



City of Parma Heights
Special Council Meeting
6281 Pearl Road
Monday, July 29, 2024
6:30 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

NEW BUSINESS

1. ORDINANCE NO. 2024 – 49

AN ORDINANCE AMENDING CHAPTER 752 PREVIOUSLY ENTITLED “MEDICAL MARIJUANA OPERATIONS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

2. ORDINANCE NO. 2024 - 50

AN ORDINANCE AMENDING CHAPTER 1190 PREVIOUSLY ENTITLED “MEDICAL MARIJUANA DISPENSARIES” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

3. ORDINANCE NO. 2024 - 51

AN ORDINANCE AMENDING SECTION 1185.02 ENTITLED “PERMITTED USES” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

4. RESOLUTION NO. 2024 - 52

A RESOLUTION PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED SIX (6) MONTHS, ON THE GRANTING OF ANY PERMITS ALLOWING THE OPERATION OF SHORT-TERM RENTALS WITHIN THE CITY OF PARMA HEIGHTS, AND DECLARING AN EMERGENCY

5. ORDINANCE NO. 2024 - 53

AN ORDINANCE TO DIRECT THE SUBMISSION TO THE ELECTORS OF PARMA HEIGHTS, OHIO, PROPOSALS TO AMEND ARTICLE III, SECTION 8; ARTICLE III, SECTION 11; ARTICLE IV, SECTION 7; AND ARTICLE V, SECTION 6 OF THE CITY CHARTER, AND DECLARING AN EMERGENCY

6. ORDINANCE NO. 2024 - 54

AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO ENTER INTO A CONTRACT WITH BUR OAK, TRAINING, CONSULTING & DESIGN, LLC, AND PROVIDING FOR PAYMENT FOR SERVICES RENDERED THEREUNDER, AND DECLARING AN EMERGENCY

7. RESOLUTION NO. 2024 – 55

A RESOLUTION AUTHORIZING THE ADMINISTRATION TO EXPEND FUNDS TO WICHERT INSURANCE TO SECURE INSURANCE COVERAGE FOR THE CITY OF PARMA HEIGHTS FROM SELECTIVE INSURANCE COMPANY, CINCINNATI INSURANCE COMPANY, HANOVER INSURANCE GROUP, AND LLOYDS, AND DECLARING AN EMERGENCY

ADJOURNMENT

ORDINANCE NO. 2024 - 49

AN ORDINANCE AMENDING CHAPTER 752 PREVIOUSLY ENTITLED “MEDICAL MARIJUANA OPERATIONS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, on November 7, 2023, Ohio voters approved Ohio Issue 2, the Marijuana Legalization Initiative, which legalized adult-use cannabis in the State of Ohio, and further allows for its cultivation, processing, possession, sale, and purchase in the State of Ohio; and

WHEREAS, amendments to Chapter 752 of the Parma Heights Codified Ordinances, including amending the title of the chapter, are necessary in order to regulate marijuana operations within the City of Parma Heights, Ohio; and

WHEREAS, this Council desires to amend Chapter 752 to reflect appropriate regulations of marijuana operations.

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 752 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: This Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public health, peace, and safety of this Municipality, and for the further reason that it is necessary to establish appropriate regulations for state licensed marijuana operations; wherefore, it shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

CHAPTER 752

Medical Marijuana Operations

- 752.01 Purpose.
- 752.02 Definitions.
- 752.03 Applicability.
- 752.04 Prohibition on certain ~~medical~~ marijuana operations.
- 752.05 ~~Medical m~~Medical marijuana dispensary license required.
- 752.06 ~~Medical m~~Medical marijuana dispensary license application.
- 752.07 Issuance of ~~medical~~ marijuana dispensary license.
- 752.08 Fees.
- 752.09 Inspection.
- 752.10 Expiration and renewal of license.
- 752.11 License suspension.
- 752.12 License revocation.
- 752.13 Appeal rights.
- 752.14 Transfer of license.
- 752.15 Regulations pertaining to the operation of ~~medical~~ marijuana dispensaries.
- 752.16 Loitering and exterior lighting and monitoring requirements.
- 752.17 Injunction.
- 752.18 Effect of partial invalidity.
- 752.19 Change in information.
- 752.99 Penalty.

752.01 PURPOSE.

The purposes of this chapter are to establish limitations on ~~medical~~ marijuana operations within the City and to establish reasonable and uniform regulations to minimize and control the negative secondary effects of ~~medical~~ marijuana dispensaries within the City, all in order to promote the health, safety, and welfare of the citizens of the City.

(Ord. 2018-35. Passed 8-1-18.)

752.02 DEFINITIONS.

For purposes of this chapter,

- (a) "Building Official" shall mean the Chief Building Official.
- (b) "Chief" shall mean the Chief of Police of the City.
- (c) "Director" shall mean the Director of Public Service.
- (d) "Disqualifying offense", "cultivator", "processor", and "dispensary" shall have the same meanings as in Ohio Admin. Code 3796:1-1-01 or subsequent similar regulations.
- (e) "Licensee" means, with respect to a ~~medical~~ marijuana dispensary license issued under this chapter, a person in whose name a license to operate a ~~medical~~ marijuana dispensary has been issued, as well as the individual(s) designated on the license application as principally responsible for the operation of the ~~medical~~ marijuana dispensary.
- (f) "~~Medical m~~Marijuana" shall have the same meaning as in R.C. 3796.01.
- (g) "Operate" means to control or hold primary responsibility for the operation of a ~~medical~~ marijuana dispensary, either as a business entity, as an individual, or as part of a group of individuals with shared responsibility. "Operate" or "cause to be operated" shall mean to cause to function or to put or keep in operation. "Operator" means any persons on the premises of a ~~medical~~ marijuana dispensary who is authorized to exercise overall operational control or hold primary responsibility for the operation of a ~~medical~~ marijuana dispensary or who causes to function or who puts or keeps in operation the business. A person may be found to be operating or causing to be operated a ~~medical~~ marijuana dispensary whether or not that person is an owner, part owner, or licensee of the business.
- (h) "Person" means an individual, proprietorship, partnership, firm, association, joint stock company, corporation or combination of individuals of whatever form or character.
- (i) "School", "church", "public library", "public playground", and "public park" shall have the same meanings as in R.C. 3796.30.
- (j) "Transfer of ownership or control" of a ~~medical~~ marijuana dispensary shall mean any of the following:
 - (1) The sale, lease, or sublease of the business;
 - (2) The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or

(3) The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

(Ord. 2018-35. Passed 8-1-18.)

752.03 APPLICABILITY.

Businesses subject to this chapter are ~~medical~~ marijuana cultivators, processors and dispensaries.

(Ord. 2018-35. Passed 8-1-18.)

752.04 PROHIBITION ON CERTAIN ~~MEDICAL~~ MARIJUANA OPERATIONS.

(a) No person shall operate a ~~medical~~ marijuana cultivator or processor business in the City.

(b) Any person who violates this section shall be guilty of a misdemeanor of the first degree.

(Ord. 2018-35. Passed 8-1-18.)

752.05 ~~MEDICAL~~ MARIJUANA DISPENSARY LICENSE REQUIRED.

(a) No person shall operate a ~~medical~~ marijuana dispensary without a valid ~~medical~~ marijuana dispensary license issued by the City pursuant to this chapter.

(b) Any person who violates division (a) of this section shall be guilty of a misdemeanor of the first degree.

(Ord. 2018-35. Passed 8-1-18.)

752.06 ~~MEDICAL~~ MARIJUANA DISPENSARY LICENSE APPLICATION.

(a) An application for a ~~medical~~ marijuana dispensary license shall be submitted to the Director on a form provided by the Director. The application may request and the applicant shall provide such information as reasonably necessary to enable the City to determine whether the applicant meets the qualifications established in this chapter.

(b) An application for a ~~medical~~ marijuana dispensary license shall identify and be signed by the following persons:

(1) If the business entity is owned by an individual, that individual.

(2) If the business entity is owned by a corporation, each officer or director of the corporation, any individual owning or controlling more than 50 percent of the voting shares of the corporation, and any person with an ownership interest in the corporation who will be principally responsible for the operation of the proposed ~~medical~~ marijuana dispensary or greater ownership interest in the corporation.

(3) If the business entity is owned by a limited liability company, each member of the limited liability company, and any person who will be principally responsible for the operation of the proposed ~~medical~~ marijuana dispensary on behalf of the limited liability company.

(4) If the business entity is owned by a partnership (general or limited), a joint venture, or any other type of organization where two or more persons share in the profits and liabilities of the organization, each partner (other than limited partners); and any other person entitled to share in the profits of the organization, whether or not such person is also obligated to share in the liabilities of the organization, who will be principally responsible for the operation of the proposed ~~medical~~ marijuana dispensary.

(c) An application for a ~~medical~~ marijuana dispensary license must designate one or more individuals to be principally responsible for the operation of the proposed ~~medical~~ marijuana dispensary, if a license is granted. At least one person so designated must be involved in the day-to-day operation of the proposed ~~medical~~ marijuana dispensary on a regular basis. Each person so designated, as well as the business entity itself, shall be considered a license applicant, must qualify as a licensee under this chapter, and shall be considered a licensee if a license is granted.

