

Agenda, Bay Village City Council
Regular Meeting, Council Chambers

May 19, 2014
8:00 p.m.

Paul A. Koomar, President of Council, Presiding
Pledge of Allegiance/ Councilman Paul W. Vincent, Ward 2
Roll Call
Reading of Minutes – Regular Meeting of Council – May 5, 2014
Cahoon Memorial Park Trustees-May 5, 2014

ANNOUNCEMENTS

REPORTS

| | |
|-----------------------------------|-------------------------------------|
| Mayor Sutherland | Director of Community Services Bock |
| Director of Law Ebert | Police Chief Spaetzel |
| Director of Finance Mahoney | Fire Chief Lyons |
| Director of Recreation Enovitch | |
| Director of Public Service Thomas | |

COMMUNICATIONS

AUDIENCE

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Lee

FINANCE AND CLAIMS- Mr. Clark

Second Reading:

Resolution adopting a Budget for the City of Bay Village for the Fiscal Year beginning January 1, 2015, submitting same to the County Fiscal Officer, and declaring an emergency. (First Reading 5-5-14).

First Reading:

Resolution certifying unpaid tree removal charges to the Cuyahoga County Fiscal Officer for collection, and declaring an emergency.

Resolution certifying unpaid sidewalk repair and/or construction charges to the Cuyahoga County Fiscal Officer for collection, and declaring an emergency.

Resolution certifying unpaid grass cutting and cleaning charges to the Cuyahoga County Fiscal Officer for collection, and declaring an emergency.

Resolution certifying unpaid sewer rental and refuse collection charges to the Cuyahoga County Fiscal Officer for collection, and declaring an emergency.

Agenda
Regular Meeting of Council
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PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mr. Tadych

Motion authorizing the Director of Public Service to advertise for bids for the exterior painting of the Rose Hill Museum.

Ordinance authorizing the Mayor to enter into an Agreement with Nerone & Sons, Inc. for the Walker-Nantucket Pump Station Improvements, and declaring an emergency.

First Reading:

Ordinance Amending Codified Ordinance Chapter 913 Regarding Connections to Sewers and declaring an emergency.

Ordinance Amending Codified Ordinance 912.03 Regarding Limitations of Connection and declaring an emergency.

Ordinance Amending Codified Ordinance Chapter 921 Regarding Sewer Rental and declaring an emergency.

Ordinance Amending Codified Ordinance 901 Regarding Streets and Sidewalks, and declaring an emergency.

Ordinance Amending Codified Ordinance Section 1305.02 Regarding Permit and Inspection Fees, and declaring an emergency.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE – Mrs. Lieske

Motion to refer Bay Skate and Bike Park proposed addition to the City Planning Commission.

RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Henderson

SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Mr. Vincent

MISCELLANEOUS

Council meeting of May 26, 2014 will not be held due to Memorial Day Holiday. Parade begins at Huntington Beach at 8:45 a.m.

CAHOON MEMORIAL PARK TRUSTEES

Motion to refer the Bay Skate and Bike Park proposed addition to the City Planning Commission***Henderson***

Agenda
Regular Meeting of Council
May 19, 2014

Motion to approve the use of the northerly portion of Cahoon Memorial Park on Monday, May 26, 2014, from 10 a.m. to 2 p.m. to the Village Foundation***Henderson***

Motion authorizing the Director of Public Service to advertise for bids for the exterior painting of the Rose Hill Museum***Henderson***

Agenda
Regular Meeting of Council
May 19, 2014

Procedure

Section 2.14 - Effective Date
C.O. 111.10 - Council Rules for Legislation

Roll call on suspension of Charter Rules:

Every ordinance or resolution shall be read on three different days unless two-thirds (2/3) of the total number of Council members provided for in this Charter dispense with the rules.

Roll call on suspension of Council Rules:

No ordinance or resolution shall be passed unless a written copy thereof is before the Council ...at least 24 hours before any meeting of Council at which action...is contemplated.

Roll call on inclusion of the emergency clause:

All ordinances and resolutions shall become effective forty (40) days after their passage by Council unless a later effective date is set forth or an earlier date is established. Resolutions to initiate any public improvement shall become effective immediately upon their passage and approval by the Mayor.

