



City of Parma Heights

Council Meeting

6281 Pearl Road

Monday, February 26, 2024

7 :00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

ACTION ON MINUTES: FEBRUARY 12, 2024 – CITY COUNCIL MEETING

REPORTS FROM MAYOR AND DIRECTORS

COMMUNICATIONS: NONE AT THIS TIME

PUBLIC SESSION

LEGISLATION

Second Reading

1. **ORDINANCE NO. 2024 – 9**

AN ORDINANCE AMENDING SECTION 121.07 ENTITLED “RULES OF ORDER” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AS AMENDED AND ~~DECLARING AN EMERGENCY~~

First Reading

2. **ORDINANCE NO. 2024 – 10**

AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO ENTER INTO A CONTRACT WITH RICHARD L. BOWEN + ASSOCIATES, INC. TO SERVE AS CITY ENGINEER, AND PROVIDING FOR PAYMENT FOR SERVICES RENDERED THEREUNDER, AND DECLARING AN EMERGENCY

3. **ORDINANCE NO. 2024 – 11**

AN ORDINANCE AMENDING CHAPTER 1394 ENTITLED “REGISTRATION AND EXTERIOR INSPECTION OF RENTAL PROPERTIES” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

4. **ORDINANCE NO. 2024 – 12**

AN ORDINANCE AMENDING SECTION 618.27 ENTITLED “HARBORING OF PIGEONS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

5. **ORDINANCE NO. 2024 – 13**

AN ORDINANCE AMENDING CHAPTER 715 ENTITLED “AUCTIONS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

6. **ORDINANCE NO. 2024 – 14**

AN ORDINANCE AMENDING SECTION 723.01 ENTITLED “LICENSE REQUIRED; FEE” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

7. ORDINANCE NO. 2024 – 15

AN ORDINANCE AMENDING SECTION 727.03 ENTITLED “LICENSE FEE; EXPIRATION” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

8. ORDINANCE NO. 2024 – 16

AN ORDINANCE AMENDING SECTION 906.13 ENTITLED “PERMIT FEES” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

9. ORDINANCE NO. 2024 – 17

AN ORDINANCE AMENDING CHAPTER 751 ENTITLED “MECHANICAL AMUSEMENT DEVICES AND INTERACTIVE ENTERTAINMENT AND COMPUTER SWEEPSTAKE DEVICES” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

10. ORDINANCE NO. 2024 – 18

AN ORDINANCE AMENDING SECTION 755.01 ENTITLED “LICENSE REQUIRED” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

11. ORDINANCE NO. 2024 – 19

AN ORDINANCE AMENDING SECTION 618.29 ENTITLED “BEEKEEPING” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

12. ORDINANCE NO. 2024 – 20

AN ORDINANCE AMENDING CHAPTER 735 ENTITLED “FORTUNETELLING” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

13. ORDINANCE NO. 2024 – 21

AN ORDINANCE AMENDING SECTION 335.15 ENTITLED “REGISTRATION OF SNOW PLOW OPERATORS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

14. ORDINANCE NO. 2024 – 22

AN ORDINANCE AMENDING SECTION 634.08 ENTITLED “REGISTRATION OF VACANT PROPERTY” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

15. ORDINANCE NO. 2024 – 23

AN ORDINANCE AMENDING SECTION 634.09 ENTITLED “FORECLOSURE REGISTRATION” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

16. ORDINANCE NO. 2024 – 24

AN ORDINANCE AMENDING CHAPTER 1321 ENTITLED “BUILDING FEES” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

MISCELLANEOUS BUSINESS:

- **ADJOURN TO EXECUTIVE SESSION TO DISCUSS PENDING OR IMMINENT COURT ACTION.**

ADJOURNMENT

ORDINANCE NO. 2024 - 9

AN ORDINANCE AMENDING SECTION 121.07 ENTITLED “RULES OF ORDER” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AS AMENDED AND DECLARING AN EMERGENCY

WHEREAS, within the last two years, Council amended its Rules of Order on two occasions; and

WHEREAS, Codified Ordinance Section 121.07 entitled “Rules of Order” tracks amendments to the Rules of Order; and

WHEREAS, this Council desires to amend Section 121.07 to include reference to the two most recent amendments to the Rules of Order.

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 121.07 of the Codified Ordinances as it previously existed is 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: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

EXHIBIT A

121.07 RULES OF ORDER.

There is hereby adopted the Rules of Order attached to original Ordinance 1991-46, passed December 30, 1991, as Exhibit A and amended by Ordinance 2002-24, passed June 10, 2002, ~~and~~ Ordinance 2011-1, passed January 10, 2011, Ordinance 2022-40, passed November 28, 2022, and Ordinance 2024-1, passed January 8, 2024. Such Rules are hereby made a part of this section by reference as if fully rewritten herein for the purpose of establishing Rules of Order governing Council.

(Ord. 1991-46. Passed 12-30-91; Ord. 2002-24. Passed 6-10-02; Ord. 2011-1. Passed 1-10-11; Ord. 2011-1. Passed 1-10-11.)

ORDINANCE NO. 2024 - 10

AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO ENTER INTO A CONTRACT WITH RICHARD L. BOWEN + ASSOCIATES, INC. TO SERVE AS CITY ENGINEER, AND PROVIDING FOR PAYMENT FOR SERVICES RENDERED THEREUNDER, AND DECLARING AN EMERGENCY

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

Section 1. The employment of the firm of Richard L. Bowen + Associates, Inc., as appointed by the Mayor, is authorized, for the period beginning on January 1, 2024 and ending on December 31, 2025, to perform the services that may be required of said firm, as City Engineer, in accordance with the provisions of the Charter and Ordinances of the City of Parma Heights, and the contract between the City of Parma Heights and said Engineer, identified as Exhibit “A”, attached hereto, and made a part hereof as though fully rewritten.

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. This Ordinance is declared to be an emergency measure immediately necessary for the public peace, health, and safety of the Municipality, and for further reason that engineering services are necessary in the regular conduct of the City’s business; wherefore, this Ordinance 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

AGREEMENT

Between

CITY OF PARMA HEIGHTS, OHIO

&

RICHARD L. BOWEN + ASSOCIATES, INC.

For

CITY ENGINEERING SERVICES

THIS AGREEMENT made at Parma Heights, Ohio, effective _____, 2024 by and between the CITY OF PARMA HEIGHTS, 6281 Pearl Road Parma Heights, OH 44130 [hereinafter referred to as “CITY”], and RICHARD L. BOWEN + ASSOCIATES, INC., 2019 Center Street, Suite 500, Cleveland, Ohio, 44113 [hereinafter referred to as “CONSULTING ENGINEER”]; and PIETRO A. DiFRANCO, P.E. [hereinafter referred to as “CITY ENGINEER”].

WHEREAS, the CITY intends to employ a qualified Engineering and Architectural Consulting Firm authorized in the State of Ohio to perform professional engineering and architectural services necessary to meet the challenges and needs of the community through the coming years for and on behalf of the CITY as hereafter set forth; and

WHEREAS, the Mayor selected CITY ENGINEER, and CONSULTING ENGINEER as the persons and firm most qualified to perform the professional services required at a price that is fair and reasonable to the CITY;

WHEREAS, an “ASSISTANT CITY ENGINEER” shall be an employee of CONSULTING ENGINEER and named by the CONSULTING ENGINEER and subject to approval by the Mayor;

WHEREAS, the CITY desires said Agreement and terms thereof to be effective January 1, 2024 through December 31, 2025;

NOW THEREFORE, the CITY, CITY ENGINEER, ASSISTANT CITY ENGINEER, and CONSULTING ENGINEER, each acknowledging the sufficiency of the consideration contained in the terms and conditions of the Agreement, agree as follows:

SECTION 1. BASIC SERVICES.

1.1 The SERVICES required to be performed by the CITY ENGINEER, ASSISTANT CITY ENGINEER, and the CONSULTING ENGINEER under this Agreement shall be the basic services provided to the CITY.

1.2 The CITY ENGINEER and ASSISTANT CITY ENGINEER shall receive a retaining fee in the sum shown in below per annum unless increased by Council.

	2024	2025
CITY ENGINEER	\$30,000.00	\$30,800.00
ASSISTANT CITY ENGINEER	\$15,000.00	\$15,400.00

The retaining fees shall be paid on a monthly basis commencing upon the effective date of this ordinance, and the amounts shall be subject to the contribution by the CITY and the CITY ENGINEER and ASSISTANT CITY ENGINEER, respectively, to OPERS for which they shall perform the following services:

- (a) Give advice to Council, the Mayor, residents, builders, etc. and other proper administrative officials on problems pertaining to engineering, zoning, building, etc.
- (b) Prepare formative or preliminary sketches, layouts, estimates or reports, concerning the advisability of proceeding with any public improvements contemplated by the Council.
- (c) Make recommendations regarding the engineering features of dedication plans, utility plans and such other requests of persons or firms as will require the use of the special knowledge possessed by the CITY ENGINEER and/or ASSISTANT CITY ENGINEER.
- (d) Review projects and prepare advisory reports for and, as necessary, attend regular City Council and Planning Commission meetings as needed and directed by the Mayor. The Mayor, in their sole discretion, shall determine when attendance at other meetings is needed.

- (e) Minor consultation and site inspection(s) with such authorized representatives of the City, providing such consultation requires no preparation of detailed plans, estimates or field investigations.
- (f) With respect to City projects, prior to performance of Additional Services and specifications for competitive bidding, perform such preliminary schematic design services and cost estimation so as to assist the Mayor and City officials with project planning and budgeting, including but not limited to review of site conditions.
- (g) Interpret and administer applicable laws, in consultation with city officials, in conjunction with development proposals, or compliance and enforcement thereof.
- (h) Provide assistance in the preparation of and filing of applications for Financial Assistance in the form of preliminary estimates of construction cost and minor engineering detail.
- (i) In providing the BASIC SERVICES set forth in paragraphs (a) through (h) above, CITY ENGINEER and/or ASSISTANT CITY ENGINEER shall be available and accessible to the Mayor an average of ten (10) hours per week, calculated over an extended period of time, and as set forth by a mutually agreed upon schedule. CITY ENGINEER and/or ASSISTANT CITY ENGINEER may be directed by the Mayor to keep office hours at City Hall, but are not required to be present at City Hall during the designated time, but shall insure that they are nonetheless at all times designated, available and accessible to the Mayor. When the CITY ENGINEER and ASSISTANT CITY ENGINEER are temporarily unavailable on such days to provide services due to illness, vacation or similar events, they may designate a qualified engineer in the CONSULTING ENGINEER'S office to temporarily provide such services.

Other than the retaining fee and OPERS contribution stated above, CITY ENGINEER and ASSISTANT CITY ENGINEER shall not receive any other wages or benefits from the CITY pursuant to this Agreement. All other fees and expenses are excluded from OPERS and are subject to the terms applicable to independent contractors.

SECTION 2. ADDITIONAL SERVICES.

2.1 The CONSULTING ENGINEER shall designate the CITY ENGINEER, ASSISTANT CITY ENGINEER, or another qualified engineer to furnish the following additional services to the CITY, if requested, according to the schedule or rates set forth in Paragraphs 2.2 and 2.3, and the authorizing procedures set forth in Section 4:

- (a) Prepare all necessary plans, profiles, specifications, and estimates of cost of every kind for public improvements including, but not limited to, minor roads and streets, off-street parking lots, retaining walls, sidewalks, and street resurfacing.