(d) An application for a ~~medical~~ marijuana dispensary license shall be completed according to the instructions of the application form, which shall require the following:

(1) If the applicant is:

A. An individual, state the legal name and any aliases of such individual;

B. A partnership, state the complete name of the partnership and all of its partners and whether the partnership is general or limited, and provide a copy of the partnership agreement, if any; or

C. A joint venture, or any other type of organization where two or more persons share in the profits and liabilities of the organization, state the complete name of the organization and provide a copy of the legal document establishing the organization, if any; or

D. A corporation, state the complete name of the corporation and the date of its incorporation, provide evidence that the corporation is in good standing under the laws of its state of incorporation, and state the names and capacity of all officers and directors, the name of the registered corporate agent, and the address of the registered office for service of process.

E. A limited liability company, state the complete name of the limited liability company and the date of its organization, provide evidence that the company is in good

standing under the laws of its state of organization, and state the names of all members, the name of the registered statutory agent, and the address of the registered office for service of process.

(2) If the applicant intends to operate the ~~medical~~ marijuana dispensary under a name other than that of the applicant, state the fictitious name to be used and submit copies of documentation evidencing the registration of the business name under applicable laws.

(3) State whether any applicant, or any of the individuals identified in the application pursuant to division (b) hereof, has had a previous license under this chapter or other similar regulation of another jurisdiction denied, suspended or revoked, including the name and location of the ~~medical~~ marijuana dispensary for which the permit was denied, suspended or revoked, as well as the date of the denial, suspension or revocation; and state whether the applicant has been a partner in a partnership or an officer, director or 10 percent or greater owner of a corporation licensed under this chapter whose license has previously been denied, suspended or revoked, including the name and location of the business for which the permit was denied, suspended or revoked as well as the date of denial, suspension or revocation.

(4) State whether any applicant, or any of the individuals identified in the application pursuant to division (b) hereof, holds any other licenses under this chapter or other similar regulation from this or another jurisdiction and, if so, the names and locations of such other licensed businesses.

(5) State the location of the proposed ~~medical~~ marijuana dispensary, including a legal description of the property, street address, and telephone number(s), if any.

(6) State the mailing address and residential address of each applicant and each person signing the application.

(7) Submit a current, valid retail dispensary license or provisional dispensary license issued to the applicant by the state board of pharmacy under the provisions of R.C. Chapters 3780 and/or 3796 and the regulations promulgated thereunder, or evidence that the applicant has made application for such a license or provisional license to the state board of pharmacy.

(8) Submit a security plan for review and approval by the Chief. The security plan shall be on a form or in a manner prescribed by the Chief and shall include, at a minimum, a lighting plan that identifies how the interior, facade, adjoining sidewalks, parking areas and immediate surrounding areas of the dispensary will be illuminated and how the lighting will deflect light away from adjacent properties; and an identification of operable cameras, alarms, security guards and other security measures to be present on the premises whether during or outside business hours. The security plan should address the applicant's use of off-street parking and proposed use of armed security guards, video surveillance and door, building and parking lot security as appropriate. The applicant shall supply all additional information requested by the Chief necessary for the Chief to evaluate the security plan.

(9) State the driver's license number and Social Security number of each applicant who is a natural person and each person signing the application, or, for an applicant that is not a natural person, the applicant's federally issued tax identification number.

(10) Submit proof that each applicant who is a natural person is at least 18 years old.

(11) Submit a sketch or diagram showing the configuration of the premises of the ~~medical~~ marijuana dispensary. The diagram shall also designate the place at which the dispensary license will be conspicuously posted, if issued. The sketch or diagram need not be professionally prepared, but it must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches.

(Ord. 2018-35. Passed 8-1-18.)

752.07 ISSUANCE OF ~~MEDICAL~~ MARIJUANA DISPENSARY LICENSE.

(a) Within five days of receipt of an application for a ~~medical~~ marijuana dispensary license, the Director shall notify the Building Official and the Chief of such application. In making such notification, the Director shall request that the Chief promptly investigate the information provided in the application and shall request that the Chief and the Building Official promptly inspect the premises for which the ~~medical~~ marijuana dispensary license is sought in order to assess compliance with the regulations under their respective jurisdictions.

(b) The Chief and the Building Official shall begin their respective investigations and inspections promptly upon receipt of notice of an application from the Director. The Chief and the Building Official shall provide the results of their investigations, including written certifications of whether the premises and applicants are in compliance with the laws and regulations under their respective jurisdictions, to the Director, in writing, within 60 days of receipt of notice of the application,

(c) The Building Official's inspection of the premises for which a ~~medical~~ marijuana dispensary license is sought shall include an investigation as to whether the premises are in compliance with the Ohio ~~Basic~~ Building Code, the Parma Heights Zoning Code, the Parma Heights Property Maintenance Code, and the provisions of this chapter related to physical characteristics of the premises.

(d) Within ninety days after receipt of a completed ~~medical~~ marijuana dispensary license application, the Director shall approve or deny the issuance of a license. The Director shall approve the issuance of a license to an applicant unless he or she determines that one or more of the following findings is true:

(1) An applicant who is a natural person is under eighteen years of age.

(2) An applicant has failed to provide information reasonably necessary for issuance of the license as requested on the application form, or has falsely answered a question or request for information on the application form.

(3) A person identified in the application pursuant to Section 752.06(b) or Section 752.06(c) of this chapter has been denied a license to operate a ~~medical~~ marijuana dispensary or has had a license to operate a ~~medical~~ marijuana dispensary revoked within the preceding twelve months by any jurisdiction.

(4) A person identified in the application pursuant to Section 752.06(b) or Section 752.06(c) of this chapter has been convicted of a disqualifying offense.

(5) The proposed ~~medical~~ marijuana dispensary would violate or fail to be in compliance with any provisions of the Parma Heights Zoning Code, Property Maintenance Code or General Offenses Code, or state statute or regulation.

(6) The application and investigation fee or a prior license fee required by this chapter has not been paid in full.

(7) An applicant is in violation of or not in compliance with any provision of this chapter, except as provided in division (e) (1) of this section.

(e) If the Director determines that one or both of the following findings is true, the license issued pursuant to division (d) of this section shall contain a requirement that the licensee correct all deficiencies specified within 120 days of the date the license is issued:

(1) The results of inspections of the premises by the Chief or the Building Official indicate that the premises are not in compliance with applicable laws and regulations under their respective jurisdictions, including the provisions of this chapter related to characteristics of the physical premises. This division shall not apply to premises that are in violation of any law or regulation that is identified or referenced in divisions (d)(1) through (d)(7) hereof.

(2) An applicant is overdue in payment to the City of taxes, fees, fines, or penalties assessed against or imposed upon him or her in relation to any business, which are not the subject of a pending appeal or other legal challenge.

(f) If the Director determines that no other grounds for denial of a license exist under division (d) hereof, the Director shall not delay approval of the application past the end of the ninety-day period provided in this section solely because the Chief has not provided the Director with the results of his inspection of the premises; the results of the Building Official's inspection of the premises are not available; or the Chief has not completed his investigation of the criminal background of the applicant(s). If, after approving the issuance of a license, the Director receives information from his investigation which he determines constitutes grounds for denial of a license under division (d) hereof, then the ~~medical~~ marijuana dispensary license issued pursuant to this division (t) hereof shall be immediately revoked. If after approving the issuance of a license, the Director receives information concerning the results of inspections of the premises by the Chief, or the Building Official's inspection, which the Director determines constitutes grounds for the issuance of a license subject to a requirement to correct deficiencies under division (e) hereof, then, a requirement shall be added to the terms of the ~~medical~~ marijuana

dispensary licenses issued pursuant to this division (f) hereof to correct all deficiencies noted within 120 days of the date such requirement is added.

(g) A ~~medical~~ marijuana dispensary license, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date, and the address of the licensed ~~medical~~ marijuana dispensary. All ~~medical~~ marijuana dispensary licenses shall be posted in a conspicuous place at or near the entrance to the business so that they may be easily read at any time.

(h) The Director shall advise the applicant in writing of the reasons for any license denial.

(Ord. 2018-35. Passed 8-1-18.)

752.08 FEES.

(a) Every application for a new ~~medical~~ marijuana dispensary license shall be accompanied by a three-hundred fifty dollar (\$350.00) non-refundable application and investigation fee.

(b) Every application for renewal of a ~~medical~~ marijuana dispensary license shall be accompanied by a two-hundred fifty dollar (\$250.00) non-refundable application and investigation fee.