It is required that two-thirds (2/3) of the total number of Council members provided for by this Charter vote affirmatively to enact with the emergency provisions. This clause allows legislation to become effective immediately upon passage and approval by the Mayor.

NOTE: Regular and Special Meetings of Council are scheduled for 8:00 p.m. However, Council generally meets informally at 7:30 p.m. prior to a Regular or Special meeting, and said portion, usually held in the conference room, is open to the public.

CITY OF BAY VILLAGE

Council Minutes, Regular Meeting
Council Chambers 8:00 p.m.

May 5, 2014

Dwight Clark, Vice President of Council, presiding

Present: Clark, Henderson, Lee, Lieske, Tadych, Vincent

Absent: Mr. Koomar, Mayor Sutherland

Others

Present: Law Director Ebert, Finance Director Mahoney, Service Director Thomas, Police Chief Spaetzle, Fire Chief Lyons, Recreation Director Enovitch, Community Services Director Bock, Operations Manager Landers

Council and members of the administration assembled at 7:30 p.m. in the conference room to review agenda items; this was open to the public.

Mr. Lawrence Kuh, Bay Skate and Bike Park, advised that they are proposing an addition to the skate park and referred to the four images that were provided to Council in their packets for discussion on May 12, 2014. The addition is approximately 165 square feet, 11 feet back from the southeast corner of the existing skate park and 14 ½ feet wide. The original builders of the skate park have helped with the design of the proposed addition. Approximately 60 yards of fill will be needed, 5 yards of concrete, \$120 worth of rebar, \$60.00 worth of coping, and \$120 for other material. The Skate and Bike Park Foundation will fund any cost necessary for the concrete, rebar, coping and other materials, as well as provide any necessary labor. The city will provide the fill, the use of a small earth mover, and oversee the construction process to make sure everything is up to code. Service Director Thomas has suggested that the month of September would be appropriate to schedule the needed assistance from the Service Department. Two weeks' time is needed for construction.

Mr. Tadych asked for a diagram of the entire site and the proposed addition. Mrs. Lieske asked Mr. Kuh to email Council regarding the dimensions, setbacks, addition and fill. Mr. Lee asked what amenities or features this addition has over and above what is existing. Mr. Kuh stated that the original motivation of the addition was to extend an area to the upper deck waiting area. At present, a lot of the users wait in a corner that is out of the area so that people can come through and use more flat land area. Part of it was to extend that area and move some people off of that area. The second picture in the Council packets shows a quarter pipe, which is what will be built with this addition. It leads toward the down rail and right now the hardest obstacle in the park is that down rail because there is no run-off to it. They knew that it would be challenging when they built the park, but they hoped eventually they would be able to do something like this proposal. The addition will provide significantly better approach to the rail. Anyone using the skate park, from beginner to advance, likes to have a progression of stunts. This addition will add to the progressive nature of the park.

Mr. Clark asked if this will require a vote of Council, the Cahoon Memorial Park Trustees, and the Planning Commission. Law Director Ebert stated that the Charter provides that park improvements go to the Planning Commission.

There will be no tree removal as a result of the addition.

Mr. Henderson asked if this addition is part of a larger plan. Mr. Kuh stated that probably the next thing to do, depending on funding, would be the center grass area. There was some conversation at one point about pulling out the grass and putting a feature in the center. In the northeast corner, which has a curved quarter pipe, there is not a very deep deck. There is conversation about putting something in that corner. The largest addition to the park in the future would be the center grass area.

Estimated cost of the proposed addition is \$2,000 to \$3,000. The Bay Skate and Bike Park Foundation has the funds set aside for the project.

Mr. Henderson asked the Police Chief to provide data about crime at the skate park site, and if it relates to residents of Bay Village, and non-residents of Bay Village, and the times of crime. Chief Spaetzel stated that they would do the necessary research. Chief Spaetzel stated that when the skate park first started there was a lot of question about Sunday use. There were 97 calls in the last four years, and a majority of those were regarding the park being used on Sunday. That issue has been resolved, and since that time there have been very minor issues. Chief Spaetzel will provide a breakdown for Mr. Henderson, but noted that it is not significant.