- (b) Serve as the authorized representative of the CITY and supervise the execution of public works undertaken by the CITY pursuant to plans and specifications approved by Council.
- (c) Furnish to the Council and/or any other CITY official plans, specifications and estimates of the costs of public improvements for the guidance of the Council and CITY Officials, and for the information and guidance of other persons dealing with the CITY.
- (d) Make and deliver to the Mayor and Council monthly reports of the progress of improvements under its charge which reports may be given orally at the City Council meetings.
- (e) The CONSULTING ENGINEER'S services shall be available to any department of the CITY or any official acting in his official capacity.
- (f) Assistance to the City in securing, tabulating and evaluating construction bids and furnishing an engineering assessment of the Contractor's capability to perform such public improvement.
- (g) Periodic visits to the site of the work by a duly qualified representative of the Engineer throughout the active construction periods for review of the progress and quality of the construction work to assure compliance with the specifications and to provide consultation with CITY representatives. The Engineer shall not be responsible for, nor have control of, construction means, methods, techniques, sequences; or for safety programs in connection with the work by the Contractor(s).

2.2 The CITY shall reimburse the CONSULTING ENGINEER for services rendered as follows:

- (a) For work done under Section 2.1 which involves public improvement project contracts to be awarded by the Board of Control, the compensation shall be in accordance with the following fee schedule:

<u>If the actual Cost of the Improvement Project is</u>	<u>Engineering Fee for Design of Improvement Project shall be</u>
\$ 0 to 100,000	12%
100,001 to 500,000	Base fee of 12% of the first \$100,000 plus 7.5% of the amount over \$100,000
500,001 to 1,000,000	Base fee of 8.4% of the first \$500,00 plus 6.8% of the amount over \$500,000
1,000,001 to 5,000,000	Base fee of 7.2% of the first \$1,000,000 plus 6.2% of the amount over \$1,000,000

The fees are payable as follows:

- (1) Seventy-five percent (75%) of the total fee shall be paid when contract plans, specifications and detailed estimates are completed and submitted to the CITY.
- (2) The remaining twenty-five percent (25%) of the total fee shall be payable in pro rata monthly payments in accordance with the estimated percentages of work completed by construction, until the aggregate of all payments shall equal the total remaining amount due under this Agreement as provided for in this Agreement.
- (3) That if any authorized work (covered by this Agreement) being performed by the CONSULTING ENGINEER shall be suspended, postponed, or abandoned prior to the completion and submission of the work to the CITY, the CONSULTING ENGINEER shall be reimbursed for services rendered on account of it, the payment shall be based as far as possible on the fee established in this Agreement or where the Agreement cannot be applied, then the basis shall be at the rate per diem. Payment for this work shall be within ninety (90) days of suspension, postponement or abandonment.
- (4) The fee provided in Section 2.2(a) hereof, shall cover all engineering services need for the improvement project, including preliminary estimates and reports, complete detailed plans and specifications, and preparation of monthly and final estimates for contractors' payments.

2.3 For engineering services not heretofore specified, the CONSULTING ENGINEER shall be compensated on a time spent basis as set forth in the schedule of hourly rates below, plus expenses, supplies and transportation.

(a) SCHEDULE OF HOURLY RATES

	2024	2025
City Engineer or Associate	\$ 104.00	\$ 106.00
Assistant City Engineer	\$ 104.00	\$ 106.00
Surveyor	\$ 82.00	\$ 84.00
Project Engineer	\$ 93.00	\$ 95.00
Draftsman	\$ 71.00	\$ 72.00
Designer	\$ 81.00	\$ 83.00
Construction Observation (City	\$ 61.00	\$ 63.00
Clerical/Administrative Assistant	\$ 42.00	\$ 43.00
Two Man Field Crew	\$ 127.00	\$ 129.00
Three Man Field Crew	\$ 181.00	\$ 183.00
Architect	\$ 155.00	\$ 157.00

- (b) The aforementioned Schedule of Rates in Section 2.3(a) shall cover the following services which the CONSULTING ENGINEER may provide:
- (1) Property, topographic, boundary, right-of-way, or grade surveys
 - (2) Line and grade stakes
 - (3) Resident Engineer
 - (4) Inspection of Construction
 - (5) Shop, mill or field inspection of materials
 - (6) Calculations of special assessments
 - (7) Cost of borings or other sub-surface explorations
 - (8) For special surveys, reports, etc., involving work not let by publicly bid contract for any and all duly authorized services not specified in Section 1 or 2, nor incident to nor in any way connected with the construction of public improvements.
- (c) Payment for services as heretofore set forth in Section 2.3 shall be made at the completion of each service and upon billing by the CONSULTING ENGINEER, setting forth the time, expense, supplies and transportation furnished.

SECTION 3. DOCUMENTS.

3.1 Plans and specifications, sketches, maps, drawings, linens, plats and similar finished documents prepared for the CITY and by the CITY ENGINEER, ASSISTANT CITY ENGINEER, or the CONSULTING ENGINEER, when completed, shall be deposited with the City, and shall be retained by the City as a record of the City of Parma Heights. The CITY shall have all property and proprietary rights with respect to such prepared documents.

SECTION 4. AUTHORIZATION FOR ADDITIONAL ENGINEERING WORK.

4.1 Engineering work other than that provided for in Section 1 shall not be undertaken by the CONSULTING ENGINEER unless specifically requested by the Mayor and authorized by purchase order approved by the Director of Finance or separate written contract signed by the Mayor and approved by the Director of Law and the Director of Finance. No other official shall authorize the CONSULTING ENGINEER to perform additional engineering services.

In the event of an emergency necessitating immediate additional services by the CONSULTING ENGINEER, services may be rendered pursuant to purchase order requested and approved by the Mayor and Director of Finance. The Mayor shall be the sole judge of whether a bona fide emergency exists.

SECTION 5. STATUS REPORT

5.1 On the first day of the month in which the term of this Agreement ends the CONSULTING ENGINEER shall provide a status report, in writing, of all work and projects then in process. A copy of such report shall be provided to the Mayor, and the Directors of Finance, and Law, and City Council.

SECTION 6. AUTOCAD

6.1 All sewers, water, sidewalks, and paving plans and plats shall be finalized by the CONSULTING ENGINEER in electronic format (AutoCAD) and shall be retained as hereinbefore provided, as a record of the City, with the City having all property and proprietary rights in such documents.

SECTION 7. TERM OF APPOINTMENT AND AGREEMENT

7.1 The term of the CONSULTING ENGINEER, CITY ENGINEER and ASSISTANT CITY ENGINEER and of this Agreement shall be for a twenty-four (24) month period commencing on January 1, 2024, and concluding on December 31, 2025. Beyond the aforementioned twenty-four (24) month period, this Agreement shall automatically continue under the conditions contained herein upon written consent by the Mayor and CONSULTING ENGINEER. Such continuation may be terminated upon thirty (30) days written notice by the CITY or the CONSULTING ENGINEER.

7.2 It is further agreed that the CITY ENGINEER, ASSISTANT CITY ENGINEER, and CONSULTING ENGINEER shall be permitted to conclude engineering services after the term of his appointment and its agreement has ended, for sewer, water, paving, and sidewalk projects previously authorized by the City Administration and/or Council during term through the design phase thereof, which includes plans, profiles, specifications and estimates of cost as provided in Sections 1 and 2 of this Agreement.

7.3 This Agreement is non-exclusive to the extent that nothing herein shall be construed to prevent the CITY from engaging other City Engineers for specific projects during the term of this Agreement.

SECTION 8. COST

8.1 In reference to the provision of this Contract between the CITY and the CONSULTING ENGINEER permitting the CITY ENGINEER and/or ASSISTANT CITY ENGINEER to contract for material and supplies at cost, upon the expense of the CITY, it is agreed that no materials and supplies shall be so authorized by CITY ENGINEER or ASSISTANT CITY ENGINEER, for no single project, at a cost of Five Hundred Dollars (\$500.00) or more, without prior authorization from the Mayor.

SECTION 9. ACCEPTANCE OF OTHER EMPLOYMENT

9.1 Neither the CITY ENGINEER, the ASSISTANT CITY ENGINEER, nor the CONSULTING ENGINEER shall, without the consent of Council, during the term of this Agreement, accept any employment from any firm or corporation engaged in the business of establishing subdivisions or erecting buildings, or under contract for any public improvement, within the City of Parma Heights. The CITY ENGINEER, the ASSISTANT CITY ENGINEER, and the CONSULTING ENGINEER have been advised to comply with ORC 102.02 concerning refraining from any private work on CITY improvement projects for certain time period as specified in the aforementioned statute.

SECTION 10. DISPUTES

10.1 Except as this agreement otherwise provides, all claims, counterclaims, disputes and other matters in question between the CITY and the CITY ENGINEER, the ASSISTANT CITY ENGINEER, and the CONSULTING ENGINEER out of or relating to this Agreement or the breach of it will be decided by mediation if the parties hereto mutually agree, or in a court of competent jurisdiction within the State of Ohio, County of Cuyahoga.

SECTION 11. TERMINATION OF AGREEMENT

11.1 It is expressly understood and agreed that either the CITY or CITY ENGINEER and the CONSULTING ENGINEER may terminate this Agreement at any time by giving 30 days advance written notice to the other party either personally to the representative of that party who signed this Agreement, or by registered mail, return receipt requested, addressed to the principal office of that party. The ASSISTANT CITY ENGINEER shall not have any right to terminate this Agreement.

11.2 In the event that this Agreement is terminated by either the CITY or the CITY ENGINEER and the CONSULTING ENGINEER, the CITY ENGINEER and the CONSULTING ENGINEER shall only be entitled to be compensated for any BASIC SERVICES, ADDITIONAL SERVICES, and/or Other Engineering Services, as defined above, performed to the date of termination performed. Such compensation shall be based on the provisions set forth herein, if possible. For any services rendered to which these provisions do not apply, payment shall be based upon a per diem rate for the actual time spent rendering the services, computed by using the average rate for such services rendered by other comparable firms in Cuyahoga County, Ohio.

11.3 The Engineer shall be permitted to complete all started projects and design work in process only upon authorization of the Mayor and City Council; all other services shall cease at the end of thirty (30) days. The Engineer shall return to the City all maps, drawings and other City Records.

SECTION 12. INSURANCE

12.1 The CITY ENGINEER and CONSULTING ENGINEER shall comply with all workers' compensation laws of the State of Ohio and shall carry at least the following minimum private insurance coverage:

- a. General Liability and Comprehensive Automobile Liability Insurance in an amount not less than One Million Dollars (\$1,000,000.00 aggregate) for injuries, including those resulting in death, to any personal, and property damage. Said insurance shall be maintained in full force and effect during the life of this Agreement and shall protect the CITY ENGINEER, ASSISTANT CITY ENGINEER, and CONSULTING ENGINEER, their employees, agents,

and representatives from claims for damages for personal injury and wrongful death and for damages to property arising in any manner from the negligent or wrongful acts, errors or omissions of the CITY ENGINEER, ASSISTANT CITY ENGINEER, and CONSULTING ENGINEER, their employees, agents or representatives in the performance of the services under this Agreement.

- b. Valuable Papers insurance in an amount sufficient to assure the restoration of any drawings, project manual pages, field notes, or similar data relating to the work under this Agreement, in the event of their loss or destruction, during the life of this Agreement.
- c. Professional Liability Insurance in an amount \$1,000,000.00 aggregate shall be carried by the CITY ENGINEER, ASSISTANT CITY ENGINEER, and CONSULTING ENGINEER to provide coverage for any errors, omissions or negligence by CITY ENGINEER, ASSISTANT CITY ENGINEER, and CONSULTING ENGINEER, and their employees, agents, and representatives.