(c) In addition to the application and investigation fee required in division (a) or (b) hereof, every applicant that is granted a ~~medical~~ marijuana dispensary license (new or renewal) shall pay to the City an annual, non-prorated license fee in the amount of twenty-five thousand dollars (\$25,000.00) upon license issuance or renewal, plus an amount equaling 1.5 percent of the licensee's gross annual sales from the dispensary to which the license applies above the amount of one million two-hundred thousand dollars (\$1,250,000.00), which the licensee shall calculate at the expiration of the license or renewal term using sales figures from the licensee's state-mandated reporting or recordkeeping forms, and which the licensee shall pay to the City within sixty days of the expiration of any term (new or renewal) of the license. The twenty-five-thousand-dollar (\$25,000.00) license fee may be refunded only if the applicant does not receive a license issued by the state board of pharmacy for a period covering any portion of the term of the license issued by the City. The licensee shall give the Director or his or her designee(s) an opportunity to review the data and basis upon which the licensee has calculated fees due under this section.

(Ord. 2018-35. Passed 8-1-18.)

752.09 INSPECTION.

(a) The Division of Police and the Building Official shall, from time to time, inspect each ~~medical~~ marijuana dispensary licensed under the provisions of this chapter that is open to the public in order to assess compliance with the provisions of this chapter.

(b) An applicant or licensee shall permit the Building Official or designees and the Chief or designees, as well as representatives of other city departments and divisions, to inspect a ~~medical~~ marijuana dispensary that is open to the public for the purpose of insuring compliance with the law, during times that it is occupied or open for business.

(c) An applicant or licensee shall subject the application to denial or the license to revocation if he or she refuses to permit such lawful inspection of the premises.

(Ord. 2018-35. Passed 8-1-18.)

752.10 EXPIRATION AND RENEWAL OF LICENSE.

(a) Each license issued pursuant to this chapter shall expire one year from the date of issuance and may be renewed by making application as provided in this section. Application for renewal shall be made no more than ninety days and no fewer than thirty days before the expiration date. If application is made fewer than thirty days before the expiration date, the license will not be extended pending a decision on the application, but will expire on its normal expiration date.

(b) An application for renewal of a ~~medical~~ marijuana dispensary license shall be submitted to the Director on a form provided by the Director. The renewal application may request and the applicant shall provide such information as reasonably necessary to enable the City to determine whether the applicant meets the qualifications established in this chapter. The completed renewal application shall describe any changes or additions to, or deletions from, the information provided in the applicant's initial license application pursuant to Section 752.06 of this chapter. The completed renewal application shall be accompanied by copies of any document or material submitted in connection with the initial license application that has been revised or requires revision to reflect any change in circumstances or conditions. Sketches or diagrams and security plans submitted with an initial ~~medical~~ marijuana dispensary license application may be resubmitted with subsequent renewal applications, provided that the applicant certifies in writing that the sketch or diagram and security plan still depict the premises and plan accurately.

(c) The Director shall make determinations concerning the approval of license renewals based on the same criteria used to evaluate applications for new licenses under Section 752.07 of this chapter.

(d) The Director shall advise the applicant in writing of the reason(s) for any denial of a license renewal.

(e) When the City denies an application for renewal of a license, the applicant shall not be issued another license for one year from the date of denial. If the City finds, subsequent to denial, that the basis for denial of the renewal license has been corrected or abated, the

applicant may be granted a license if at least ninety days have elapsed since the denial was issued.

(Ord. 2018-35. Passed 8-1-18.)

752.11 LICENSE SUSPENSION.

(a) The City shall suspend a ~~medical~~ marijuana dispensary license for a period not to exceed thirty days if it determines that a licensee:

(1) Has violated or is not in compliance with any section of this chapter; or

(2) Has authorized or approved an employee's violation of or failure to comply with any section of this chapter, or as a result of the licensee's negligent failure to supervise either the premises of the ~~medical~~ marijuana dispensary or a ~~medical~~ marijuana dispensary has allowed an employee to violate or fail to comply with any section of this chapter.

(b) The City shall suspend a ~~medical~~ marijuana dispensary license for a period not to exceed 30 days if it determines that a licensee or his employee or agent has refused to allow an inspection of the licensed ~~medical~~ marijuana dispensary premises as authorized by this chapter.

(c) The Director shall advise the licensee in writing of the reason(s) for any suspension.

(Ord. 2018-35. Passed 8-1-18.)

752.12 LICENSE REVOCATION.

(a) The City shall revoke a ~~medical~~ marijuana dispensary license if a cause of suspension under Section 752.11 of this chapter occurs and the license has been suspended two times within the preceding twelve months.

(b) The City shall revoke a ~~medical~~ marijuana dispensary license if it determines that:

(1) A licensee gave false or misleading information in the material submitted during the application process;

(2) The Licensee(s) failed to comply with any requirement stated in the license, pursuant to Section 752.07(g) of this chapter, to correct specified deficiencies within 120 days;

(3) A licensee has knowingly allowed, or as a result of the licensee's negligent failure to supervise either the premises of the ~~medical~~ marijuana dispensary or a ~~medical~~ marijuana dispensary employee, a licensee has allowed, possession, use, or sale of controlled substances (except ~~medical~~ marijuana) on the premises;

(4) A licensee has knowingly allowed, or as a result of the licensee's negligent failure to supervise either the premises of the ~~medical~~ marijuana dispensary or a ~~medical~~ marijuana dispensary employee, a licensee has allowed the commission of a felony on the premises;

(5) A licensee operated the ~~medical~~ marijuana dispensary during a period of time when the licensee knew or reasonably should have known that the licensee's license was suspended, or when the licensee no longer maintained a dispensary license issued by the state board of pharmacy;

(6) A licensee has been convicted of a specified criminal activity, as defined in Section 752.02 of this chapter, during the term of the license; or

(7) A licensee is delinquent in payment to the City, County, or State for any taxes or fees past due that were assessed or imposed in relation to any business.

(c) The Director shall advise the licensee in writing of the reason(s) for any revocation.

(d) When the City revokes a license, the licensee shall not be issued another license for one year from the date the revocation became effective. If the City finds, subsequent to revocation, that the basis for the revocation has been corrected or abated, the applicant may be granted a license if at least ninety days have elapsed since the date the revocation became effective.

(Ord. 2018-35. Passed 8-1-18.)

752.13 APPEAL RIGHTS.

(a) Any denial, suspension, or revocation of a new or renewal license under this chapter may be appealed to the City of Parma Heights Board of Zoning Appeals by written notice within ten days of such denial, suspension or revocation. Unless the applicant requests a longer period, the Board of Zoning Appeals must hold a hearing on the appeal within thirty days and must issue a decision affirming or reversing the denial, suspension, or revocation within five days after the hearing.

(b) Any decision by the Board of Zoning Appeals shall be a final appealable order and the applicant or licensee may seek judicial review of such administrative action in any court of competent jurisdiction pursuant to general law.

(c) Any licensee lawfully operating a ~~medical~~ marijuana dispensary prior to the denial of a license renewal application, or the suspension or revocation of a license, may continue to operate said business during the pendency of an appeal of a decision rendered under this chapter to the Board of Zoning Appeals or to a court.

(d) In the event that an applicant for a new ~~medical~~ marijuana dispensary license seeks judicial review of the denial of a new license, there shall be no automatic stay of the denial.

(Ord. 2018-35. Passed 8-1-18.)

752.14 TRANSFER OF LICENSE.

A ~~medical~~ marijuana dispensary license is not transferable from one licensee to another or from one location to another without the express written permission of the Director. Any purported transfer of a ~~medical~~ marijuana dispensary license without the express written permission of the Director shall automatically and immediately revoke that license. Notwithstanding anything in this chapter to the contrary, a license transferee shall assume all responsibilities of the license transferor under this chapter and all applicable code.

(Ord. 2018-35. Passed 8-1-18.)

752.15 REGULATIONS PERTAINING TO THE OPERATION OF ~~MEDICAL~~ MARIJUANA DISPENSARIES.

(a) No person may operate or cause to be operated a ~~medical~~ marijuana dispensary without complying with the following requirements:

(1) The ~~medical~~ marijuana dispensary shall be operated in accordance with all applicable laws, rules and regulations promulgated by the state. Nothing herein being intended to conflict with state law, rather said regulations are incorporated herein by reference. The dispensary operator shall document licensing by the State of Ohio and demonstrate compliance with terms and conditions imposed by law.

(2) The parcel upon which the dispensary is operated shall not at the time the original dispensary license is issued be located within 500 feet from any parcel on which sits a school, church, public library, public playground or public park.

(3) Consultations by clinical nurse specialists, certified nurse practitioners, physicians or physician assistants shall not be permitted at a dispensary, unless the patron already has a recommendation for medical marijuana prior to entering the dispensary.

(4) Signs shall be posted on the outside of the dispensary and shall only contain the name of the business, limited to two colors.

(5) The dispensary shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.

(6) The use of any vending machine which allows access to ~~medical~~ marijuana is prohibited. For purposes of this division (a) (6), a vending machine is any device which allows access to ~~medical~~ marijuana without a human intermediary.

(7) The premises of every ~~medical~~ marijuana dispensary shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access, including restrooms, at an illumination level of not less than five foot-candles as measured at floor level.

(8) No ~~medical~~ marijuana dispensary shall be operated in any manner that permits the observation from outside the premises of any image depicting or describing a marijuana

leaf or the combustion of plant material, whether by means of display, decoration, sign, window or any other means.