The meeting of the Planning Commission that is now open for applications is June 4, 2014. Mrs. Lieske asked if there could be challenge with the September time frame considering that Council is on summer recess in July and August. Mr. Clark stated that obviously this is a minor addition, but nonetheless it should be fully vetted. Mrs. Lieske suggested that the Recreation and Parks Improvement Committee of Council could coordinate the movement of the application through the Planning Commission and the Council Committee of the Whole. A motion to refer the addition to the Bay Skate and Bike Park to the City Planning Commission will be included at the next meeting of Council.

Mr. Tadych stated that he will introduce a motion this evening acknowledging the receipt of the financial reports for the previous month. Finance Director Mahoney stated that she sent the April, 2014 financial reports within the past hour. Mr. Tadych will adjust his motion to acknowledge the receipts of the March financial reports.

An appropriation change to the current fiscal year budget will be addressed by Mr. Tadych this evening by the introduction of an Amended Appropriation Ordinance. Mr. Clark asked whether this ordinance will be recommended for adoption, or first reading this evening. Director Mahoney stated that she would like to see the ordinance adopted this evening. Mr. Clark agreed, noting that there is a reduction in some of the accounts. He did, however, note that there is an increase in Workers' Compensation. Director Mahoney explained that the City of Bay Village pays a smaller premium because it is a Retrospect Employer, and then pays on the actual

Workers' Compensation claims. There were claims that were higher than the original budget resulting in a needed increase of the Worker's Compensation fund of \$65,000. There is money in the fund to pay for the needed increase, and the departments get charged based on use for the particular department.

Mr. Vincent asked if the city is part of a Workers' Compensation municipal pool. Mrs. Mahoney stated that the City of Bay Village is not part of a Workers' Compensation municipal pool. She advised that by going retrospective, the Workers' Compensation Bureau has informed Mrs. Mahoney that approximately \$200,000 was saved just last year. This is accomplished by paying a smaller premium and the actual cost of the claims. The premium covers the base cost and the additional claims over a certain amount. Mr. Clark asked Mrs. Mahoney to prepare information for the next Finance Committee meeting explaining how the Workers' Compensation payments work.

Mr. Tadych advised that he will introduce a resolution this evening establishing the annual tax millage for the city budget for Fiscal Year 2015. The millage has not changed from the previous year. A public hearing on the tax budget will be scheduled and the resolution will be placed on first reading. Mr. Clark noted minor changes on the tax budget. One change has to do with the maturity date of a bond issue for the Community Gym and Aquatic Center, which is 2022. The other change is for the title of a bond issue which is for a refinancing rather than various improvements. Those changes will be made prior to second reading.

An extension to the current lease agreement with the Village Bicycle Cooperative for the space they occupy at the Community House will be authorized by ordinance to be introduced by Mr. Tadych this evening. Mr. Ebert stated that the Village Bicycle Cooperative pays 18% of the utility charges per month of the Community House. He explained that the work they do to promote bicycle use in the City of Bay Village is a service to the community. They are not being charged rent, but do pay the cost of their utilities.

Mr. Lee asked if there has been a change in the utility costs of the building since the Village Bicycle Cooperative took occupancy. Mrs. Mahoney stated that there has not been a change. Mr. Ebert stated that there have been no complaints to the city about the use of the Community House or the operations of the Village Bicycle Cooperative.

Mr. Clark noted that there are various contracts that need to be renewed annually. Mr. Ebert will put together a calendar indicating expiration dates. He noted that all contracts were formerly kept in the Finance Department. Original copies of the contracts will be kept in the Law Department with copies sent to the appropriate departments. Mr. Tadych suggested setting this new contract with Village Bicycle Cooperative to expire the first of the year, even though it would not be a full year contact.

Mr. Tadych will introduce an ordinance this evening authorizing the Mayor to enter into a contract with Chagrin Valley Paving Company for the 2014 Pavement Maintenance and Resurfacing Program. He noted that he will amend the ordinance by reading to correct an error

in the amount shown in words as compared to the figures shown in brackets. The amount in brackets is correctly shown as \$500,153.90.

Mr. Lee asked for an update on the work in process for the new lighting at Hartman Field. Recreation Director Enovitch stated that the posts for the lighting are set and the project will be finalized this week, weather permitting. Mr. Ebert noted that when the holes were being drilled for the posts they hit shale and there was an issue about an additional \$7,000 for the contract. After further discussion with the representatives, the company doing the work decided that they would absorb the additional cost.