12.2 Certificates showing the CITY ENGINEER and CONSULTING ENGINEER are carrying all of the above-described insurances in at least the above specified minimum amounts shall be furnished to the City Finance Director before the CITY is obligated to make any payment to the CITY ENGINEER, ASSISTANT CITY ENGINEER, and CONSULTING ENGINEER for any services rendered by them under this Agreement. Such certificates for all such required insurances shall name the CITY as an additional insured party, except for professional liability insurance and workers' compensation, and shall provide for advance written notice to the CITY of not less than thirty (30) days prior to the effective date of any modification or cancellation of any such coverage.

SECTION 13. INDEMNIFICATION

13.1 The CONSULTING ENGINEER hereby agrees to indemnify and hold the CITY harmless from and against any and all losses, damages, settlements, costs, charges, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character arising out of the acts, omissions and/or negligence of the CONSULTING

ENGINEER'S employees, subcontractors, materialmen, agents or others acting in concert with the CONSULTING ENGINEER.

SECTION 14. MISCELLANEOUS

14.1 Nothing contained in this Agreement shall be construed as creating any personal liability on the part of any employee or official of the CITY.

14.2 No assignment by a party hereto of any rights, obligations, or interests in this Agreement shall be permitted without the prior written consent of the other party; and specifically, but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Agreement.

14.3 CITY and CITY ENGINEER, ASSISTANT CITY ENGINEER, and CONSULTING ENGINEER each binds itself, its partners, successors, assigns and legal representatives to all of the covenants, agreements and obligations contained in the Agreement.

14.4 If any provision of this Agreement or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Agreement which can be given effect without the invalid provision or application, and to this end the provisions of this Agreement are severable. In lieu thereof, there shall be added a provision as similar in terms to such illegal, invalid, and unenforceable provision as may be possible and be legal, valid and enforceable.

14.5 The interpretation, construction and enforcement of the provisions of this Agreement shall be made in strict conformance with the laws of the State of Ohio and the ordinances of the City of Parma Heights.

14.6 This Agreement shall be construed to inure to the benefit of, and be binding upon, all of the parties, and their respective successors in interest and assigns.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the day and year, and at the place, above first written.

CITY:
CITY OF PARMA HEIGHTS, OHIO

CITY ENGINEER:
PIETRO A. DiFRANCO, P.E.

Mayor Marie Gallo

Pietro A. DiFranco, P.E.

Date

Date

Approved as to Legal Form:

CONSULTING ENGINEER
RICHARD L. BOWEN +
ASSOCIATES, INC.

Mark A. Schneider, Director of Law

(By) _____ (its)

Date

Date

ORDINANCE NO. 2024 - 11

AN ORDINANCE AMENDING CHAPTER 1394 ENTITLED “REGISTRATION AND EXTERIOR INSPECTION OF RENTAL PROPERTIES” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Chapter 1394 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 1394 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

EXHIBIT A

CHAPTER 1394

Registration and Exterior Inspection of Rental Properties

- 1394.01 Finding of fact; declaration of policy.
- 1394.02 Purpose.
- 1394.03 Definitions.
- 1394.04 Registration required.
- 1394.05 Fees.
- 1394.06 Inspection requirements.
- 1394.07 Registration of rental housing properties; tenants.
- 1394.08 Refused access, search warrants or access warrants.
- 1394.09 Rental certification.
- 1394.10 Appeals.
- 1394.11 Penalty; equitable remedies.

Apartment buildings - see BUS. REG. Chapter 711

1394.01 FINDING OF FACT; DECLARATION OF POLICY.

It is hereby found and declared that there exists in the City rental housing properties which are, or may become in the future, substandard with respect to the structure and maintenance thereof, or, further, that conditions, including but not limited to structural deterioration, lack of maintenance, the appearance of the exterior of the premises, the existence of fire hazards and unsanitary condition, constitute a menace to the health, safety, welfare and reasonable comfort of the residents and inhabitants of the City. It is further found and declared that, by reason of lack of maintenance and progressive deterioration, certain properties have the further effect of creating blighting conditions and initiating slums, and that if the same are not curtailed and removed, the aforesaid conditions will grow and spread and will necessitate, in time, the expenditure of large amounts of public funds to correct and eliminate the same. By reason of timely regulations and restrictions as herein contained, the growth of slums and blight may be prevented and immediate neighborhood and property values thereby maintained, the desirability and amenities of rental housing properties and immediate neighborhoods enhanced and the public health, safety and welfare protected and fostered.

(Ord. 2006-11. Passed 4-10-06; Ord. 2018-4. Passed 1-22-18.)

1394.02 PURPOSE.

The purposes of this chapter are to protect the public health, safety and welfare by establishing minimum standards governing the maintenance, appearance and condition of all rental housing properties, to impose certain responsibilities and duties upon owners and operator; to authorize and establish procedures for the exterior inspection of rental housing properties; to provide for the issuance of rental certification; to establish a fee schedule for inspection; to authorize the vacation or condemnation of dwelling structures that are unsafe or unfit for human habitation; and to fix penalties for violations of this chapter. This chapter is hereby declared to be remedial and essential for the public interest, and it is intended that this chapter be liberally construed to effectuate the purposes as stated herein.

(Ord. 2006-11. Passed 4-10-06; Ord. 2018-4. Passed 1-22-18.)

1394.03 DEFINITIONS.

As used in this chapter:

- (a) "Designated city official" means the Director of Public Service and/or his designee.
- (b) "Dwelling" means any building or portion of a building that contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that is occupied for living purposes.
- (c) "Dwelling unit" means a space within a dwelling, comprised of a living, cooking and dining area, a sleeping room or rooms, storage closets and bathing and toilet facilities, all used by only one family.
- (d) "Owner" means the person claiming, or in whom is invested, the ownership, dominion, or title of real property, including but not limited to: holder of fee-simple title, holder of life-estate, holder of leasehold estate for an interim term of five years or more; a buyer under contract for deed; a mortgage, receiver, executor or trustee in control of real property.
- (e) "Person" means an individual, corporation, business trust, estate, trust partnership or association, two or more persons having a joint interest or any other legal or community entity.
- (f) "Property manager" means a person other than the owner that has managing control of a rental unit.
- (g) "Rent" means the offering, holding out or actual leasing of rental property to an occupant other than the owner and generally involves the payment of a rental amount

although other forms of consideration may be involved or no consideration at all may be involved.

(h) "Rental housing property" means any dwelling unit; or any rented room within a single family or two family dwelling, duplex, condominium or townhouse where either money or other valuable consideration is paid for occupancy of such unit, or a person, not the record owner, is occupying the unity, whether or not such person pays money other valuable considerations therefor. Community Residential Facilities are not defined as rental housing property and are subject to the requirements of Chapter 1189 (Community Residential Facilities) of the Codified Ordinances.

(i) "Rental property" means any property that is zoned as rental property or is not owner occupied as considered under the definition of rental property and registration required with the City of Parma Heights.

(j) "Tenant" means any person who rents or leases a rental housing property for living or dwelling purposes with the consent of the landlord, whether or not rent is paid to the owner.

(Ord. 2006-11. Passed 4-10-06; Ord. 2018-4. Passed 1-22-18.)

1394.04 REGISTRATION REQUIRED.

All rental housing properties located in the City, as defined in this chapter, or which hereafter become rental housing properties, shall be registered by the owner thereof with the Director of Public Service.

(Ord. 2006-11. Passed 4-10-06; Ord. 2018-4. Passed 1-22-18.)

1394.05 FEES.

(a) An annual application and registration fee of ~~two one~~ hundred dollars (~~\$200.00~~ ~~\$100.00~~) shall be submitted to the Building Inspector for each rental property as described in Section 1394.03 and renewed each year the property is rented by January 1st ~~March 1st~~. Any rental registration renewed after January 1st ~~March 1st~~ shall be assessed a late fee of an additional one hundred fifty dollars (\$150.00 ~~\$100.00~~) ~~for a total of two hundred dollars (\$200.00)~~.

(b) A re inspection fee of fifty fifteen dollars (\$50.00 ~~\$15.00~~) shall be assessed for the first re-inspection ~~any additional inspections~~ needed if violations are not corrected within the amount of time given by the Director of Public Service, and one hundred dollars (\$100.00) ~~for each additional re-inspection thereafter~~.

(Ord. 2006-11. Passed 4-10-06; Ord. 2010-1. Passed 1-25-10; Ord. 2018-4. Passed 1-22-18.)

1394.06 INSPECTION REQUIREMENTS.

All inspections shall adhere and meet the requirements of the Ohio Residential Code. The property must pass an exterior inspection and all fees paid prior to Rental Certification being issued.

(Ord. 2006-11. Passed 4-10-06; Ord. 2018-4. Passed 1-22-18.)

1394.07 REGISTRATION OF RENTAL HOUSING PROPERTIES; TENANTS.

(a) Each owner of a rental housing property within the City shall register each rental housing property with the designated city official within thirty days of the effective date of this chapter and shall renew the registration annually. Each new owner of a rental housing property within the City shall make application for a registration with the Service Department within thirty days after the date of acquiring ownership of a rental housing property. If an owner fails to timely register a rental housing property, the registration fee shall be doubled. The owner shall also be subject to the penalty provisions set forth below.

(b) The owner, operator and/or agent of any rental housing property within the City shall, upon a form provided therefore by the Building Inspector and available at his or her office, register the premises by designating thereon the name and address of the owner, operator, and the name and address of an agent in charge of the premises residing in the Municipality who may be the owner, operator, lessor or agent. If there shall be more than one person as the owner, operator and/or agent, then a separate or single combined registration may be filed, as such persons may elect.

(c) The owner, operator, and/or agent of any rental housing property within the City shall, upon a form provided therefor by the Building Inspector and available at his or her office, register each tenant of each rental housing property within the dwelling structure.

(Ord. 2006-11. Passed 4-10-06; Ord. 2018-4. Passed 1-22-18.)

1394.08 REFUSED ACCESS, SEARCH WARRANTS OR ACCESS WARRANTS.

(a) Refused Access. Where the Building Inspector or his or her agent is refused access or is otherwise impeded or prevented by the owner, operator, occupier or agent from conducting an inspection of a rental housing property, such person shall be in violation of this chapter and subject to the penalties hereunder.

(b) Search Warrants or Access Warrants. In addition to the provisions of division (a) of this section, the Building Inspector may, upon affidavit, apply to Parma Municipal Court for a search warrant, setting forth factually the actual conditions and circumstances that provide a reasonable basis for believing that a nuisance or violation of this chapter exists on the premises. If the Court is satisfied as to the matter permitting access to and inspection of that part of the premises on which the nuisance or violation exists. A warrant

for access may be issued by the Court upon an affidavit of the Building Inspector establishing grounds therefor.

(Ord. 2006-11. Passed 4-10-06; Ord. 2018-4. Passed 1-22-18.)

1394.09 RENTAL CERTIFICATION.

(a) No owner or resident agent shall permit a person to occupy a rental housing property unless the Building Inspector has issued to the owner or resident agent rental certification for such rental housing property.

(b) Application for a rental certification shall be made separately for each rental housing property by supplying necessary information to determine compliance with applicable laws, ordinances, rules and regulations for the existing use or occupancy or the intended use or occupancy on forms supplied by the Building Inspector. Such information shall include, but need not be limited to, the following:

- (1) A statement that the information is necessary for tax purposes;
- (2) The name, address and telephone number of the owner of the rental housing property;
- (3) The name, address and telephone number of the resident agent of the rental housing property if one is required;
- (4) The address of the rental housing property and the number of rental units contained within the rental housing property;
- (5) The current name, address, business and/or home telephone number, of the persons who, since the last application, have been occupying the rental housing unit, and the address or other identification of the rental housing unit which they occupied;
- (6) The familial relationship, if any, among the persons listed in division (b)(5) of this section;
- (7) The name of the head of the household of each rental housing unit; and
- (8) Such other information as may be requested on a voluntary basis.