(9) Any material changes to information provided in the licensee's application including, but not limited to, changes to the security plan must be promptly communicated, in writing, to the Director.

(10) If, at any time, the licensee is subject to any enforcement action by the state, the licensee shall immediately notify the Director and shall provide any relevant information or documentation requested by the Director.

(11) If, at any time, the licensee has a reasonable belief that an actual loss, theft or diversion of ~~medical~~ marijuana or currency worth or amounting to more than one hundred dollars (\$100.00) has occurred, the licensee shall immediately notify the Director, and in any event such notification shall be provided no later than twenty-four hours after discovery of the loss, theft or diversion.

(b) Except as otherwise provided in this paragraph, any person who violates division (a) hereof, or any person who operates a ~~medical~~ marijuana dispensary and permits a violation of division (a) hereof on the premises, shall be guilty of a misdemeanor of the third degree. If the offender previously has been convicted of or pleaded guilty to one violation of division (a) hereof, a violation of division (a) of this section will be considered a misdemeanor of the second degree. If the offender previously has been convicted of or pleaded guilty to two or more violations of division (a) of this section, a violation of division (a) hereof will be considered a misdemeanor of the first degree.

(Ord. 2018-35. Passed 8-1-18.)

752.16 LOITERING AND EXTERIOR LIGHTING AND MONITORING REQUIREMENTS.

(a) It shall be the duty of the operator of a ~~medical~~ marijuana dispensary to:

(1) Initiate and enforce a no loitering policy within the external boundaries of the parcel of real property upon which the ~~medical~~ marijuana dispensary is located;

(2) Post conspicuous signs stating that no loitering is permitted on such property;

(3) Monitor the activities of persons on such property by visually inspecting such property or inspecting such property by use of video cameras and monitors; and

(4) Provide adequate lighting of the exterior premises to provide for visual inspection or video monitoring and to prohibit loitering. The video cameras and monitors shall operate continuously at all times that the premises is open for business.

(b) It shall be unlawful for a person having a duty under this section to knowingly fail to fulfill that duty.

(Ord. 2018-35. Passed 8-1-18.)

752.17 INJUNCTION.

Any person who operates or causes to be operated a ~~medical~~ marijuana dispensary in violation of this chapter is subject to a suit for injunction as well as prosecution for criminal violations under the Codified Ordinances of the City.

(Ord. 2018-35. Passed 8-1-18.)

752.18 EFFECT OF PARTIAL INVALIDITY.

If any section, subsection or clause of this chapter shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

(Ord. 2018-35. Passed 8-1-18.)

752.19 CHANGE IN INFORMATION.

During the pendency of any application for, or during the term of, any ~~medical~~ marijuana dispensary license, the applicant or licensee shall promptly notify the Director in writing of any change in any material information given by the applicant or licensee in the application for such license, including specifically, but without limitation, any change in managers of the ~~medical~~ marijuana dispensary establishment or in the individuals identified in the application pursuant to this chapter; or if any of the events constituting grounds for suspension or revocation pursuant to this chapter occur.

(Ord. 2018-35. Passed 8-1-18.)

752.99 PENALTY.

(a) Violations of this chapter for which no penalty is specified shall be unclassified misdemeanor offenses punishable by fine or imprisonment, as provided in Section 101.99 of the Codified Ordinances of the City of Parma Heights.

(b) Each day that a ~~medical~~ marijuana dispensary operates in violation of this chapter is a separate offense or violation.

(Ord. 2018-35. Passed 8-1-18.)

ORDINANCE NO. 2024 - 50

AN ORDINANCE AMENDING CHAPTER 1190 PREVIOUSLY ENTITLED “MEDICAL MARIJUANA DISPENSARIES” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, on November 7, 2023, Ohio voters approved Ohio Issue 2, the Marijuana Legalization Initiative, which legalized adult-use cannabis in the State of Ohio, and further allows for its cultivation, processing, possession, sale, and purchase in the State of Ohio; and

WHEREAS, amendments to Chapter 1190 of the Parma Heights Codified Ordinances, including amending the title of the chapter, are necessary in order to regulate marijuana operations within the City of Parma Heights, Ohio; and

WHEREAS, this Council desires to amend Chapter 1190 to reflect appropriate regulations of marijuana operations.

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 1190 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: This Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public health, peace, and safety of this Municipality, and for the further reason that it is necessary to establish appropriate regulations for state licensed marijuana operations; wherefore, it shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

CHAPTER 1190

Medical Marijuana Dispensaries

1190.01 Purpose.

1190.02 Definitions.

1190.03 Location of ~~medical~~ marijuana dispensaries.

1190.04 Design guidelines for ~~medical~~ marijuana dispensaries.

1190.05 Off-street parking.

1190.06 Sign regulations for ~~medical~~ marijuana dispensaries.

1190.07 Licensing.

1190.08 Hearing; renewal; revocation.

1190.09 Severability.

1190.01 PURPOSE.

It is the purpose of this chapter to regulate ~~medical~~ marijuana dispensaries in order to promote the health, safety, morals, and general welfare of the citizens of the City and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of ~~medical~~ marijuana dispensaries within the City.

(Ord. 2018-34. Passed 8-1-18.)

1190.02 DEFINITIONS.

For purposes of this chapter:

(a) "Director" shall mean the Director of Public Service.

(b) "Dispensary" shall have the same meaning as in Ohio Admin. Code 3796:1-1-01 and/or Ohio Revised Code 3780.01 ~~or subsequent similar regulations.~~

(c) "Licensee" means a person in whose name a license to operate a ~~medical~~ marijuana dispensary has been issued under Chapter 752, as well as the individual(s) designated on the license application as principally responsible for the operation of the ~~medical~~ marijuana dispensary.

(d) "~~Medical m~~arijuana" shall have the same meaning as in R.C. 3796.01 and/or 3780.01.

(e) "Operate" means to control or hold primary responsibility for the operation of a ~~medical~~ marijuana dispensary, either as a business entity, as an individual, or as part of a group of individuals with shared responsibility.

(1) "Operate" or "cause to be operated" shall mean to cause to function or to put or keep in operation.

(2) "Operator" means any persons on the premises of a ~~medical~~ marijuana dispensary who is authorized to exercise overall operational control or hold primary responsibility for the operation of a ~~medical~~ marijuana dispensary or who causes to function or who puts or keeps in operation the business. A person may be found to be operating or causing to be operated a ~~medical~~ marijuana dispensary whether or not that person is an owner, part owner, or licensee of the business.

(f) "Person" means an individual, proprietorship, partnership, firm, association, joint stock company, corporation or combination of individuals of whatever form or character.

(g) "School," "church," "public library," "public playground," and "public park" shall have the same meanings as in R.C. 3796.30.

(Ord. 2018-34. Passed 8-1- 18.)

1190.03 LOCATION OF ~~MEDICAL~~ MARIJUANA DISPENSARIES.

(a) ~~Medical m~~Marijuana dispensaries may be located only in a Class C Zoning District as a conditionally permitted use pursuant to Chapter 1181 and in accordance with the restrictions contained in this chapter.

(b) No ~~medical~~ marijuana dispensaries may be established or operated within 500 feet of a school, church, public library, public playground, or public park in the City.

(c) No ~~medical~~ marijuana dispensary may be established, operated or enlarged within one mile ~~1,000 feet~~ of another ~~medical~~ marijuana dispensary.

(d) Not more than one ~~medical~~ marijuana dispensary shall be established or operated in the same building, structure, or portion thereof.

(e) For the purpose of divisions (b) and (c) of this section, measurement shall be made from the nearest portion of the building or structure used as the part of the premises where a ~~medical~~ marijuana dispensary is conducted, to the nearest property line of the premises of a ~~medical~~ marijuana dispensary or a school, church, public library, public playground, or public park.

(f) Vehicular access to marijuana dispensaries shall be limited to main arterial roadways. No curb cut or driveway shall access any residential street, regardless of frontage, nor shall such facilities maintain such vehicular access via license or easement upon adjoining parcel. Any existing curb cut or driveway shall be eliminated as a prerequisite to conditional use approval and subject to development review.

(g) Marijuana dispensaries shall not be located on parcels of land with less than 12,000 square feet or 0.25 acres, nor shall such facilities be located on parcels with multiple tenants within a plaza of shops.

(h) No more than one dispensary shall be located within any single mixed-use district.

(Ord. 2018-34. Passed 8-1-18.)

1190.04 DESIGN GUIDELINES FOR ~~MEDICAL~~ MARIJUANA DISPENSARIES.

(a) Parking for a ~~medical~~ marijuana dispensary shall be configured so as to prevent vehicular headlights from shining into adjacent residentially zoned and/or used property. Parking areas configured such that vehicular headlights are directed toward public rights-of-way across from residentially zoned and/or used property shall provide continuous screening, as required by the Planning Commission. Landscaping and screening shall be continuously maintained and promptly restored, if deemed necessary by the Director of Public Service.

(b) Ingress and egress drives and primary circulation lanes shall be located away from residential areas where practical to minimize vehicular traffic and noise which may become a nuisance to adjacent residential areas.

