section 133.24 of the ORC applies, the taxing authority of the subdivision shall include in its annual tax budget, and levy a property tax in a sufficient amount, with any other monies available for the purpose, to pay the debt charges on the securities payable from property tax. (ORC Section 133.25)

	Name Of Tax Anticipation Note Issue	Name Of Tax Anticipation Note Issue
Amount Required To Meet Budget Year Principal & Interest Payments:		
Principal Due		
Principal Due Date		
Interest Due		
Interest Due Date		
Interest Due		
Interest Due Date		
Total		
Name Of The Special Debt Service Fund		

Amount Of Debt Service To Be Apportioned To The Following Settlements:		
February Real		
August Real		
June Tangible		
October Tangible		
Total		
Name Of Fund To Be Charged		

ORDINANCE NO. 2022 - 23

AN ORDINANCE AMENDING SECTION 618.10 ENTITLED “ANIMALS RUNNING AT LARGE; ANIMAL OWNER LIABLE FOR DAMAGE TO PUBLIC OR PRIVATE PROPERTY” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, the Parma Heights Police Department will begin utilizing a police dog in the summer of 2022; and

WHEREAS, the Parma Heights Codified Ordinances regarding animals running at large need to allow police dogs to perform official duties.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That Section 618.10 of the Codified Ordinances shall be amended and, as amended, shall henceforth read as shown by edits set forth in Exhibit A, which are attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meeting open to the public, in compliance with the law.

Section 3: This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace, and safety of this municipality and for the further reason that it is necessary to allow the Police Department to utilize police dogs to maintain safety; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

618.10 ANIMALS RUNNING AT LARGE; ANIMAL OWNER LIABLE FOR DAMAGE TO PUBLIC OR PRIVATE PROPERTY.

(a) No owner/guardian of any animal, including, but not limited to, dogs and cats, shall permit such an animal to run at large within the City at any time. Any animal shall be deemed running at large when such an animal is not inside a resident structure, secure fence or pen; on a leash and held by a person capable of controlling such animal; or tethered in such a manner as to prevent its getting on the public right-of-way or another's property. This provision shall not apply to dogs being obedience trained by a certified trainer.

(b) The owner, keeper or harbinger of a domestic animal who permit it to run at large in violation of this section shall, in addition to the penalty provided in division (g) of this section, the owner of the animal will be liable for all damage or destruction to the owner or occupant of the damaged property for the full value of the damage or destruction.

(c) Any land which is enclosed with invisible fencing must have its boundary no less than six feet from public property. (The public is encouraged, but not required to post signs regarding invisible fencing.)

(d) No person who is the owner or in charge of any dog shall permit such dog to be tethered in a front or side yard.

(e) This section shall not apply to persons operating under the guidelines of a program approved by the Director of Public Safety for providing for the trapping, spaying, or neutering, and releasing of cats and dogs with the purpose of reducing the unwanted stray-animal population in the City.

(f) This section shall not apply to a police dog that is being used to assist one or more law enforcement officers in the performance of their official duties or during the police dog's normal course of duty.

(f) (g) Whoever violates any provision of this section is guilty of a minor misdemeanor for a first offense. Whoever violates this section in a second or subsequent offense shall be guilty of a misdemeanor of the fourth degree.

(Ord. 2019-3. Passed 2-11-19.)

ORDINANCE NO. 2022 - 24

AN ORDINANCE AMENDING SECTION 618.15 ENTITLED "ANIMALS IN CITY PLAYGROUNDS AND CERTAIN OTHER PARK AREAS" OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, the Parma Heights Police Department will begin utilizing a police dog in the summer of 2022; and

WHEREAS, the Parma Heights Codified Ordinances regarding animals in city playgrounds and parks need to allow police dogs to perform official duties.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That Section 618.15 of the Codified Ordinances shall be amended and, as amended, shall henceforth read as shown by edits set forth in Exhibit A, which are attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meeting open to the public, in compliance with the law.

Section 3: This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace, and safety of this municipality and for the further reason that it is necessary to allow the Police Department to utilize police dogs to maintain safety; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR MARIE GALLO

EXHIBIT A

618.15 ANIMALS IN CITY PLAYGROUNDS AND CERTAIN OTHER PARK AREAS.

(a) No domestic animal shall enter any play apparatus in any playground. Dogs are permitted on a leash in parks owned or maintained by the City, providing no owner, keeper or harbinger of a dog shall fail to comply with all provisions in this division (a) of this section and all remaining applicable code.

(b) An owner of a domestic animal that violates division (a) of this section is guilty of a minor misdemeanor. If the offender has been previously convicted of violating this section, any subsequent violation is a misdemeanor of the fourth degree.

(c) This section does not apply to guide, leader, hearing, or support dogs in accordance with federal regulations.

(d) This section does not apply to a police dog that is being used to assist one or more law enforcement officers in the performance of their official duties or during the police dog's normal course of duty.

(Ord. 2019-3. Passed 2-11-19.)