(c) (1) The Building Inspector may revoke a rental certification if any false statement appears in the application or if the information contained in the application is inaccurate.

(2) An application for renewal of a rental certification shall be submitted to the Building Inspector.

(3) Rental certification must be obtained each year the rental housing property is registered. Registration is required to be renewed each year on or before January 1st ~~March 1st~~. A rental certification shall expire on December 31st of each year.

(4) Registration is not assignable or transferable, and shall be reapplied for with each change in ownership or transfer of title.

(Ord. 2006-11. Passed 4-10-06; Ord. 2018-4. Passed 1-22-18.)

1394.10 APPEALS.

(a) The Board of Zoning Appeals shall have jurisdiction to hear and decide appeals where it is alleged that there is error in the decision or determination regarding the issuance of a rental certification in accordance with Section 1139.09 through Section 1139.12 of the Codified Ordinances.

(b) Property maintenance code violations are subject to the procedures set forth in Chapter 1363 of the Codified Ordinances.

(Ord. 2018-4. Passed 1-22-18.)

1394.11 PENALTY; EQUITABLE REMEDIES.

(a) Penalty. Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor in the first degree and shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned not more than six months, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(b) Application to Officers or Agents. Where the defendant is other than a natural person, division (a) of this section shall also apply to any agent, superintendent, officer, member or partner who shall, alone or with others, have the charge, care or control of the premises.

(c) Other Legal Action. The imposition of any penalty shall not preclude the Department of Law from instituting any appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful repair or maintenance; to restrain, correct or abate a violation; to prevent the occupancy of a dwelling, building, structure or premises; or to require compliance with the provisions of this chapter of other applicable laws, ordinances, rules or regulations or with the orders or determination of the Building Inspector.

(Ord. 2006-11. Passed 4-10-06; Ord. 2018-4. Passed 1-22-18.)

ORDINANCE NO. 2024 - 12

AN ORDINANCE AMENDING SECTION 618.27 ENTITLED “HARBORING OF PIGEONS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Section 618.27 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 618.27 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

618.27 HARBORING OF PIGEONS.

(a) Declaration of Nuisance. The common pigeon is hereby declared to be a menace to the public health and welfare and a source of damage to persons and property, and shall, therefore, be considered a public nuisance to be disposed of at the discretion of the Director of Public Safety, or their designee ~~Department of Public Service~~.

(b) Compliance Required. No person shall harbor or keep any live pigeon within the City. Notwithstanding this prohibition, any person harboring or keeping fancy, utility, high-flying and/or racing domestic breeds of pigeons on the effective date of this section (Ordinance 1987-10, passed February 23, 1987) shall be permitted to harbor or keep such pigeons, but only if such person complies with this section.

(c) License Required. No person shall harbor or keep any live domestic breed of pigeon within the City without first obtaining a license therefor from the Director of Public Safety, or their designee ~~Director of Public Service~~. Such license, when issued in the manner hereinafter provided, shall entitle the holder thereof to keep not more than one pair of domestic pigeons per 2.25 square feet of loft space under the terms and conditions set forth in this section.

(d) License Application. The Director shall prescribe the form of application, which shall include the name of the applicant, the name of the person to be custodian of the pigeons, the location and type of structure wherein the pigeons are to be kept and any other pertinent information which may be necessary for the enforcement of this section.

(e) License Renewals. The Director shall issue a pigeon license for a period of one year. Such license may be renewed annually upon payment of the fee set forth in division (f) of this section. However, a new license shall not be issued as a matter of right to a person whose license has been revoked until he or she has complied with this section and has given the Director satisfactory assurance of future compliance.

(f) License Fee. The fee for a domestic pigeon license shall be ~~\$20.00~~ ~~\$5.00~~ per year, per loft of pigeons. The number of pigeons shall not exceed one pair per 2.25 square feet of loft space.

(g) Care of Pigeons. No breeder shall permit lofts to become dirty and/or smelly or allow birds to wander uncontrolled about the neighborhood.

(h) Revocation of License.

(1) If any licensee, personally, or any agent or custodian of his or her pigeons, violates any provision of this section, the Director may revoke the license in addition to any fines and forfeitures that may be imposed by any court upon such person for a violation of this section.

(2) The Director may also revoke any license for any period less than the full one-year period. However, no such license shall be revoked unless the licensee first has a hearing before the Director, at which time any complaint respecting the alleged violation shall be presented. The licensee shall be given at least ten days' notice, in writing, of the time and place of such hearing.

(i) Appeals. Any person aggrieved by any order of revocation by the Director may, within 20 days from the issuance of the order of revocation, appeal to the Board of Zoning Appeals. All interested parties shall be notified of the time and place of the hearing at least 48 hours before the time set therefor.

(j) Maintenance of Homing Pigeons. No person shall harbor or maintain any homing pigeon except under the following conditions:

(1) No loft, coop or other place for keeping or confining homing pigeons shall be maintained, operated or permitted to exist within a distance of 25 feet from any building used as a residence, garage, playhouse, permanent swimming pool or patio.

(2) No loft, coop or other place for keeping or confining homing pigeons shall be more than 15 feet above the established grade of the premises upon which it is located.

(3) No loft, coop or other place for keeping or confining homing pigeons shall be located in any structure not constructed in accordance with the Zoning and Building Codes of the City.

(4) All runways in which such pigeons are kept and maintained shall, at all times, be kept clean and free from filth, garbage or any substance which emits a noxious odor or which can attract rats.

(5) All pigeons shall be fed within the confines of the loft or coop, and all unused food shall be collected promptly and disposed of in a manner as required in division (j)(6) of this section.

(6) All grain and food stored for the use of such pigeons shall be kept in rat- proof metal containers with tight covers.

(7) All runways shall be completely enclosed with chicken wire, netting or other equivalent material that will prevent pigeons from escaping the confines of the loft or coop.

(8) No person shall fly domestic pigeons unless he or she complies with the following rules:

A. 1. Such person must be a member in good standing of an organized racing homer club, which club has a body of rules that will preserve the peace and tranquility of the neighborhood, such as a local club in the Cleveland center, under American Union (A.U.) or a comparable organization.

2. Birds will not be released or exercised which have been fed that day and not more than 20 birds in one day shall be flown. Young birds in numbers greater than 20 may be flown, provided they do not fly outside the boundaries of the owner's yard.

B. 1. Such person must be a member in good standing of an organized highflying club, which club has a body of rules that will preserve the peace and tranquility of the neighborhood, such as a club organized under the National Pigeon Association (N.P.A.) or a comparable organization.

2. Birds will not be released or exercised which have been fed that day, and not more than 20 birds in one day shall be flown. Young birds in numbers greater than 20 may be flown, provided they do not fly outside the boundaries of the owner's yard.

C. The owner or agent will not permit his or her birds to land, set, light or gather on the property of another, be it public or private property.

D. The owner or agent will band all his or her flying birds with a brightly colored plastic or metal band. All birds flown together will have the same color band.

E. The owner or agent will maintain a log book on the birds, which log book shall contain the following information:

1. Pigeon band number;
2. Pigeon plastic band color;
3. Time out or released;
4. Time bird returned; and
5. Type of domestic pigeon.

F. Utility and fancy pigeons shall not be released for exercise outside the loft unless they also comply with the rules for racing and/or high-flying domestic pigeons set forth in this division.

(9) While a pigeon is flying at large, the owner/guardian must be outdoors to observe the flight of such bird to correct nuisances that may occur or be caused by such pigeon.

(k) Shooting and Trapping Homing Pigeons. No person, not being the owner thereof, shall shoot, kill, maim or entrap a domestic pigeon if it has the name of the owner stamped upon its wing or tail, or has a band with the owner's name or initials or a number on its leg.

(l) Definitions. As used in this section:

(1) "Fancy pigeons" means pigeons that are raised primarily to be shown in competition during pigeon shows and fairs.

(2) "High-flying pigeons" means pigeons that are raised primarily to be flown in highflying competition.

(3) "Racing pigeons" means pigeons that are raised primarily to be flown in long distance flying competition (in organized club competition).

(4) "Utility pigeons" means pigeons that are raised primarily for food.

(m) Penalty. Whoever violates any of the provisions of this section is guilty of a misdemeanor of the third degree.

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

ORDINANCE NO. 2024 - 13

**AN ORDINANCE AMENDING CHAPTER 715 ENTITLED “AUCTIONS” OF THE
PARMA HEIGHTS CODIFIED ORDINANCES**

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Chapter 715 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 715 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

CHAPTER 715

Auctions

715.01 License required.

715.02 License application and issuance.

715.03 License fees.

715.04 Applicability to court sales.

715.99 Penalty.

CROSS REFERENCES

Power to regulate auctions - see Ohio R.C. 715.24, 715.63

Conduct of auction sales - see Ohio R.C. 1302.41

Public sales - see BUS. REG. 763.01 et seq.

715.01 LICENSE REQUIRED.

No person shall sell or offer for sale at public auction any goods, wares or merchandise imported into the corporation for the purpose of being sold at public auction without first obtaining a license to do so from the Director of Public Service ~~Mayor~~.

(Ord. 1956-75. Passed 10-22-56.)

715.02 LICENSE APPLICATION AND ISSUANCE.

Any person who desires to sell at public auction any goods, wares or merchandise imported into the corporation for the purpose of being sold at auction, shall, before commencing the sale thereof, make application in writing to the Director of Public Service ~~Mayor~~, stating therein the kind of goods, wares or merchandise he desires to sell at public auction and the length of time he desires to continue the sale. The Director of Public Service ~~Mayor~~, after the payment of the license fee provided for in Section 715.03, shall issue to the person a license stating therein that the applicant has complied with the requirements of this section, and stating the length of time for which the license is granted.

(Ord. 1956-75. Passed 10-22-56.)

715.03 LICENSE FEES.

Every person who desires a license for the purpose mentioned in Section 715.01 shall pay to the Director of Public Service ~~Mayor~~ ~~twenty-five~~ ~~fifteen~~ dollars (~~\$25.00~~ ~~\$15.00~~) for the first day and ~~fifteen~~ ~~ten~~ dollars (~~\$15.00~~ ~~\$10.00~~) for each succeeding day thereafter.

(Ord. 1956-75. Passed 10-22-56.)

715.04 APPLICABILITY TO COURT SALES.

Nothing herein contained shall be so construed as to apply to any person making sale of any property at auction by virtue of any judgment, order or decree of any court, under authority of law. The provisions in Sections 715.01 to 715.03, inclusive, shall not be taken or held to license any person to engage in the occupation of auctioneer. Such provisions are intended merely to regulate the sale of goods and other property at public auction.

(Ord. 1956-75. Passed 10-22-56.)

715.99 PENALTY.

Whoever violates any of the provisions of this chapter 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 thirty days, or both. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

ORDINANCE NO. 2024 - 14

AN ORDINANCE AMENDING SECTION 723.01 ENTITLED “LICENSE REQUIRED; FEE” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Section 723.01 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 723.01 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

723.01 LICENSE REQUIRED; FEE.

No person shall engage in or carry on the business of operating and conducting a bowling alley within the City without first securing from the Department of Public Service ~~Mayor~~ a license for that purpose and paying a license fee. The license fee for the term commencing on the date of the issuance of the license and ending on December 31 of the year in which the license is issued shall be eighteen dollars and seventy-five cents (\$18.75) for one alley used in any bowling alley and six dollars and twenty-five cents (\$6.25) for each additional bowling alley kept in the place.