(c) All building entrances intended to be utilized by patrons shall be located on the side(s) of the building which does not abut residentially zoned and/or used property, whenever possible, to minimize the potential for patrons to congregate and create noise which may become a nuisance to adjacent residential areas.

(d) All exterior site and building lighting, which shall be provided, must be approved by the Planning Commission, and such design shall minimize the intrusive effect of glare and illumination upon any abutting areas, especially residential.

(e) Any ~~medical~~ marijuana dispensary adjacent to a residential district and/or use shall contain a minimum six-foot-high solid fence along such abutting property lines and be approved by the Planning Commission pursuant to Chapter 1193.

(f) Rules, regulations and local permitting requirements imposed on a licensee by the City shall be interpreted in all instances to conform to the state licensing requirements for dispensaries, but in the event the City's rules, regulations and permitting requirements impose a greater obligation on a licensee than the state licensing requirements, the local provisions shall be enforced.

(g) Applicants must meet any additional criteria and fulfill any additional requirements associated with obtaining a conditional use permit in the City. The City shall review all qualifying applications at a reasonable pace and level of review equivalent to other land use projects requiring a conditional use permit.

(Ord. 2018-34. Passed 8-1-18.)

1190.05 OFF-STREET PARKING.

Off-street parking for a ~~medical~~ marijuana dispensary shall be provided, pursuant to Chapter 1187, except that the Planning Commission may require an off-street parking plan.

(Ord. 2018-34. Passed 8-1-18.)

1190.06 SIGN REGULATIONS FOR ~~MEDICAL~~ MARIJUANA DISPENSARIES.

(a) All signs for a ~~medical~~ marijuana dispensary shall be awning signs, wall signs or window signs as defined in ~~Section 1383.03~~ Chapter 1383 of the ~~Building Code Parma Heights Codified Ordinances~~ and shall be constructed and located in conformance with all applicable provisions of Chapter 1383 of the ~~Building Code Parma Heights Codified Ordinances~~.

(b) All signs for a ~~medical~~ marijuana dispensary shall be maintained in accordance with ~~Section 1383.14~~ Chapter 1383 of the ~~Building Code Parma Heights Codified Ordinances~~ and may be ordered to be removed in accordance with the provisions of that ~~Section~~ Chapter.

(c) No merchandise or pictures of the products on the premises of a ~~medical~~ marijuana dispensary shall be displayed on signs, in window areas or any area where they can be viewed from the sidewalk or street in front of the building. No sign shall bear any image depicting or describing a marijuana leaf or the combustion of plant material, whether by means of display, decoration, sign, window or any other means.

(d) Window areas of a ~~medical~~ marijuana dispensary shall not be covered or made opaque in any way. A one-square-foot sign shall be placed on the door to state hours of operation. Additional signage to conform to the requirements Section 752.16 may be permitted.

(Ord. 2018-34. Passed 8-1-18.)

1190.07 LICENSING.

~~Medical m~~Marijuana dispensaries as described in Section 1190.03 herein shall be licensed and operated pursuant to Chapter 752.

(Ord. 2018-34. Passed 8-1-18.)

1190.08 HEARING; RENEWAL; REVOCATION.

(a) Notwithstanding anything in this chapter or section to the contrary, any conditional use permit application for a ~~medical~~ marijuana dispensary shall be heard by the Planning Commission and, if approved, shall expire at the same time as the expiration of the ~~medical~~

marijuana dispensary license pursuant to Section 752.10(a). Subsequent renewal of the conditional use permit may be made administratively by the Director of Public Service if no significant modifications to the conditions of the permit have been proposed and no violations have been determined. Violations may include, for example, legitimate loitering complaints, excessive police calls to the immediate vicinity, noise complaints, non-compliance with the terms of the conditional use permit, or non-compliance with other applicable state or local regulation. The licensee shall have a reasonable opportunity and time to cure the complaint or possible non-compliance as defined in this section before being subject to revocation or suspension.

(b) Determination of administrative renewal is at the discretion of the Director of Public Service. Renewal applications must be submitted in writing at least thirty days prior to expiration of permit.

(c) The conditional use permit for a ~~medical~~ marijuana dispensary is nontransferable.

(d) Notwithstanding anything in this chapter or section to the contrary, any conditional use permit granted for a ~~medical~~ marijuana dispensary may be revoked by the Planning Commission after referral to the Planning Commission by the Director of Public Service and after a public hearing on whether violations have occurred or the spirit and intent of the conditional use permit has not been met. Notice of such hearing shall be sent to the licensee and to others, as if a zoning change were requested.

(Ord. 2018-34. Passed 8-1-18.)

1190.09 SEVERABILITY.

If any section, subsection, or clause of this chapter shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

(Ord. 2018-34. Passed 8-1-18.)

ORDINANCE NO. 2024 - 51

AN ORDINANCE AMENDING SECTION 1185.02 ENTITLED “PERMITTED USES” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, on November 7, 2023, Ohio voters approved Ohio Issue 2, the Marijuana Legalization Initiative, which legalized adult-use cannabis in the State of Ohio, and further allows for its cultivation, processing, possession, sale, and purchase in the State of Ohio; and

WHEREAS, amendments to Section 1185.02 of the Parma Heights Codified Ordinances are necessary in order to regulate marijuana operations within the City of Parma Heights, Ohio; and

WHEREAS, this Council desires to amend Section 1185.02 to reflect appropriate regulations of marijuana operations.

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 1185.02 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: This Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public health, peace, and safety of this Municipality, and for the further reason that it is necessary to establish appropriate regulations for state licensed marijuana operations; wherefore, it shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

1185.02 PERMITTED USES.

No building, structure, premises, or portion thereof, shall be used, arranged to be used, or designed to be used, except as established below.

(a) Permitted Use Table Summary. Table 1185.02 sets forth the uses allowed in the Mixed-Use Districts. The abbreviations used in the table are described as follows:

(1) Uses permitted by right. A "P" in a cell indicates that the use is allowed by right as a principal use in the respective district provided that all requirements of other City ordinances and this Planning and Zoning Code have been met.

(2) Conditional uses. A "C" in a cell indicates that the use is regulated as a conditional use. The use may be permitted in the respective district if approved through the conditional use review process in compliance with Chapter 1135, provided that all standards for specific uses found in Chapter 1195, Supplemental Use Requirements, or elsewhere as referenced herein and other relevant City ordinances and this Planning and Zoning Code have been met.

(3) Accessory uses. An "A" in a cell indicates that the use is a permitted accessory use, provided it is clearly incidental and subordinate to a permitted principal or conditional use listed in Table 1185.02 and that the requirements of all other City ordinances and this Planning and Zoning Code have been met.

(4) Uses not permitted.

A. An "N" in a cell indicates that a use is not permitted in the respective district.

B. Any use not specifically listed in Table 1185.02 shall be a prohibited use in these zoning districts and shall only be permitted upon amendment of this Code and/or the Zoning Map as provided in Chapter 1163 or approval as a similar use as provided in Section 1135.10.

(b) Compliance with Standards. Although a use may be indicated as a permitted principal, conditional or accessory use in a particular district, it shall not be approved on a lot unless it can be located thereon in full compliance with all of the standards and other regulations of this Code applicable to the specific use and lot in question, including but not limited to any supplemental use-specific standards referenced in Table 1135.02.

(c) Indoor/Outdoor Operations. All permitted uses in the Mixed Use Districts shall be conducted within a fully enclosed building unless otherwise expressly authorized. This requirement does not apply to accessory off-street parking and loading areas.

Table 1185.02 Permitted Uses

	<i>TC-MUD Town Center Mixed-Use</i>	<i>W130-MUD W 130th St. Mixed-Use</i>	<i>N-MUD Neighborhood Mixed-Use</i>	<i>Use-Specific Regulations</i>
<i>Residential:</i>				
Artist Live/Work units, above ground floor	P	P	P	1195.03(a)
Artist Live/Work units, ground floor	C	C	P	1195.03(a)