ORDINANCE NO. 2022 - 25

AN ORDINANCE AMENDING SECTION 618.21 ENTITLED "HUNTING, POISONING AND TRAPPING PROHIBITED" OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the overpopulation of white-tailed deer within the City of Parma Heights negatively impacts public health and safety due to an excessive number of deer-related vehicular accidents, destruction of natural habitats and biodiversity, increased risk of disease transmission to humans from deer parasites, and damage to private and public property; and

WHEREAS, the Department of Public Safety considered the options to control the deer population, with the assistance and input from the Ohio Department of Natural Resources, and other municipalities; and

WHEREAS, the City believes that a city-sponsored approach to managing the deer population is the most effective strategy to manage deer; and

WHEREAS, City Council desires to provide the Mayor and the Director of Public Safety with an effective, flexible and feasible tool to address deer overpopulation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That Section 618.21 of the Codified Ordinances shall be amended and, as amended, shall henceforth read as shown by edits set forth in Exhibit A, which is attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: That this Ordinance shall take effect and be in force from and after the earliest date provided for by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR MARIE S. GALLO

EXHIBIT A

618.21 HUNTING, POISONING AND TRAPPING PROHIBITED.

(a) Hunting Prohibited. The hunting of animals or birds within the Municipality is prohibited. No person shall hunt, kill or attempt to kill an animal by the use of firearms, bow hunting, trapping or any other method, except as follows;

(1) The limited hunting of white-tailed deer by crossbow or long bow may be permitted within the City under the following terms and conditions:

- A. The Police Chief or his or her designated representative may, in his or her sole discretion, issue a Municipal Deer Control Permit to a qualified archer applicant;
- B. As a corollary to and following the issuance by the ODNR of its own Deer Damage Control Permit or license to allow only bow-hunting (long bow and crossbow) of white-tailed deer;
- C. In areas of not less than five contiguous acres by a qualified archer, on such forms and subject to such rules and regulations as the Chief may prescribe;
- D. Hunting shall be conducted from an elevated platform only;
- E. Written permission from the property owner(s) has been obtained;
- F. "Qualified archer" shall be defined as an individual having obtained an approval/certification from approved archery proficiency test site, a valid Ohio hunting license, if applicable, and all other state requirements;
- G. Compliance with all laws, rules and regulations of the City and State;
- H. All applicants shall agree, in writing, to defend and indemnify the City for any negligent acts or damages committed by the applicant;
- I. Any other requirements as deemed necessary to preserve and protect the health, safety and welfare of the residents as determined solely by the Chief of Police; and
- J. Chief of Police is hereby authorized to promulgate any and all rules and regulations necessary to carry out the provision of this section and all other rules and regulations necessary to insure public health and safety.

~~(2) Nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief.~~

~~(3) Whoever violates this section is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 698.02.~~

(2) The City may utilize firearms-trained personnel to cull white-tailed deer upon property owned or managed by the City or upon private property with permission, provided that:

- A. The Chief of Police or his designee has determined that such culling can be safely conducted on such property; and
- B. Such personnel are employed by or associated with a federal agency, state agency or local law enforcement agency; and
- C. Such culling has been approved by the Ohio Department of Natural Resources, Division of Wildlife.

(b) Trapping. The trapping of animals or birds within the municipality is prohibited by all persons except the animal control officer or wildlife removal and control services that resident's privately contract, providing that the wildlife removal and control service shall only use humane methods/traps, where possible, that are not dangerous to the life or limb of animals to be trapped, or any persons who have any possibility of coming into contact with such traps. Any use of firearms is strictly prohibited. Wildlife removal and control services comply with Section 618.19 and keep current records on animals destroyed and are required to produce said records on demand by any Police Officer, Humane Agent, or animal control officer.

(c) Trapshooting. Live birds or fowl shall not be used as targets in trapshooting.

(d) Poisoning. No poisoned meat or any poisonous substance shall be cast into any of the streets, public places, lots or buildings in the City for the purpose of harming, destroying or killing animals. Nuisance rodent traps are excluded.

~~(e) Whoever violates this section is guilty of a misdemeanor of the fourth degree. If the offender has been previously convicted of violating this section, any subsequent violation is a misdemeanor of the third degree.~~

(e) No person shall, for the purpose of hindering or preventing the lawful culling of white-tailed deer pursuant to divisions (a)(1) and (a)(2) hereof, knowingly engage in any of the following conduct:

- (1) Block, obstruct, impede, or attempt to block, obstruct, or impede a person lawfully engaged in such culling;
- (2) Erect a barrier with the intent to deny ingress or egress from the areas where such culling is lawfully being conducted;
- (3) Make or attempt to make unauthorized physical contact with or in any way interfere with a person lawfully engaged in such culling; or
- (4) Make or attempt to make loud noises or gestures, set out or attempt to set out or attempt to set out animal baits, scents, lures, or human scent, use any other natural or artificial visual, aural, olfactory, or physical stimuli, or engage in or attempt to engage in any other similar action or activity in order to interfere with such culling.

(f) The prohibition set forth in subsection (a) hereof shall not apply to deer culling population management programs sponsored by and conducted on land owned or managed by the City of Parma Heights or the Cleveland Metropolitan Park District.

(g) The prohibitions set forth in Section 618.13 "FEEDING ANIMALS AND WILDLIFE" of the Parma Heights Codified Ordinances shall not apply to deer culling population management programs conducted by the City of Parma Heights or the Cleveland Metropolitan Park District.

(h) Nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief.

(i) Whoever violates division (a)(1) of this section is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 698.02. Whoever violates division (b), (c), (d), or (e) of this section is guilty of a misdemeanor of the fourth degree. If the offender has been previously convicted of violating this section, any subsequent violation of division (b), (c), (d), or (e) of this section is a misdemeanor of the third degree.