(Ord. 1956-75. Passed 10-22-56.)

ORDINANCE NO. 2024 - 15

AN ORDINANCE AMENDING SECTION 727.03 ENTITLED “LICENSE FEE; EXPIRATION” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Section 727.03 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 727.03 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

727.03 LICENSE FEE; EXPIRATION.

The license fee charged by the Director of Public Service for a commercial establishment shall be fifty ~~twenty-five~~ dollars (\$50.00 ~~\$25.00~~) and it shall expire on December 31st of each year. (Ord. 1977-60. Passed 11-14-77.)

ORDINANCE NO. 2024 - 16

AN ORDINANCE AMENDING SECTION 906.13 ENTITLED “PERMIT FEES” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Section 906.13 of the Parma Heights Codified Ordinances be amended to update permit fees; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 906.13 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

906.13 PERMIT FEES.

(a) The following fees, to include inspections, review by the Building Inspector and/or from the Building Department and Building Consultant, shall be paid to the Municipality to cover permit fees and inspections, shall be for the new installation, replacement, or alteration of any previously existing hard surface as follows:

- (1) Driveways \$60.00 ~~\$40.00~~
- (2) Aprons \$30.00 ~~\$20.00~~
- (3) Sidewalks \$30.00 ~~\$20.00~~
- (4) Yardwalks \$30.00 ~~\$20.00~~
- (5) Commercial Parking Lots
 \$50.00 and \$4.00/5,000 sq.ft. ~~\$40.00 and \$2.00/5,000 sq.ft.~~
- (6) Patio \$30.00 ~~\$20.00~~
- (7) Re-Inspection \$50.00 ~~\$25.00~~
- (8) Repair work (less than 50 square feet) for driveways, aprons, sidewalks, yardwalks and patios shall be one-half the dollar amount stated in divisions (a)(1), (2), (3), (4) and (6).

(Ord. 2006-12. Passed 4-10-06.)

ORDINANCE NO. 2024 - 17

AN ORDINANCE AMENDING CHAPTER 751 ENTITLED “MECHANICAL AMUSEMENT DEVICES AND INTERACTIVE ENTERTAINMENT AND COMPUTER SWEEPSTAKE DEVICES” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Chapter 751 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 751 of the Codified Ordinances is hereby amended and 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 GALLO

EXHIBIT A

CHAPTER 751

Mechanical Amusement Devices and Interactive Entertainment and Computer Sweepstake Devices

751.01 Definitions.

751.02 License required.

751.03 Application for license.

751.04 Device license; fee.

751.05 Separate licenses required; transferability.

751.06 Separate licenses required; transferability.

751.07 Giving of prizes, awards.

751.08 Hours when closed.

751.09 Admission of minors.

751.10 Posting of notice.

751.99 Penalty.

CROSS REFERENCES

Gambling - see GEN. OFF. Ch. 624

Seizure and destruction of gambling devices - see GEN. OFF. 624.10

751.01 DEFINITIONS.

As used in this chapter:

(a) "Cigarette vending machine" means any automatic vending machine used for the sale of cigarettes and matches, which is controlled by the insertion of a coin or coins. It shall not include machines or devices used solely for the vending of service, food or confections.

(b) "Interactive entertainment and computer sweepstake device" means any computer, machine, game or apparatus which, upon the insertion of a coin, token, access number, magnetic card, or similar object, or upon the payment of anything of value, wherein a product or service is provided, and may be operated by the public generally for use as a contest of skill, entertainment or amusement, whether or not registering a score, and which is not gambling under State or local laws. Machines designated by the State Lottery Commission are not interactive entertainment and computer sweepstake devices.

(c) "Juke box" means any music vending machine, contrivance or device which, upon the insertion of a coin, slug, token, plate, disc or key into any slot, crevice or other opening, or by the payment of any price, operates or may be operated for the emission of songs, music or similar amusement.

(d) "Mechanical amusement device" means a machine which, upon the insertion of a coin or slug, operates or may be operated for use as a game, contest or amusement of any description, or which may be used for any game, contest or amusement, and which contains no automatic pay-off device for the return of money, coins, merchandise or tokens or checks redeemable in money or anything of value.

(Ord. 2012-50. Passed 12-10-12.)

751.02 LICENSE REQUIRED.

(a) No person shall display or exhibit a mechanical amusement device, juke box, cigarette vending machine or interactive entertainment and computer sweepstake device within the City without having first obtained a license therefore from the Department of Public Service ~~Mayor~~.

(b) A separate license shall be required for each mechanical amusement device, juke box, cigarette vending machine or interactive entertainment and computer sweepstake device displayed at any one time.

(Ord. 2012-50. Passed 12-10-12.)

751.03 APPLICATION FOR LICENSE.

(a) Application for a license to display a mechanical amusement device, juke box, cigarette vending machine or interactive entertainment and computer sweepstake device must be made to the Department of Public Service ~~Mayor~~ upon such forms as are prepared therefore by the Department of Public Service ~~Mayor~~.

(b) The application must be made by the owner or proprietor of the business or place at which the mechanical amusement device, juke box, cigarette vending machine or interactive entertainment and computer sweepstake device is to be displayed.

(c) The application shall state:

- (1) The name of the owner of the place of business;
- (2) The address of the place for which the license is requested;
- (3) The residence of the owner;

(4) The serial number and name of the manufacturer of the mechanical amusement device, juke box, cigarette vending machine, or interactive entertainment and computer sweepstake devices;

(5) The owner of the mechanical amusement device, juke box, cigarette vending machine, or interactive entertainment and computer sweepstake devices;

(6) The name and address of the distributor of the mechanical amusement device, juke box, cigarette vending machine, or interactive entertainment and computer sweepstake devices;

(7) The nature of the business in conjunction with which the mechanical amusement device, juke box, cigarette vending machine or interactive entertainment and computer sweepstake device is to be displayed; and

(8) Such further information as may be required by the Department of Public Service Mayor.

(d) The distributor of such mechanical amusement device, juke box or cigarette vending machine or interactive entertainment and computer sweepstake device shall be deemed to be the agent of the owner or proprietor of the business where such mechanical amusement device, juke box or cigarette vending machine or interactive entertainment and computer sweepstake device is displayed and shall be jointly and severally liable with such owner or proprietor for the filing of the application and for the payment of the annual license fee set forth in Section 751.04.

(e) An applicant and/or owner of a business shall permit a right of entry as per Section 727.07 of the Codified Ordinances.

(f) No operator shall fail to immediately permit entry to any such city officials.

(Ord. 2012-50. Passed 12-10-12.)

751.04 DEVICE LICENSE; FEE.

(a) A license to display a mechanical amusement device, cigarette vending machine, juke box, or interactive entertainment and computer sweepstake device shall be issued to the applicant upon the approval of the application and upon the payment of the fees set forth below:

(1) An operator and/or owner of a business displaying mechanical amusement devices, juke boxes or cigarette vending machines within the City shall first obtain a license from the ~~Building and Service~~ Department of Public Service upon the payment of the annual license fee of one hundred dollars (\$100.00). This annual license fee shall be for the year beginning January 1 of the calendar year or for any unexpired portion of the year.

(2) A device license to display one mechanical amusement device, cigarette vending machine, juke box, or interactive entertainment and computer sweepstake device shall be

issued to the applicant upon the approval of the application and upon the payment of an annual device license fee as follows:

- A. Mechanical amusement device \$100.00
- B. Jukebox \$100.00
- C. Cigarette vending machine \$100.00

(3) An establishment with 1-40 interactive entertainment and computer sweepstakes devices shall be required to obtain a license from the ~~Building and Service~~ Department of Public Service upon the payment of an annual license fee of five thousand dollars (\$5,000) and shall be required to further obtain a device license for each interactive entertainment and computer sweepstakes device upon approval of the application for same and the payment of an annual device fee of three hundred and sixty dollars (\$360.00).

(4) An establishment with 41-60 interactive entertainment and computer sweepstakes devices shall be required to obtain a license from the ~~Building and Service~~ Department of Public Service upon the payment of an annual license fee of four thousand dollars (\$4,000) and shall be required to further obtain a device license for each interactive entertainment and computer sweepstakes device upon approval of the application for same and the payment of an annual device fee of three hundred and sixty dollars (\$360.00) for the first 40 devices and an annual device fee of two hundred fifty dollars (\$250.00) for all additional devices.

(5) An establishment with more than 60 interactive entertainment and computer sweepstakes devices shall be required to obtain a license from the ~~Building and Service~~ Department of Public Service upon the payment of an annual license fee of two thousand two hundred dollars (\$2,200) and shall be required to further obtain a device license for each interactive entertainment and computer sweepstakes device upon approval of the application for same and the payment of an annual device fee of three hundred and sixty dollars (\$360.00) for the first 40 devices; plus an annual device fee of two hundred fifty dollars (\$250.00) for the next 20 devices; plus an annual device fee of two hundred dollars (\$200.00) for all additional devices; provided, however, that the total of the annual license fee plus the device license fees for an establishment with more than 60 interactive entertainment and computer sweepstakes devices shall in no event be more than twenty-five thousand dollars (\$25,000).

(b) The license fee shall be for the fiscal year beginning January 1 of the calendar year or for any unexpired portion of the fiscal year. The license shall entitle the licensee named therein to display at or upon the premises therein described a mechanical amusement device, juke box, cigarette vending machine or interactive entertainment and computer sweepstake device.

(c) All license fees under this chapter shall be filed with the application for license.

(d) The maximum number of interactive entertainment and computer sweepstakes device permitted at a licensed location shall not exceed 100, subject to the parking requirements set forth in Section 1187.06 of the Codified Ordinances.

(Ord. 2012-50. Passed 12-10-12.)

751.05 SEPARATE LICENSES REQUIRED; TRANSFERABILITY.

(a) A separate license shall be required for each and every mechanical amusement device, juke box, cigarette vending machine or interactive entertainment and computer sweepstake device which is displayed by any person at any one time, but any license may change from the display of one approved mechanical amusement device, juke box, cigarette vending machine or interactive entertainment and computer sweepstake device to the display of another approved amusement device, juke box, cigarette vending machine or interactive entertainment and computer sweepstake device to the display of another approved mechanical amusement device, juke box or cigarette vending machine at any time.

(b) A license issued under the provisions of this chapter shall not be transferred from one person to another person but the license may be transferred by the licensee therein named from the place specified in the license to another place owned by the licensee, should the licensee move his business from the address specified in the license to another location.

(Ord. 2012-50. Passed 12-10-12.)

751.06 PROXIMITY OF DEVICES TO SCHOOLS, CHURCHES, PARKS AND PLAYGROUNDS; DISPLAY OF LICENSES.

No license shall be issued for the display of a mechanical amusement device at a business, as defined in Section 751.08, which is located on premises which are 1,000 feet from any premises occupied by a school, church, playground or public park. It shall be the duty of the licensee to conspicuously display the license issued hereunder.

(Ord. 2012-50. Passed 12-10-12.)

751.07 GIVING OF PRIZES, AWARDS.

(a) No person shall, by himself, by another person or otherwise, directly or indirectly, give any prize, award, merchandise, gift or anything of value to any player, or to any operator of any mechanical amusement device, or to any contestant for a high score on the device.

(b) By the second Tuesday of each month, the operator shall cause to be delivered to the ~~City Income Tax~~ Department of Finance a copy of the record of things given to persons together with the above-required information given during the preceding month. The operator and the ~~Income Tax Division~~ Department of Finance shall not disclose the social

security number of any person to anyone except as required by the laws of the State of Ohio and the United States government.