Conda Boyd asked about the Cahoon Road Resurfacing Project. Mr. Clark noted that the scope of what is being approved is different than what was discussed in the Capital Budget of 2014. This will be discussed further at the meeting in Council Chambers this evening.

Jerrie Barnett asked who is responsible for filling in the chuck holes behind Heinen's, Key-Bank, CVS Pharmacy and Bay Diner. Service Director Scott will speak to the commercial property owners.

Mr. Clark called the meeting to order at 8:07 p.m. in the Council Chambers of Bay Village City Hall, with the Pledge of Allegiance led by Ward 1 Councilman David L. Tadych.

Following the roll call, Mr. Clark called for a reading of the Minutes of the Special Meeting of Council held April 14, 2014. Mrs. Lieske **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 6-0. Mr. Clark called for a reading of the Minutes of the Meeting of the Cahoon Memorial Park Trustees held April 14, 2014. Mrs. Lieske **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 6-0.

REPORTS

Law Director Ebert had no report this evening.

Finance Director Mahoney had no report this evening.

Recreation Director Enovitch announced that the Swimming Pool at the Family Aquatic Center opens in four weeks. He encouraged everyone to get their pool passes as soon as possible. Splash parties can be booked for this coming summer and dates are booking quickly. If interested in having a splash party, call the Recreation Department at 440-871-6755, or www.bayrec.org.

Mr. Clark commented that Law Director Ebert and he had an opportunity to present proclamations at the Varsity Baseball Field which has been redone, repositioned and regraded. Mr. Clark suggested that everyone take the opportunity to view the field with the new scoreboard and fencing, noting that it is a first-class operation.

Service Director Thomas stated that on April 24, 2014 the bid opening for the 2014 Pavement Resurfacing Projects was held. The lowest base bid came in at \$485,566.40. Mr. Thomas lauded the efforts of City of Bay Village Service Department employee Curtis Krakowski in preparing the bid package, noting that a great deal of money was saved by Curtis's work and not having to go out to engineering. The alternate proposal for the Kensington Circle cul-de-sac is included in the package, bringing the total price to \$500,153.90 to Chagrin Valley Paving. Cahoon Road, from Wolf Road to Osborn Road, will not be done this year due to the extra cost of \$76,000, however, looking at the Cahoon Road project it is 85% completed at this point. They are now doing the concrete fill-ins where the cuts have been done which will be filled with pavement. They are putting sidewalks in at this time as well as curb and driveway apron replacements. It is believed that the project will be completed by June 3, 2014.

The owner of Chagrin Valley Paving has recommended starting the 2014 Pavement Resurfacing and Repair project early, by June 9, 2014, with a maximum of approximately three weeks to have completion for Osborn which also includes Columbia Road at the railroad tracks on both sides.

Mr. Clark stated that the amount of \$25,000 is left over from the amount approved by Council for the project. He asked if some of that can be utilized for mill and fill on Wolf Road. Mr. Thomas stated that there are joint areas that they want to be looking at for repaving and repair.

Mr. Clark asked if there is a bid bond in the event that there is a problem with the contract and the City would have recourse. Mr. Ebert responded affirmatively.

Mr. Tadych asked if the area from the tracks to the Cahoon area that is being completed will be included in paving. Mr. Thomas stated that they will replace the area that was disturbed. Mr. Ebert added that the Cahoon Road contractor will replace what they ripped up, but as far as any repaving we will give the area time to settle to make sure there is no other heaving before putting the City's money into repaving.

Mr. Clark stated that the ordinance to approve the Chagrin Valley Paving Company project for the 2014 Road Resurfacing and Repair will be recommended for adoption this evening.