Dwelling Units, above nonresidential ground floor	P	P	P	
Group Home, Large	C	C	C	1195.03(b)
Multi-Family Building	C	C	P	1195.03(c)
Skilled Nursing and Rehabilitation Facility	C	C	C	1195.03(d)
Town House /Attached Single-Family Dwellings	C	C	P	1195.03(e)
<i>Public and Civic:</i>				
Cultural Institution, Libraries, Religious Assembly	P	P	P	
Day Care Centers, child and adult	P	P	P	
Hospitals	N	C	N	1195.04(a)
Parks, Other Public Open Space	P	P	P	
Public Safety Services	P	P	P	
Recreational Facilities, indoor, public or private	N	C	C	1195.04(b)
Schools, colleges, trade schools	C	C	C	1195.04(c)
Schools, primary and secondary	C	C	C	1195.04(d)
<i>Commercial:</i>				
Animal Services, including veterinary clinics, sales and grooming (but not including boarding kennel)	P	P	P	
Artist Work or Sales Space, Artisan production/fabrication	P	P	P	
Brew pubs and wine bars	P	P	C[1]	1195.05(a)
Business services	P	P	P	
Drive-Through Facility	C	C	N	1195.05(b)
Entertainment, indoor, in association with a permitted use	A	A	C	1195.05(c)
Financial Services	P	P	P[1]	
Funeral Home	P	P	P	
Medical Marijuana Dispensary	C	C	N C	Chaps 1190, 752
Medical/Dental offices or clinic	P	P	P[1]	
Medication Maintenance Facility or Dispensary	N	C	N	1195.05(f)
Micro production facility (Micro-brewery, Micro-distillery, Micro-winery)	C	C	N	1195.05(a)
Offices, administrative, general, professional	P	P	P[1]	
Outdoor Dining in association with a restaurant	C	C	C	1195.05(g)
Restaurants	P	P	P[1]	
Personal Service, including health clubs and gyms	P	P	P[1]	
Repair Service, consumer	P	P	P[1]	
Permanent Cosmetics Services in association with a permitted personal service establishment	C	C	N	1195.05(h)
Tattoo or Body Piercing Services	N	C	N	Chap 733
Retail Sales, general	P	P	P[1]	
Laboratories and Research Facilities	C	C	N	1195.05(d)
Light Industrial	N	C	N	1195.05(d)
Limited Outdoor Operations	N	C	N	1195.05(e)

<i>Table 1185.02 Permitted Uses</i>				
	<i>TC-MUD Town Center Mixed-Use</i>	<i>W130-MUD W 130th St. Mixed-Use</i>	<i>N-MUD Neighborhood Mixed-Use</i>	<i>Use-Specific Regulations</i>
<i>Automotive Uses:</i>				
Car wash	C	C	C	1195.06(a)
Gas station	C	C	C	1195.06(b)
Parking, Commercial Garage	C	C	C	1195.06(c)
Vehicle repair, restoration	C	C	C	1195.06(d)
Vehicle sales, New car sales and associated service	C	C	C	1195.06(e)
Vehicle service	C	C	C	1195.06(f)
<i>Other Accessory Uses and Structures</i>				
Fences and Walls	A	A	A	
Landscape features (including gardens, fountains, sidewalks, and lawns) and ornamental structures	A	A	A	
Maintenance, storage, utility and waste disposal facilities in enclosed structure	A	A	A	
Off-street parking and loading	A	A	A	
Outdoor recreational structures, accessory to a day care center	A	A	A	
Signage	A	A	A	
Temporary transient outdoor business/sales[2]	A	A	A	1195.07

P = permitted by right; C = conditional use; A = accessory use; N = not allowed

[1] Individual business establishments are limited to a maximum of 5,000 square feet in area. Larger establishments or expansions beyond 5,000 square feet require conditional use approval.

[2] Permitted only upon obtaining authorization from the Director of Public Services.

(Ord. 2021-6. Passed 1-25-21; Ord. 2021-23. Passed 7-7-21.)

RESOLUTION NO. 2024 - 52

A RESOLUTION PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED SIX (6) MONTHS, ON THE GRANTING OF ANY PERMITS ALLOWING THE OPERATION OF SHORT-TERM RENTALS WITHIN THE CITY OF PARMA HEIGHTS, AND DECLARING AN EMERGENCY

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restricting uses for businesses and trades; and

WHEREAS, the City of Parma Heights is an organized and existing municipal corporation under the provisions of the Constitution of the State of Ohio and the Charter of the City of Parma Heights; and

WHEREAS, this Council desires to issue a moratorium on the granting of any permits allowing short-term rentals, for a temporary period of time, not to exceed six (6) months from the date of passage of this Resolution, while it undertakes a review and/or study of the ordinances of the City of Parma Heights, including the zoning, building, and business regulation sections of the Parma Heights Codified Ordinances; and

WHEREAS, this Council will be able to enact reasonable regulations to protect the health, safety, welfare, peace, and comfort of the citizens of the City of Parma Heights more effectively if a moratorium is in place.

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

Section 1: That this Council hereby approves a temporary moratorium, not to exceed six (6) months, of the granting of any permits allowing short-term rentals, or any permits, licenses, or registrations for rental properties construed by the City to facilitate short-term rentals within the City of Parma Heights.

Section 2: This moratorium shall be in effect for a period not to exceed six (6) months or until Council enacts an ordinance or resolution revoking this moratorium, whichever shall occur sooner.

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

Section 4: This Council declares this Resolution to be an emergency measure for the immediate preservation of the public health, peace, and safety of this municipality, and for the

further reason that a moratorium is needed to enable the study and regulation of businesses engaging in short-term rentals; wherefore, this Resolution shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

ORDINANCE NO. 2024 - 53

AN ORDINANCE TO DIRECT THE SUBMISSION TO THE ELECTORS OF PARMA HEIGHTS, OHIO, PROPOSALS TO AMEND ARTICLE III, SECTION 8; ARTICLE III, SECTION 11; ARTICLE IV, SECTION 7; AND ARTICLE V, SECTION 6 OF THE CITY CHARTER, AND DECLARING AN EMERGENCY

WHEREAS, pursuant to the provisions of Article X of the Charter of the City, this Council is required to submit all City Charter amendments recommended by the City’s Charter Review Commission to the electors of the City for a vote thereon; and the next general election greater than sixty (60) days after the recommendation of the Charter Review Commission was rendered and delivered to this Council is November 5, 2024.

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

Section 1: That this Council directs the submission to the electors of the City of Parma Heights, Ohio, at the general municipal election to be held at the regular places of voting in said City and the regular hours of voting on Tuesday, November 5, 2024 (the “Election”), of separate recommendations of the Charter Review Commission, for amendments to the City’s Charter, set forth in Exhibits “A”, “B”, “C”, and “D”, which are attached hereto and incorporated by reference.

Section 2: If any of the proposals submitted pursuant to the attached Exhibits, considered independently of one another, receive the affirmative vote of a majority of the electors voting thereon, then the existing section or sections to which such proposal or proposals relate shall be, and the same are amended, as proposed, effective as of the date on which such amendments become effective.

Section 3: The Board of Elections of Cuyahoga County is directed to provide for the voting upon the proposed Charter amendments in this Ordinance and the ballots for the Election shall, at the top of the ballot, be entitled “Proposed Charter Amendments City of Parma Heights, Ohio”, and the questions to be submitted on said Election ballot are recommended to be substantially in the following words, read as shown in Exhibit “E”, which is attached hereto and incorporated by reference.

Section 4: The Clerk of Council is authorized and directed to deliver a certified copy of this Ordinance to the Board of Elections of Cuyahoga County prior to the Board’s close of business on September 6, 2024.

Section 5: The Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the Election to be held on November 5, 2024 on the foregoing amendments to the Charter of this City.

Section 6: The Director of Law is authorized and directed to respond to any request from the Board of Elections that the City furnish additional or alternative wording of the ballot issues to those set forth in Section 3 of this Ordinance.

Section 7: The Clerk of Council is authorized and directed to publish the full text of the proposed Charter amendments once a week for not less than two consecutive weeks in a newspaper published in this municipal corporation, with the first publication being at least fifteen (15) days prior to November 5, 2024.

Section 8: There is appropriated from the General Fund of this City an amount sufficient to apply to the costs of carrying out the authorizations and directions of this Ordinance.

Section 9: 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 10: This Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public health, peace, and safety of this Municipality, and for the further reason that said Ordinance must become effective at the earliest possible time in order to permit the necessary arrangements to be made so as to submit to the electors the question of said Charter amendments at the November 5, 2024 election, meet the deadline of the submission of this Ordinance to the County Board of Elections by September 6, 2024, and to thereby carry out the requirement of Article X of the Charter; wherefore, it shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

Exhibit A

PROPOSED LANGUAGE

ARTICLE III SECTION 8. MEETINGS.

a) Regular Meetings. At 7:00 p.m. on the second Monday of January immediately following a regular municipal election, or if such day be a holiday, on the day following, the Council shall convene and organize at the Municipal building of the Municipality. Thereafter, the Council shall meet at such times as may be prescribed by its rules, regulations or bylaws, or by ordinance, except that it shall hold regular meetings at least twice during each calendar month, except that during the month of December only one (1) regular meeting need be held and, also, that it may recess during the months of July and August, subject to the call of a meeting by the Mayor. Subject to Article XI, Section 8 of this Charter, all meetings of the Council, whether regular or special, shall be open to the public in accordance with the provisions of this Charter.

(b) Special Meetings. Special meetings may be called in accordance with and as provided for by the rules, regulations or bylaws adopted by Council; but in the absence of such provision they may be called by a vote of the Council taken at any regular or special meeting of the Council, or shall be called by the Clerk of Council upon the written request of the Mayor, President of the Council, or three members of the Council. Any such vote or request shall state the subject or subjects to be considered at the meeting and no other subject or subjects shall be considered. Twelve (12) hours notice in writing of such special meeting called by the Mayor, President of Council, or three (3) members of Council must be given to each member of Council and the Mayor by service personally upon them or left at their usual place of residence. Service of such notice may be waived ~~in writing~~ through documented written or electronic correspondence.

Exhibit B

PROPOSED LANGUAGE

ARTICLE III SECTION 11. PROCEDURE.