(Ord. 2012-50. Passed 12-10-12.)

751.08 HOURS WHEN CLOSED.

(a) A business, a substantial portion of whose annual gross revenue is derived from mechanical amusement devices, juke boxes and cigarette machines or a substantial portion of whose occupied space is devoted to mechanical amusement devices, juke boxes and cigarette machines, shall be closed between the hours of 10:00 p.m. and 9:00 a.m. of the following day, and every day, except on Sunday, when the business shall be closed until 2:30 p.m.

(b) As used in this section, the term "substantial portion" means twenty percent or more of the annual gross revenue of the on-the-premises business and/or twenty percent or more of the occupied space being devoted to the use of the mechanical amusement devices, juke boxes and cigarette machines.

(Ord. 2012-50. Passed 12-10-12.)

751.09 ADMISSION OF MINORS.

The licensee shall not admit any person under the age of majority to any business, as defined in Section 751.08 and interactive entertainment and computer sweepstake device businesses, unless such person is accompanied by and in the direct personal charge of his or her parents, legal guardian or an adult person in charge of such minor.

(Ord. 2012-50. Passed 12-10-12.)

751.10 POSTING OF NOTICE.

An owner of a business defined in Section 751.08 or is designated as an interactive entertainment and computer sweepstake device businesses shall post in a conspicuous place a notice, which shall read:

"MINORS PROHIBITED UNLESS ACCOMPANIED BY PARENT, GUARDIAN OR OTHER RESPONSIBLE ADULT"

(Ord. 2012-50. Passed 12-10-12.)

751.99 PENALTY.

Whoever is convicted of or pleads guilty to a violation of this section is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months or both. A separate offense shall be deemed committed each day during or on which a license or licenses held by any person who has violated any provision of this chapter.

(Ord. 2012-50. Passed 12-10-12.)

ORDINANCE NO. 2024 - 18

**AN ORDINANCE AMENDING SECTION 755.01 ENTITLED “LICENSE REQUIRED”
OF THE PARMA HEIGHTS CODIFIED ORDINANCES**

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Section 755.01 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 755.01 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

755.01 LICENSE REQUIRED.

No person shall engage in or carry on the business of operating and conducting a new automotive sales business, including, but not limited to, automobiles, motor homes and travel trailers, in the Municipality, unless such person has first obtained and holds in full force and effect a license to engage in or carry on such business, issued by the Director of Public Service ~~Mayor~~ as hereinafter provided, and unless all of the regulations as herein promulgated and all requirements and regulations in other applicable ordinances of the City or statutes of the State have been complied with. The Director of Public Service ~~Mayor~~ is hereby authorized to issue such license upon payment of a fee of two hundred fifty dollars (\$250.00). Such license shall expire at midnight on December 31 of each year.

(Ord. 1978-61. Passed 11-27-78.)

ORDINANCE NO. 2024 - 19

AN ORDINANCE AMENDING SECTION 618.29 ENTITLED “BEEKEEPING” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Section 618.29 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 618.29 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

618.29 BEEKEEPING.

(a) The keeping or harboring of bees, including but not limited to honey bees and bumble bees, shall be limited to a maximum of two hives on a minimum lot size of 6,000 square feet, and no more than four hives on a one-half acre lot, in a residential zone only. For purposes of this division only, "lot size" shall include sidewalk areas, tree lawns or any other areas behind the street curb-line within the public right-of-way which fronts upon the property which shall harbor the bees.

(b) A beehive must be kept a minimum of five feet from property lines, and the bees' flight pattern must be directed away from a neighbor's entrances and lines of traffic.

(c) A water source must be provided on the premises, placed a minimum of five feet from the property line.

(d) Neglected bees, as determined by the County Inspector, are prohibited.

(e) The failure to remove, or authorize the removal of, any natural or man-made hive or nest, or other living quarters for bees, (including but not limited to honey bees and bumble bees), wasps, yellow jackets and hornets, within three days after notice is served by the Director of Public Safety, the Director's designee, or an Animal Control Officer Building Commissioner upon the owner/guardian and/or occupant, shall be prima facie evidence that bees (including but not limited to honey bees and bumble bees), wasps, yellow jackets and hornets, are being kept or harbored on the premises by such owner/guardian and/or occupant.

(f) Whoever violates this section is guilty of a misdemeanor of the fourth degree and shall be subject to the penalty provided in Section 698.02. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

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

ORDINANCE NO. 2024 - 20

AN ORDINANCE AMENDING CHAPTER 735 ENTITLED “FORTUNETELLING” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Chapter 735 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 735 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

CHAPTER 735

Fortunetelling

735.01 Definition.

735.02 License required.

735.03 Application.

735.99 Penalty.

735.01 DEFINITION.

As used in this chapter “fortunetelling” means to engage in astrology, fortunetelling, clairvoyancy, palmistry or phrenology.

(Ord. 1970-21. Passed 2-9-70.)

735.02 LICENSE REQUIRED.

(a) No person shall practice fortunetelling in the City without first obtaining a license from the Director of Public Service Mayor as provided in this chapter. The fee for each such license shall be ~~fifty twenty-five~~ dollars (~~\$50.00 \$25.00~~) per year and such license shall expire on December ~~31st 15~~ of each year. The fee of ~~fifty twenty-five~~ dollars (~~\$50.00 \$25.00~~) shall accompany the application made to the Director of Public Service Mayor. The license may be revoked at any time by the Director of Public Service Mayor for cause after hearing held before him or her. A conviction of the licensee in a criminal action by a court of competent jurisdiction shall be a sufficient cause for revocation of his or her license.

(b) An appeal from the denial or revocation of a license by the Director of Public Service Mayor may be made to the Board of Zoning Appeals in accordance with the provisions of Chapter 1139 of the Zoning Code.

(Ord. 1998-16. Passed 7-13-98.)

735.03 APPLICATION.

Any person desiring to engage in the practice of fortunetelling shall first apply in writing to the Director of Public Service Mayor giving particulars as to:

(a) The location, including space, number of rooms to be used and applicable zoning regulations. Such location must be within an area zoned under Table 1185.02 Permitted Uses as a Class C District;

(b) Whether the practice is to be conducted apart from or in connection with any other calling or business;

(c) Whether any printed matter of any kind is to be sold or distributed in connection with the practice of fortunetelling;

(d) The previous location of the applicant for the past five years;

(e) How long the applicant has previously been engaged in the practice of fortunetelling;

(f) How much training or experience in such practice the applicant has had;

(g) Whether the applicant is a citizen of the United States;

(h) Whether the applicant has ever been convicted of violating any law or ordinance regulating the practice of fortunetelling;

(i) Whether the applicant has been convicted of any felony; and (j) Any other necessary information required by the Director of Public Service ~~Mayor~~.

(Ord. 1970-21. Passed 2-9-70.)

735.99 PENALTY.

Whoever violates any of the provisions of this chapter 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 thirty days, or both.

ORDINANCE NO. 2024 - 21

AN ORDINANCE AMENDING SECTION 335.15 ENTITLED “REGISTRATION OF SNOW PLOW OPERATORS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Section 335.15 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 335.15 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

335.15 REGISTRATION OF SNOW PLOW OPERATORS.

Registration of snow plow operators shall be required as follows:

(a) Registration procedure. The Director of Public Service shall register and issue sticker registration tags to all applicants who:

(1) Complete an application form prescribed by the Director of Public Service for the registration of private snow removal companies and/or persons providing snow removal services in the City;

(2) Pay an annual registration fee of ~~twenty-five~~ ~~twelve~~ dollars (~~\$25.00~~ ~~\$12.00~~) for each vehicle for which sticker registration tags are to be issued;

(3) Demonstrate proof of liability insurance.

(b) Display of Tags. All private snow removal companies, persons, firms or individuals shall prominently display, on each vehicle used in snow removal or plowing, a current registration tag issued by the Director of Public Service at all times while such vehicle is engaged in removal, pushing or plowing of snow on private property within the City.

(c) Miscellaneous. Each vehicle shall be equipped with a yellow flashing light which shall be turned on and active at all times during snow removal operation.

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

(Ord. 2005-32. Passed 11-28-05.)

ORDINANCE NO. 2024 - 22

AN ORDINANCE AMENDING SECTION 634.08 ENTITLED “REGISTRATION OF VACANT PROPERTY” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Section 634.08 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 634.08 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

634.08 REGISTRATION OF VACANT PROPERTY.

(a) An owner, agent or party in control of vacant property shall register the vacant property with the Director of Public Service on City forms. The registration statement shall include the following information:

(1) Street address of the vacant property and the parcel number of the premises on which the vacant property is located.

(2) Name, legal address and telephone number of the owner making the registration statement and of all persons with any legal interest in the vacant property.

(3) Name, legal address and telephone number of a local agent responsible for the security, maintenance, and marketing of the vacant property.

(4) Utility shut-off dates (water, gas and electric).

(5) Weatherization date of the vacant property.

In case the registrant's legal address is outside Cuyahoga County, the registration statement shall also include the name, legal address and telephone number of a natural person designated by the owner as the authorized agent for receiving notices of code violations and for receiving service of process in connection with the enforcement of this chapter. This agent must either reside or maintain an office in Cuyahoga County.

P.O. Boxes are not an acceptable address for purposes of this chapter.

(b) Amendment. The registrant shall notify the Director of Public Service with 15 days of any change in the registration information by filing an amended registration statement with the Director of Public Service on City forms.

(c) Expiration. Registration is valid for one year from the date of the statement. The owner shall renew the registration upon expiration for as long as the property remains vacant.

(d) Fee. The fee for registering a vacant residential property is ~~\$250.00~~ ~~\$200.00~~ annually. The fee for registering a vacant commercial property is ~~\$500.00~~ ~~\$300.00~~ annually. Unpaid fees may be levied as a special assessment against the vacant property and become a lien thereon.

(e) Reports. The owner, agent or party in control of vacant property shall inspect the property monthly for any violations of the Codified Ordinances and other applicable laws. A written report of such inspection shall be provided to the Director of Public Service upon request.

(f) Waivers exempting compliance with the provisions of this chapter may be obtained in writing from the Director of Public Service under the following circumstances provided the property is maintained in safe, secure, and habitable condition:

(1) Residential structure is temporarily unoccupied while the occupant is on vacation.

(2) Residential structure is temporarily unoccupied while the occupant is in an alternative living arrangement.

(3) Residential or nonresidential structure is temporarily unoccupied while being extensively altered or repaired under proper and unexpired permits.

(4) Unoccupied residential or nonresidential structure is listed for sale and the owner is actively attempting to sell the property.

(Ord. 2017-11. Passed 5-22-17.)

ORDINANCE NO. 2024 - 23

AN ORDINANCE AMENDING SECTION 634.09 ENTITLED “FORECLOSURE REGISTRATION” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Section 634.09 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 634.09 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

634.09 FORECLOSURE REGISTRATION.

(a) Any person or entity filing a civil case in any court for the purpose of foreclosing on any commercial, residential, institutional or any other property in the City shall, within ten days after the filing date, register the action and property with the Director of Public Service and pay the fee, as set forth in this section. A foreclosure filed by a governmental entity shall be exempt from this registration requirement.

(b) Registration of a foreclosure action and the property that is the subject of the foreclosure shall be made on the form or forms provided by the Director of Public Service.