Director of Community Services Bock stated that she would like to bring to everyone's awareness the fact that the United States Census Bureau has circulated their surveys. There have been questions from residents as to whether it is necessary to complete the survey, and the answer is yes, they must complete the survey. Some people are receiving a short survey, and some people get a very long, in-depth survey. The Census Bureau is encouraging people who can to complete them on line, or use the standard mail-in method. A representative of the Census Bureau will be available to talk to the residents on the telephone and complete the survey in that manner as well. Ms. Bock noted that some of the questions on the long survey are very invasive causing suspicion among some residents. She noted that the Census Bureau has the ability to fine residents between \$500 and \$1500 for not completing the survey. If the survey is not completed the fine of \$500 can be imposed. If some of the questions are left blank, a fine of \$1000 can be imposed. A fine of \$1500 is imposed for purposely misleading the Census Bureau

by supplying inaccurate or fictitious information. The information gathered by the Census Bureau is used by the government in their work in dividing the tax dollars for all the federal and national programs. This is the reason they want to know the age groups and income levels so they can determine how much money each state gets for their individual programs. If the survey is not completed someone from the Census Bureau will contact the resident by phone. If the phone questionnaire is ignored, a personal visit from the Census Bureau will take place.

Mr. Tadych asked when the Census Bureau expects to have all the forms delivered to each home. Ms. Bock stated that she does not know when the Census Bureau expects to have all the forms delivered. Mr. Henderson asked if each home gets a survey. Mr. Tadych stated that each home does receive a form. Ms. Bock noted that some people get an abbreviated form, only asking how many people are in the home. The long form takes 45 to 90 minutes to complete and asks very in-depth questions regarding bank accounts and balances. You may be fined if you leave those questions blank.

Mr. Tadych explained that Council used Census information from the ten-year census report to determine the populations in each ward. He noted that former Councilwoman Nancy Stainbrook and he counted the population on the census maps to determine that each ward was divided equally.

Mr. Henderson asked why the census work is being done in 2014 when it is on a ten-year schedule. Ms. Bock stated that they come out with the in-depth surveys on a ten-year cycle, but they gather other information during the ten year period. Mr. Tadych stated that it takes a while to present the information.

Mr. Clark stated that many improvements were made at the Community House and asked Ms. Bock for some feedback as to how these improvements are being received by the public. Ms. Bock stated that the seniors are enjoying the Senior Center with the improvements. They are very appreciative and there is a lot of pride and esprit de corps based on coming to the center and participating in the programs. They are thrilled and have been very vocal in expressing their appreciation.

Police Chief Spaetzel announced that the Police Department received a Village Foundation award in the amount of \$1500 to purchase a new outfitted patrol bicycle. The goal is to get the bicycle out more this year.

A Community Safety Fair will be sponsored by the Police Department on Thursday, May 22, 2014 from 6:30 p.m. to 8:30 p.m. at the Dwyer Memorial Center. Organizations participating are the Bay Village Police Department, Bay Village Fire Department, Village Bicycle Cooperative, Community Emergency Response Team, Westshore Enforcement Bureau Narcotics Unit, Red Cross, Ohio Department of Natural Resources, Fairview Hospital, Cuyahoga County Animal Shelter, Mothers Against Drunk Drivers, and Bay Family Services. Citizens can come in, browse around, talk to representatives and obtain good safety information.

Chief Spaetzel announced that the Bay Village Police Department now has a Facebook page.

The page will be updated regularly.

Mrs. Lieske asked if there will be fingerprinting available as a service for parents for their children at the Safety Fair. Chief Spaetzel stated that President of Council Koomar reached out to the Federal Bureau of Investigation (FBI) to get fingerprint kits which hopefully will be available by May 22. Chief Spaetzel added that the Police Department encourages those interested in fingerprinting to come to the Police Department at any time for fingerprinting or assistance with the kits to be provided by the FBI.

Fire Chief Lyons reported that two members of the Bay Village Fire Department finished their Fire Safety Inspector training. This brings the total to three members of the department who are Fire Safety Inspectors. An up-date will be prepared for Council in the near future regarding the entire fire instruction program. The program is up and running, they are moving in the right direction and will be seeing good things toward the end of the year.

The Annual Fire Hydrant Maintenance and Inspection Program has begun with the Fire Department working at the east end of the city and moving westward throughout the city for a period of four to six weeks. If any problems occur to the residents as a result of this program, residents are asked to contact the Fire Department.

COMMUNICATIONS

The following communications were received and are on file in the Clerk of Council office for public inspection:

Norfolk and Southern Train Report No. 187 advising that an average of 1.5 trains per day travelled through the City of Bay Village during the month of March, 2014.

Letter (undated) from Tom Wasilewski, Fairview, Pennsylvania, Coordinator of the Northwestern Pennsylvania Eagle Conservation Association, and member of Save the Eagles International forwarding information from the Ohio Power Siting Board regarding industrial wind turbine demonstrations of LEEDCo.