All legislative action shall be by ordinance or resolution introduced in written or printed form except when otherwise permitted by the Constitution or laws of the State of Ohio. A copy of each ordinance and resolution shall be provided to each member of Council by the Clerk of Council, not less than forty-eight (48) hours prior to the regular or special meeting at which the ordinance or resolution is to be introduced. This requirement shall be suspended if a written waiver thereof shall be signed by ~~at least five (5)~~ at least five (5) members of Council as an emergency and with the affirmative vote of all members of Council present at the meeting. No ordinance or resolution shall be passed without the concurrence of a majority of the members of Council.

Every ordinance or resolution shall be ~~fully and distinctly~~ read by title at three (3) different Council meetings unless five (5) members of Council vote affirmatively to ~~dispense with the rule~~ read an ordinance or resolution in its entirety. No ordinance or resolution shall contain more than one subject which shall be clearly expressed in its title; and no ordinance or resolution shall be revised or amended unless the ordinance or resolution superseding it contains the entire ordinance or resolution so revised or amended or the section or sections so revised or amended, and having been revised or amended the original ordinance, resolution or section shall be repealed.

Exhibit C

PROPOSED LANGUAGE

ARTICLE IV SECTION 7. CIVIL SERVICE COMMISSION.

(a) Membership. The Mayor, with the concurrence of a majority of the members elected to Council, shall appoint a Civil Service Commission consisting of three electors of the Municipality not holding other municipal office or appointment to serve for a term of six years; except that of the three appointed for the terms beginning with the effective date of this Charter, one shall be appointed for a term of two years, one for a term of four years, and one for a term of six years. A vacancy occurring during the term of any member of the Commission shall be filled for the unexpired term in the manner authorized for an original appointment. All members shall serve without compensation.

(b) Powers and Duties. The Civil Service Commission shall provide by rule for the ascertainment of merit and fitness as the basis for appointment and promotion in the service of the Municipality as required by the Constitution of the State of Ohio, and for appeals from the action of the Mayor in any case of transfer, reduction or removal. The action of the Commission on any such appeal shall be final except as otherwise provided by the laws of the State of Ohio. The Civil Service Commission shall adopt rules with regard to certification of names from the promotion lists. The Commission shall prescribe and enforce rules and regulations that may be different than the State's general statutes on civil service law. The Commission shall conduct its affairs in accordance with its own lawfully adopted rules and regulations, which may be different from the State's general statutes on civil service law.

Whenever a vacancy occurs in the position of Chief of Police or Chief of the Fire Department, the Commission shall certify to the appointing authority the names of the five candidates with the highest rating as established by the Civil Service Commission. The Commission may certify less than five names if five are not available. Upon receipt from the Commission of such list of eligibles for the position of Chief, the appointing authority shall fill such position by appointment of one of the persons certified to the appointing authority and shall forthwith report to the Commission the name of such appointee, the title of the position, the duties and responsibilities of the same, the salary or compensation thereof, and such other information as the Commission may reasonably require in order to keep its roster.

Civil Service examination shall not be required for the appointment of any member of a board or commission, or any head of a department other than the Police Department or Fire Department, or any assistant to a director, or any secretary to the Mayor or to the head of any department or any assistant to the Mayor, or for temporary appointment, or for unskilled laborers, or for appointment to any other office or position requiring peculiar or exceptional qualifications. Except as herein provided, the Civil Service Commission shall determine the practicability or competitive examination for any nonelective office or job classification in the service of the Municipality.

The Civil Service Commission shall certify the payroll of all Civil Service employees to the Director of Finance.

Exhibit D

PROPOSED LANGUAGE

ARTICLE V SECTION 6. CONTRACTS AND PURCHASING.

The Municipality may, within the amounts and items appropriated by the Council, make purchases and enter into contracts on behalf of the Municipality involving expenditures for the whole of any authorized project, asset or service not in excess of ~~fifty~~ seventy-five thousand dollars (~~\$50,000~~ \$75,000) without competitive bidding, except as may otherwise be provided by ordinance of the Council. No purchase or contract involving an expenditure of more than ~~fifty~~ seventy-five thousand dollars (~~\$50,000~~ \$75,000) shall be made except with the lowest responsive and responsible bidder, or with the lowest and best bidder, as determined by Council after public advertising and receipt of bids in the manner set forth by ordinance; provided, however, that the Council may authorize contracts without advertising for bids for personal services, for the acquisition of real estate, for the joint use of facilities or exercise of powers with other political subdivisions, or for the product or services of public utilities (including those Municipally operated), and the Council may authorize a purchase or a contract involving an expenditure of more than ~~fifty~~ seventy-five thousand dollars (~~\$50,000~~ \$75,000) without advertising for bids if it determines and declares by an affirmative vote of not less than five (5) members that an emergency exists and sets forth the nature of the emergency in its resolution or ordinance.

Exhibit E

PROPOSED CHARTER AMENDMENTS CITY OF PARMA HEIGHTS, OHIO

A Majority of the Affirmative votes for each Proposal is necessary for the passage of that particular amendment.

“Shall Article III, Section 8 of the Charter of the City of Parma Heights be amended to provide that notice of service for Special Meetings of City Council may be waived through documented written or electronic correspondence?”

YES

NO

“Shall Article III, Section 11 of the Charter of the City of Parma Heights be amended to provide that at least five (5) members of Council are needed to suspended the requirement that a copy of each legislative action shall be provided to Council not less than forty-eight (48) hours prior to the Council meeting as an emergency and to provide that every ordinance or resolution shall be read by title only unless five (5) members of Council vote affirmatively to read an ordinance or resolution in its entirety?”

YES

NO

“Shall Article IV, Section 7 of the Charter of the City of Parma Heights be amended to provide that the Civil Service Commission shall prescribe and enforce rules and regulations that may be different that the State’s general statutes on civil service law and shall conduct its affairs in accordance with its own lawfully adopted rules and regulations, which may be different from the State’s general statutes on civil service law?”

YES

NO

“Shall Article V, Section 6 of the Charter of the City of Parma Heights be amended to provide that the Municipality may, within the amounts and items appropriated by City Council, make purchases and enter into contracts in behalf of the Municipality involving expenditures for the whole of any authorized project, asset or service not in excess of seventy-five thousand dollars (\$75,000) without competitive bidding, except as may otherwise be provided by ordinance of the Council?”

YES

NO

ORDINANCE NO. 2024 - 54

AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO ENTER INTO A CONTRACT WITH BUR OAK, TRAINING, CONSULTING & DESIGN, LLC, AND PROVIDING FOR PAYMENT FOR SERVICES RENDERED THEREUNDER, AND DECLARING AN EMERGENCY

WHEREAS, the Administration, through Resolution 2023-88, applied for and was awarded funding through the Ohio Department of Natural Resources (ODNR), Division of Forestry, Ohio’s Urban Forestry Grant Program; and

WHEREAS, the City of Parma Heights was awarded the ODNR grant in the amount of three hundred thousand dollars (\$300,000) for the purpose of reimbursing the City for performance and completion of tree planting, contracting with a Forester, providing crews to perform the labor of tree planting, and for additional equipment required to perform the work; and

WHEREAS, pursuant to the ODNR grant, the City must hire a Forester to carry out grant objectives; and

WHEREAS, the City, after due diligence, has identified Bur Oak, Training, Consulting & Design, LLC as the company to perform the work specified in the ODNR grant; and

WHEREAS, pursuant to Article V, Section 6 of the Charter of the City of Parma Heights, Ohio, Council may authorize this expenditure for personal services without advertising for bids.

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

Section 1. That this Council authorizes this Administration to contract with Bur Oak, Training, Consulting & Design, LLC, and to expend funds up to one hundred twenty thousand dollars (\$120,000), under the terms detailed in Exhibit “A”, attached hereto, and made a part hereof as though fully rewritten, in accordance with the provisions of the Charter and Ordinances of the City of Parma Heights.

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 the immediate contract for the foregoing personal services is necessary under the terms of the ODNR Forestry Grant; 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



Bur Oak, LLC
Training, Consulting & Design

18288 Madison Rd
Middlefield, Ohio 44063
440-759-9412

Consulting Services Agreement between
the City of Parma Heights, Ohio and Bur Oak, Training, Consulting & Design, LLC

1. Scope of Work- Bur Oak, Training Consulting & Design, LLC ("Contractor") may be called upon to provide the following professional services.
 - Tree commission mentoring and attend tree commission meetings.
 - Master plan development
 - Develop and provide staff and volunteer training and supervision.
 - Develop and Review Parma Heights Tree Risk Assessment Standard Operating Procedures (SOP). Verify that it is consistent with Industry standards, Follows International Society of Arboriculture (ISA) guidelines, Consistent with any other regulatory codes. Provide recommendations for revisions.
 - Written tree risk assessments and recommendations for remediation using ISA TRAQ assessment guidelines and forms.
 - Tree disease and health diagnosis
 - Tree disease, health, and pest treatment recommendations.
 - Estimates on existing tree value and/or tree replacements due to damage and/or disease.
 - Arborist related training.
 - Arborist related consulting.
 - Written reports, as requested, for purpose of City meetings, training, and/or accounting for grant funding.
2. Equipment Responsibility- The Contractor is responsible for providing all necessary equipment including but not limited to personal protective equipment, fuel and transportation to the job site.
3. Duration of Contract- This shall be a 48-month Contract on the date of execution and ending four (4) years later. This 48-month Contract will also be subject to the termination clause in paragraph 15.
4. Guarantee- The City of Parma Heights does not guarantee the Contractor any specific quantity of work or time during the four (4) year contract.
5. Maximum Annual Compensation- The Contractor is not guaranteed any minimum compensation. Compensation will be based on utilization of services according to the included hourly quotes for such services. Compensation in any fiscal year shall not exceed thirty thousand dollars (\$30,000.00).
6. Scheduling of Work- City may, at its discretion, schedule work. The City will give

Contractor not less than five (5) days' notice of services needed, if feasible.