(c) The fee for registration of a foreclosure action and the foreclosed property shall be ~~\$250.00~~ ~~\$150.00~~ for a residential property (one or two family) and ~~\$500.00~~ ~~\$300.00~~ for a commercial property (all structures other than one- or two-family structures). The fee shall be paid at the time of notification. The fee for a foreclosure registration submitted after the 10th day following the filing of the foreclosure shall be ~~\$400.00~~ ~~\$300.00~~ for a residential property (one or two family) and ~~\$600.00~~ ~~\$500.00~~ for a commercial property (all structures other than one or two family). No registration shall be accepted or considered submitted unless and until the registration form has been completely and accurately filled out, and the applicable fee has been paid.

(d) If the building or structure on the property that is the subject of foreclosure is vacant at the time the foreclosure complaint is filed, then the person filing the foreclosure complaint shall notify the City of the name, address and contact information for the person who will be responsible for maintaining the property.

(e) If the building or structure on the property that is the subject of foreclosure becomes vacant at any time after the foreclosure complaint is filed, then the person who filed the foreclosure complaint shall notify the City of the name, address and contact information for the person who will be responsible for maintaining the property, and shall otherwise comply with the Parma Height Codified Ordinances.

(Ord. 2017-11. Passed 5-22-17.)

ORDINANCE NO. 2024 - 24

AN ORDINANCE AMENDING CHAPTER 1321 ENTITLED “BUILDING FEES” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service and Chief Building Official are recommending that Chapter 1321 of the Parma Heights Codified Ordinances be amended to update all building fees; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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 1321 of the Codified Ordinances is hereby amended and 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: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

CHAPTER 1321

Building Fees

- 1321.01 Building fees.
- 1321.02 One, two or three family dwelling building permit fees.
- 1321.03 Commercial building permit fees (excluding mechanical, electrical and plumbing).
- 1321.04 Electrical - commercial and residential permit fees.
- 1321.05 Commercial plumbing permit fees.
- 1321.06 Commercial HVAC permit fees.
- 1321.07 One, two or three family dwelling plumbing permit fees.
- 1321.08 One, two or three family dwelling HVAC permit fees.
- 1321.09 Re-inspection, plan changes and work without permit.
- 1321.10 Miscellaneous fee.
- 1321.99 Penalty.

1321.01 BUILDING FEES.

Except as otherwise specifically provided for, the following provisions shall prevail in the issuance of all types of permits. The Director of Public Service and/or Building Official, before issuing any permit, are authorized to charge and collect the fees specified in this chapter. The fees prescribed herein shall be additive and, unless otherwise specifically provided, separate fees shall be paid for each of the items listed. All fees shall be computed and determined by the Director of Public Service and/or Building Official, who shall give a receipt for cash payment. Fees for plan examination and/or landscape review shall be separate and paid directly to the plan examiner, alternate plan examiner and/or landscape architect, who shall give a receipt for cash payment.

(Ord. 2015-49. Passed 11-16-15.)

1321.02 ONE, TWO OR THREE FAMILY DWELLING BUILDING PERMIT FEES.

- (a) New dwellings base fee \$750.00
- (b) New dwellings (2 or 3 family) base fee \$1,200.00
- (c) Mud bond (refundable) \$500.00

(d) Tap in fee:

(1) Sanitary sewer - per equivalent unit \$850.00

(e) City Engineer review fee - new dwelling \$600.00

(f) Plan review fee - dwelling \$400.00

(g) Alterations, additions & remodeling \$150.00

(h) Detached garage \$150.00

(i) Shed \$50.00

(j) Swimming pool, spa, or hot tub \$60.00

(k) Razing (each structure) \$50.00

(l) Deck or front stoop/stairs \$45.00

(m) Roofing:

(1) Tear off + new layer \$100.00

(2) Layer over existing (2 total layers permitted) \$50.00

(3) Add garage roof \$50.00

~~(n) Windows replacement (same size as existing) \$25.00~~

~~(n)(o) Window or door replacement (increase or decrease in size) \$50.00~~

~~(o)(p) Vinyl siding \$20.00~~

~~(p)(q) Fencing base fee \$50.00~~

(1) In addition \$.25 per lineal foot

~~(q)(r) Concrete~~

(1) Driveway \$60.00

(2) Apron, sidewalk, yardwalk, garage pad, or patio \$30.00

~~(r)(s) Curb cut lineal per feet \$2.00~~

~~(s)(t) Gazebo/pergola \$60.00~~

~~(t)(u) Chimney (re-build) \$50.00~~

~~(u)(v) 3 season room/sunroom \$100.00~~

~~(v)(w) Awning \$50.00~~

~~(w)(x) Breezeway \$100.00~~

~~(x)(y)~~ Dish-type satellite signal-receiving station \$100.00

~~(y)~~ Occupancy permit fee \$100.00

~~(z)~~ Contractor registration fee \$125.00

(Ord. 2015-49. Passed 11-16-15; Ord. 2016-4. Passed 3-28-16.)

1321.03 COMMERCIAL BUILDING PERMIT FEES (EXCLUDING MECHANICAL, ELECTRICAL AND PLUMBING).

(a) New building base fee ~~\$600.00~~ \$450.00

(1) Plus ~~\$20.00~~ \$15.00 per each 100 sq. ft.

(b) Multi-car garage structure base fee \$150.00

(1) Each parking space ~~\$20.00~~ \$10.00

(c) Mud bond (refundable) \$1,500.00

(d) Alterations, additions & remodeling base fee: ~~\$500.00~~ \$350.00

(1) Plus ~~\$20.00~~ \$15.00 per each 100 sq. ft.

(e) City Engineer review base fee ~~\$750.00~~ \$500.00

(1) Once site development documents have been submitted

(f) Building plan review base fee ~~\$400.00~~ \$300.00

(1) If the Building Official determines plans must go to a review consultant, that consultant will establish a one-time fee to be paid prior to beginning review.

(g) Street opening fee

(1) Dedicated paved street ~~\$1,000.00~~ \$750.00

(2) Pearl Road, West 130th, Snow Road, Stumph Road,

York Road, & Ridgewood Drive ~~\$2,000.00~~ \$1,500.00

(h) Roofing replacement or repairs:

Up to 10,000 square feet ~~\$500.00~~ \$400.00

Over 10,001 square feet ~~\$600.00~~ \$500.00

(i) Site work pavement:

(1) Up to 1,000 square feet ~~\$200.00~~ \$100.00

(2) 1,000-2,000 square feet ~~\$300.00~~ \$150.00

(3) Over 2,001 square feet \$300.00 ~~\$150.00~~

A. Plus \$.03 per square foot

(j) Curb cut, per lineal foot \$4.00 ~~\$2.00~~

(k) Razing \$250.00 ~~\$200.00~~

(l) Cell tower additional antenna/equipment

(1) Engineering review fee & inspection fee (City tower) \$2,000.00

(2) Engineering review fee & inspection fee (private property) \$1,450.00

(3) Permit fee \$500.00 ~~\$250.00~~

(m) Occupancy permit fee \$250.00

(n) Contractor registration fee \$125.00

(Ord. 2015-49. Passed 11-16-15; Ord. 2016-4. Passed 3-28-16.)

1321.04 ELECTRICAL - COMMERCIAL AND RESIDENTIAL PERMIT FEES.

(a) New commercial base fee \$500.00 ~~\$450.00~~

(b) New one, two, and three family dwelling base fee \$250.00 ~~\$200.00~~

(c) New multi-family, apartment, townhouses, condominium,
hotels and Senior Citizen Residential District.

(1) Base fee-1st suite \$250.00 ~~\$200.00~~

(2) Each suite thereafter \$150.00 ~~\$100.00~~

(d) Alterations, additions & remodeling:

(1) Commercial base fee \$200.00 ~~\$150.00~~

(2) One, two, and three family base fee \$100.00 ~~\$75.00~~

(e) Exterior electric distribution system, per 100 feet or fraction thereof \$20.00 ~~\$15.00~~

(f) Temporary electric service to jobsite \$125.00 ~~\$75.00~~

(g) Panel change/service increase \$125.00 ~~\$75.00~~

(h) Electric service to service building or component of

(1) Television, radio, communication or wireless tower or antenna \$250.00 ~~\$200.00~~

(i) Service upgrades: mast, meter base, bonding & ground rods \$125.00 ~~\$75.00~~

- (j) Rooftop units control wiring, each \$20.00 ~~\$15.00~~
- (k) Rooftop units power wiring, each \$25.00 ~~\$20.00~~
- (l) Outdoor light poles, each \$35.00 ~~\$25.00~~
- (m) Lightning arrestor system \$150.00 ~~\$100.00~~
- (n) Heating outlets, each \$20.00 ~~\$15.00~~
- (o) Branch circuit - forced air furnace \$75.00 ~~\$50.00~~
- (p) Branch circuit sump pump \$125.00 ~~\$75.00~~
- (q) Motors & transformers, each \$25.00 ~~\$20.00~~
- (r) Generators & batteries, each \$25.00 ~~\$20.00~~
- (s) Transfer switches, each \$35.00 ~~\$15.00~~
- (t) Emergency stand-by system \$200.00 ~~\$150.00~~
- (u) Solar system base fee \$200.00 ~~\$150.00~~
- (v) Wind turbine \$1,500.00 ~~\$1,000.00~~
- (w) Fuel dispensing pump, each \$25.00 ~~\$15.00~~
- (x) Electric furnace \$150.00 ~~\$125.00~~
- (y) Thru-wall heating a/c unit \$100.00 ~~\$50.00~~
- (z) Heat pump \$175.00 ~~\$125.00~~
- (aa) Swimming pool, spa & hot tub \$125.00 ~~\$50.00~~
- (bb) Illuminated sign \$75.00 ~~\$40.00~~
- (cc) Low voltage system: telephone, alarm, control, point of sale, led lighting, energy management, cat 6, and similar type systems, when added on an existing system \$125.00 ~~\$75.00~~
- (dd) X-ray or scanning device \$100.00 ~~\$75.00~~
- (ee) Hard wired smoke alarm system \$150.00 ~~\$75.00~~
- (ff) Individual items each \$5.00 ~~\$2~~ (unless otherwise noted)
 - (1) Lighting fixtures
 - (2) Ceiling fan box
 - (3) Switch
 - (4) GFCI/AFCI per outlet

- (5) Receptacle
- (6) 220V outlet, each
- (7) Over 200V, each
- (8) Computer outlet
- (9) Cable, antenna & phone outlet
- (10) USB port
- (11) Thermostat
- (12) Smoke/fire/carbon monoxide detector
- (13) Bells/alarms
- (14) Exit sign & battery pack, each
- (15) Alarm panel, each
- (16) Alarm strobe & pull, each
- (17) Bathroom exhaust fan, each
- (18) Any electrical outlet or equipment not listed above \$10.00 ~~\$5.00~~

(Ord. 2015-49. Passed 11-16-15; Ord. 2016-4. Passed 3-28-16.)

1321.05 COMMERCIAL PLUMBING PERMIT FEES.

- (a) New commercial plumbing base fee \$250.00 ~~\$200.00~~
- (b) Alterations & repairs base fee \$200.00 ~~\$150.00~~
- (c) Water distribution system
 - (1) Interior \$150.00 ~~\$100.00~~
 - (2) Exterior \$150.00 ~~\$100.00~~
 - (3) Alterations & repairs to either system contained in (1) or (2) \$100.00 ~~\$50.00~~
- (d) Gas distribution system -
 - (1) Interior \$150.00 ~~\$100.00~~
 - (2) Exterior \$150.00 ~~\$100.00~~
 - (3) Alterations & repairs to either system in (1) or (2) \$100.00 ~~\$50.00~~
- (e) Installation of storm or sanitary sewer lines, per 100 feet or fraction thereof

- (1) Base fee \$200.00 ~~\$150.00~~
- (2) 3 inch to 6 inch diameter \$20.00 ~~\$15.00~~
- (3) 8 inch diameter \$40.00 ~~\$25.00~~
- (4) 10 inch diameter \$40.00 ~~\$30.00~~
- (5) 12 inch diameter \$60.00 ~~\$40.00~~
- (6) Larger than 12" diameter \$70.00 ~~\$50.00~~
- (f) Connection to storm sewer \$200.00 ~~\$150.00~~
- (g) Connection to sanitation sewer \$200.00 ~~\$150.00~~
- (h) Irrigation system base fee \$100.00 ~~\$75.00~~
 - (1) Each head \$2.00 ~~\$1.00~~
- (i) Storage tanks base fee \$150.00 ~~\$75.00~~
- (j) Remove underground tank base fee \$100.00 ~~\$75.00~~
- (k) City Engineer review base fee \$500.00 ~~\$300.00~~
- (l) In ground swimming pool \$150.00 ~~\$75.00~~
- (m) Grease interceptor \$100.00 ~~\$60.00~~
- (n) Oil separator \$100.00 ~~\$60.00~~
- (o) Water control (interior) \$300.00 ~~\$225.00~~
- (p) Waterproofing (exterior) \$300.00 ~~\$150.00~~
- (q) Back flow prevention device base fee \$100.00 ~~\$75.00~~
 - (1) 2 inches and less \$75.00 ~~\$50.00~~
 - (2) Larger than 2 inches \$150.00 ~~\$100.00~~
- (r) Hot water heater - base fee \$100.00 ~~\$75.00~~
 - (1) Up to 150 gallon \$60.00 ~~\$40.00~~
 - (2) 151 to 300 gallon \$70.00 ~~\$50.00~~
 - (3) 301 gallons and larger \$250.00 ~~\$200.00~~
- (s) Hot water heater pan \$40.00
- (t) Hot water heater - alterations & repairs \$100.00 ~~\$60.00~~
- (u) Plan review fee \$150.00 ~~\$100.00~~

(v) Fire suppression sprinkler base fee \$200.00 ~~\$150.00~~

(1) Each head \$4.00 ~~\$2.00~~

(w) Cooking hood fire suppression system (ansol) base fee \$250.00 ~~\$200.00~~

(x) Individual items each \$20.00 ~~\$10.00~~ (unless otherwise noted)

(1) Water closet

(2) Urinal

(3) Bidet

(4) Lavatory sink

(5) Tub

(6) Shower

(7) Kitchen sink

(8) Hand washing sink

(9) 3-compartment sink, each \$50.00 ~~\$14.00~~

(10) Bar sink

(11) Dishwasher

(12) Garbage disposal

(13) Laundry tub(s)

(14) Janitor/mop sink

(15) Washing machine discharge, each ~~\$14.00~~

(16) Discharge wall unit

(17) Drinking fountain

(18) Dental chair

(19) Shampoo sink station

(20) Pedicure sink station

(21) Water filter/conditioning system

(22) Expansion tank, each ~~\$20.00~~

(23) Check valve, each ~~\$20.00~~

(24) Vacuum breaker, each ~~\$20.00~~

- (25) Air admittance valve
- (26) Trap primer, each ~~\$20.00~~
- (27) Indirect waste(s), each ~~\$14.00~~
- (28) Sump pump and pit, each ~~\$14.00~~
- (29) Access panel, each ~~\$14.00~~
- (30) Floor Drain
- (31) Gas Piping ~~\$125.00~~

(y) Gas fireplace insert, fire starter, gas logs,
 solid fuel burning appliance, each ~~\$40.00~~ ~~\$20.00~~

(Ord. 2015-49. Passed 11-15-16; Ord. 2016-4. Passed 3-28-16.)

1321.06 COMMERCIAL HVAC PERMIT FEES.

- (a) Furnace - boilers - solar - electric or gas base fee ~~\$300.00~~ ~~\$200.00~~
 - (1) Up to 150,000 BTU ~~\$50.00~~ ~~\$30.00~~
 - (2) Over 151,000 BTU ~~\$60.00~~ ~~\$40.00~~
 - (3) Each additional 100,000 BTU ~~\$20.00~~ ~~\$10.00~~
- (b) Air conditioning - refrigeration base fee ~~\$250.00~~ ~~\$200.00~~
 - (1) Up to 3 tons ~~\$50.00~~ ~~\$30.00~~
 - (2) 4 to 6 tons ~~\$60.00~~ ~~\$40.00~~
 - (3) 7 to 10 tons ~~\$75.00~~ ~~\$50.00~~
 - (4) Over 10 ton ~~\$125.00~~ ~~\$75.00~~
- (c) Refrigerant lbs in system
 - (1) 1 to 5 lbs ~~\$20.00~~ ~~\$10.00~~
 - (2) 6 to 20 lbs ~~\$40.00~~ ~~\$20.00~~
 - (3) 21 to 100 lbs ~~\$80.00~~ ~~\$40.00~~
 - (4) Over 101 lbs ~~\$120.00~~ ~~\$60.00~~
- (d) Related equipment
 - (1) Gas piping ~~\$200.00~~ ~~\$150.00~~

- (2) Solid fuel appliances and stoves \$150.00 ~~\$100.00~~
 - (3) Commercial cooking line hood \$200.00 ~~\$100.00~~
 - (4) Hood fire suppression \$200.00 ~~\$100.00~~
 - (5) Chimney \$150.00 ~~\$100.00~~
 - (6) Masonry chimney \$150.00 ~~\$100.00~~
 - (7) Air cleaner \$60.00 ~~\$50.00~~
 - (8) Fire damper \$60.00 ~~\$50.00~~
 - (9) Humidifier \$60.00 ~~\$50.00~~
 - (10) Ductwork \$200.00 ~~\$150.00~~
 - (11) Gas fireplace/fire logs \$50.00 ~~\$20.00~~
 - (e) Replacement of existing heating and air-conditioning unit \$400.00 ~~\$300.00~~
- (Ord. 2015-49. Passed 11-15-16.)

1321.07 ONE, TWO OR THREE FAMILY DWELLING PLUMBING PERMIT FEES.

- (a) New plumbing base fee \$200.00 ~~\$150.00~~
- (b) Alterations, replacement, repairs base fee \$150.00 ~~\$75.00~~
- (c) Water distribution system -
 - (1) Interior \$150.00 ~~\$100.00~~
 - (2) Exterior \$150.00 ~~\$100.00~~
 - (3) Alterations & repairs to either system above \$125.00 ~~\$75.00~~
- (d) Gas distribution system -
 - (1) Interior \$125.00 ~~\$100.00~~
 - (2) Exterior \$125.00 ~~\$100.00~~
 - (3) Alterations & repairs to either system above \$100.00 ~~\$75.00~~
- (e) Installation of storm or sanitary sewer lines (per 100 feet or fraction thereof)
 - (1) Base fee \$100.00 ~~\$75.00~~
 - (2) 1 1/2 3 inch - 6 inch diameter \$30.00 ~~\$15.00~~
 - (3) 8 inch diameter \$50.00 ~~\$25.00~~

- (4) 10 inch diameter ~~\$60.00~~ ~~\$30.00~~
- (5) 12 inch diameter ~~\$80.00~~ ~~\$40.00~~
- (6) Larger than 12 diameter ~~\$100.00~~ ~~\$50.00~~
- (f) Irrigation system base fee ~~\$80.00~~ ~~\$40.00~~
 - (1) Each head ~~\$5.00~~ ~~\$1.00~~
- (g) Water control - interior ~~\$250.00~~ ~~\$200.00~~
- (h) Waterproofing - exterior ~~\$200.00~~ ~~\$100.00~~
- (i) Back flow prevention device base fee ~~\$50.00~~ ~~\$25.00~~
 - (1) 2 inches and less ~~\$25.00~~ ~~\$10.00~~
 - (2) Larger than 2 inches ~~\$30.00~~ ~~\$15.00~~
- (j) Hot water heater - new ~~\$60.00~~ ~~\$45.00~~
- (k) Hot water heater repairs \$25.00
- (l) Hot water heater pan ~~\$25.00~~ ~~\$20.00~~
- (m) In ground swimming pool plumbing ~~\$100.00~~ ~~\$50.00~~
- (n) Rain barrel system, per barrel ~~\$40.00~~ ~~\$25.00~~
- (o) Rain garden ~~\$40.00~~ ~~\$25.00~~
- (p) Individual items ~~\$10.00~~ ~~\$5.00~~ each (unless otherwise noted)
 - (1) Water closet
 - (2) Bidet
 - (3) Lavatory sink
 - (4) Tub
 - (5) Shower
 - (6) Kitchen sink
 - (7) Bar sink
 - (8) Dishwasher
 - (9) Garbage disposal
 - (10) Laundry tub(s)
 - (11) Washing machine discharge ~~\$20.00~~ ~~\$10.00~~

- (12) Water filter/conditioning system
- (13) Expansion tank \$20.00 ~~\$10.00~~
- (14) Check valve \$20.00 ~~\$10.00~~
- (15) Vacuum breaker \$20.00
- (16) Air admittance valve \$25.00
- (17) Access panel \$20.00 ~~\$8.00~~
- (18) Gas fireplace insert, fire starter, gas logs \$20.00
- (19) Solid fuel burning appliance \$40.00 ~~\$20.00~~

(Ord. 2015-49. Passed 11-16-15; Ord. 2016-4. Passed 3-28-16.)

1321.08 ONE, TWO OR THREE FAMILY DWELLING HVAC PERMIT FEES.

- (a) New furnace - boilers - solar - electric or gas fee \$125.00 ~~\$100.00~~
- (b) New air conditioning - refrigeration \$125.00 ~~\$100.00~~
- ~~(c) New refrigerant (lbs in system)~~
 - ~~(1) 1 to 5 lbs \$10.00~~
 - ~~(2) 6 to 20 lbs \$20.00~~
- (c d) Related equipment
 - (1) Gas piping \$125.00 ~~\$100.00~~
 - (2) Solid fuel appliances and stoves x \$125.00 ~~\$100.00~~
 - (3) Factory chimney/flue \$125.00 ~~\$100.00~~
 - (4) Masonry chimney \$125.00 ~~\$100.00~~
 - (5) Air cleaner \$50.00
 - (6) Humidifier \$50.00
 - (7) Ductwork \$100.00
 - (8) Gas fireplace/fire logs \$40.00 ~~\$20.00~~

(Ord. 2015-49. Passed 11-16-15; Ord. 2016-4. Passed 3-28-16.)

1321.09 RE-INSPECTION, PLAN CHANGES AND WORK WITHOUT PERMIT.

(a) Re-inspection. A fee of fifty dollars (\$50.00) shall be charged for each additional re-inspection made necessary by faulty or incomplete work or inaccurate information on a permit or application for an electrical, heating or plumbing permit.

(b) Plan Changes. When major revisions are made after the original permits have been issued, an additional fee of fifty percent of the original permit shall be collected.

(c) Work Without Permit. The permit(s) cost shall be doubled for work begun or completed without obtaining a permit.

(Ord. 2015-49. Passed 11-16-15.)

1321.10 MISCELLANEOUS FEE.

The Chief Building Official shall be permitted to charge a fee in the amount of fifty dollars (\$50.00) to assist residents and contractors on smaller projects that are not listed on the fee schedule that require a permit.

(Ord. 2018-37. Passed 8-1-18.)

1321.99 PENALTY.

Whoever violates any of the provisions of this chapter is guilty of a misdemeanor of the second degree and shall be fined not more than seven hundred fifty dollars (\$750.00) or imprisoned not more than ninety days, or both. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

(Ord. 2015-49. Passed 11-16-15.)