7. Scheduled Tree Risk Assessment defined- Services requested to be commenced within a reasonable amount of time, agreed upon between City and Contractor availability, shall be billed at the included scheduled consulting rate.
8. Demand Tree Risk Assessment- Services requested to be commenced within 24 hours of notice, shall be billed at the included demand services and consulting rate.
9. Time paid defined- the City of Parma Heights will only pay for actual time worked. Work may occur in the city or at the contractor's office.
10. Billing – Bur Oak will submit monthly invoices for the hours that have accrued during that month. Payment is expected within 30 days.
11. Unavailability- When the contractor is unavailable, the City reserves the right to engage alternate arborists.
12. Insurance- Contractor must maintain insurance throughout the duration of this agreement for the following amounts: General Liability and Comprehensive Automobile Liability Insurance - \$1,000,000 combined single limit per occurrence & \$2,000,000 aggregate. Said Insurance shall name the City as an “Additional Insured” party, and shall provide for advance written notice to the City of not less than thirty days prior to the effective date of any modification or cancellation of any such coverage. Certificates of Insurance shall be furnished to the City.
13. Workers’ Compensation Coverage- Contractor must maintain valid Workers’ Compensation coverage throughout the duration of this agreement. The Contractor shall provide the City with documentation of that coverage.
14. Additional Charges- No additional charges of any kind will be accepted unless agreed upon in writing by the City in advance of work performed.
15. Termination- The City may terminate this agreement at any time by giving (30) days advance written notice to the Contractor. In the event that this agreement is terminated pursuant to this clause, the Contractor shall be entitled to be compensated for any work performed up to the date of termination pursuant to the included hourly quotes for such services.
16. Independent Contractor- The Contractor is and shall remain an independent contractor of the City and its employees shall not be deemed to be employees of the City for any purposes. The Contractor shall be and shall remain in control of its work, schedule, equipment and staff, without direct supervision or management by the City.
17. Indemnification- The Contractor 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 Contractor. The Contractor further agrees to defend the City, at its costs, should the City be sued as a result of the Contractors work product.

Provide quotes for the following arboricultural services:

Hourly fee for document review and consulting services \$ 75.00

Hourly fee for scheduled consulting \$ 75.00

Hourly fee for demand services and consulting \$ 200.00

Hourly fee for staff training \$ 75.00

(Signature page to follow)

On this date, the City of Parma Heights and Bur Oak Training, Consulting & Design LLC entered the foregoing Consulting Services Agreement.

Contractor:

Bur Oak, Training, Consulting & Design, LLC
Company Name

Date: _____

City of Parma Heights, OH:

City of Parma Heights, Ohio
Mayor Marie Gallo

Date: _____

Approved as to Legal Form:

Director of Law

Finance Certification:

Director of Finance

RESOLUTION NO. 2024 – 55

A RESOLUTION AUTHORIZING THE ADMINISTRATION TO EXPEND FUNDS TO WICHERT INSURANCE TO SECURE INSURANCE COVERAGE FOR THE CITY OF PARMA HEIGHTS FROM SELECTIVE INSURANCE COMPANY, CINCINNATI INSURANCE COMPANY, HANOVER INSURANCE GROUP, AND LLOYDS, AND DECLARING AN EMERGENCY

WHEREAS, Wichert Insurance (“Wichert”) is currently the insurance agent for the City of Parma Heights; and

WHEREAS, Wichert and the Director of Finance have solicited and secured a combination of package policy proposals made by Selective Insurance Company, Cincinnati Insurance Company, Hanover Insurance Group, and Lloyds to provide the appropriate coverage for the best price; and

WHEREAS, Council desires to authorize the Administration to expend funds to Wichert Insurance to secure insurance coverage for the City from Selective Insurance Company, Cincinnati Insurance Company, Hanover Insurance Group, and Lloyds.

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

Section 1: That the Administration is authorized to expend funds to Wichert Insurance for the provision of insurance coverage for the City from Selective Insurance Company, Cincinnati Insurance Company, Hanover Insurance Group, and Lloyds for the period of August 1, 2024 through July 31, 2025. Said coverage includes business automobile, general liability, umbrella, inland marine, law enforcement liability, public officials liability, commercial property, crime, and cyber liability insurance coverages. The total premium due for said coverage is \$243,709.00, as reflected by invoices attached as Exhibit “A”. Said premium is based upon the City’s current property holdings and vehicle and equipment fleet, but is subject to minor price modifications based upon the addition or deletion of particular coverages, properties, equipment, and vehicles.

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

Section 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of said City and for the further reason it is necessary to pay premiums to maintain the City’s insurance coverage; wherefore, this Resolution shall be in full force and effect from and immediately after its passage by Council and approval by the Mayor.

PASSED: _____

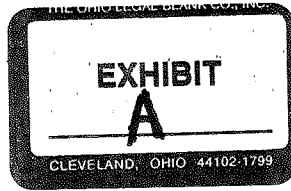
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO



Customer	City of Parma Heights
Acct #	131
Date	07/25/2024
Customer Service	Maria Norman
Page	1 of 1

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

Payment information	
Invoice Summary	\$ 216,319.00
Payment Amount	
Payment for:	Invoice#1594371



Customer: City of Parma Heights

Invoice	Effective	Transaction	Description	Amount
1594371	08/01/2024	Renew policy	Policy # [REDACTED] 08/01/2024-08/01/2025 SELECTIVE INSURANCE COMPANIES / Selective Ins. Co. of America Business Auto - Renew policy General Liability - Renew policy Umbrella - Renew policy Inland Marine - Renew policy Law Enforcement Liab. - Renew policy Public Officials Liab. - Renew policy Commercial Property - Renew policy [REDACTED]	99,391.00 5,705.00 40,335.00 6,307.00 24,922.00 20,336.00 19,323.00
Total				\$ 216,319.00

Wichert Insurance Services 1200 Graham Road Cuyahoga Falls, OH 44224	(330)929-8686 webinfo@wichert.com	Date
		07/25/2024



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

Customer	City of Parma Heights
Acct #	131
Date	07/25/2024
Customer Service	Maria Norman
Page	1 of 1

Payment Information	
Invoice Summary	\$ 5,070.00
Payment Amount	
Payment for:	Invoice#1594373



Customer: City of Parma Heights

Invoice	Effective	Transaction	Description	Amount
1594373	08/01/2024	Renew policy	Policy # [REDACTED] 08/01/2024-08/01/2025 Cincinnati Insurance Co. Commercial Property - Renew policy [REDACTED]	5,070.00
Total				\$ 5,070.00

Wichert Insurance Services
1200 Graham Road
Cuyahoga Falls, OH 44224

(330)929-8686
webinfo@wichert.com

Date
07/25/2024



Customer	City of Parma Heights
Acct #	131
Date	07/25/2024
Customer Service	Maria Norman
Page	1 of 1

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

Payment Information	
Invoice Summary	\$ 2,770.00
Payment Amount	
Payment for:	Invoice#1594374
	[REDACTED]



Customer: City of Parma Heights

Invoice	Effective	Transaction	Description	Amount
1594374	08/01/2024	Renew policy	Policy # [REDACTED] 08/01/2024-08/01/2025 Hanover Insurance Group Crime - Renew policy [REDACTED]	2,770.00
Total				\$ 2,770.00

Wichert Insurance Services
1200 Graham Road
Cuyahoga Falls, OH 44224

(330)929-8686
webinfo@wichert.com

Date
07/25/2024



Customer	City of Parma Heights
Acct #	131
Date	07/25/2024
Customer Service	Maria Norman
Page	1 of 1

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

Payment Information	
Invoice Summary	\$ 19,550.00
Payment Amount	
Payment for:	Invoice#1594375



Customer: City of Parma Heights

Invoice	Effective	Transaction	Description	Amount
1594375	08/01/2024	Renew policy	Policy # [REDACTED] 08/01/2024-08/01/2025 Lloyds Cyber - Renew policy [REDACTED]	19,550.00
Total				\$ 19,550.00

Wichert Insurance Services
1200 Graham Road
Cuyahoga Falls, OH 44224

(330)929-8686
webinfo@wichert.com

Date
07/25/2024