Mr. Ebert commented that he receives frequent telephone calls from realtors asking about the train count. The realtors are often surprised at the very low number of trains traveling through the city. The monthly train report is very helpful in selling homes in Bay Village. Mr. Tadych noted that there are new homes in Ward 1 near the railroad tracks.

AUDIENCE

The following audience members signed in this evening: Dick Majewski, Lawrence Kuh, Conda Boyd, Marty Mace, Jerrie Barnett, Denny Wendell.

Mr. Dick Majewski asked about the Saddler Beach pipes. He stated that they worked with former Councilman Clete Miller, and former Service Director Dan Galli and since they are both gone the interested parties are lost in their efforts. They originally contacted the City about the

situation in July of 2012. Mr. Majewski thanked Councilman Henderson for coming down about three weeks ago. Mr. Majewski gave Mr. Henderson a timeline this evening about all the steps they have taken and the communications they have had with the city over the years. What they have found out over the last two years is that the pipes at Saddler Beach belong to the City and they are on private property. There is no recorded easement for the pipes. There was a video done of the pipes, and at the very least one of the pipes is plugged and leaking. That leak is affecting the condition of their property and affecting the use of their property. It is a situation that was created by the City and the condition of those pipes are the City's responsibility. Mr. Majewski noted that water seeks the path of least resistance and if the pipe is plugged the water has to go somewhere. They don't know where it is going and what kind of other damage it is going to do. The situation is not going to go away, or fix itself, it is only going to get worse. Mr. Majewski stated that the longer the City waits the more damage will occur and the more it will cost to fix it. He asked how they can get this back on the front burner and get some action taken to repair the situation.

Mr. Ebert stated that there has been a lot of dialogue going on for quite some time. CT Consultants has been involved, Service Director Thomas has been involved, and they have looked at the maps to see when the low drainage area existed. There was discussion as recently as last week when Bob Greytak of CT Consultants was here doing some back research on the situation. Mr. Ebert asked Mr. Majewski if this was fair, and Mr. Majewski stated that it is fair.

Mr. Majewski stated that the last communication they had was Mr. Ebert's email in January with the survey from Resar and that they could not track down any easement recorded. Mr. Ebert stated that there has been a lot going on since then and they will look into historical records. Mr. Tadych stated that Service Director Thomas and he also talked about it, and he has also discussed it with Mr. Ebert.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE

Mr. Lee had no report this evening.

FINANCE AND CLAIMS COMMITTEE

Motion by **Tadych** to acknowledge the timely receipt of the March, 2014 Financial Reports of the City of Bay Village.

Motion passed 6-0.

Mr. Tadych introduced **ORDINANCE NO. 14-51** TO AMEND APPROPRIATIONS FOR THE CURRENT AND OTHER EXPENDITURES OF THE CITY OF BAY VILLAGE FOR THE FISCAL YEAR 2014, AS PREVIOUSLY APPROPRIATED IN TEMPORARY APPROPRIATIONS 13-119, AND 14-01, AND ANNUAL APPROPRIATIONS 14-02 AND 14-18, AND DECLARING AN EMERGENCY, and moved for adoption.

In reading the ordinance, Mr. Tadych advised that there are eight different adjustments to the appropriations. The first is to establish a budget for Fund 245, the Private Property Fund Maintenance Account, which is a new account. This is the prior Sidewalk Fund, Fund 400, which is being dissolved and the remaining funds transferred into the new fund. A Sidewalk Repair Fund with the total of \$6555, and \$3555 of that money is for wages and benefits. Grass Cutting will be included in the amount of \$5000 for outside contractors, and Tree Removal in the amount of \$20,000 for outside contractors. Those two items are billed back to the residents' tax duplicate after the event has occurred.

There is a budget of \$2,000 in the Skate and Bike Fund. Two thousand dollars was received from the Raleigh Corporation for the Bike to School Challenge Signs. There is a decrease in Fund 284 to \$2,885 for the Bike Patrol. A \$1500 grant has been received from The Village Foundation and \$1385 was left over from a prior year. The reduction is from the original budget of \$4700 down to \$2885.

There is a transfer of the balance of Fund 232 (Youth Activities) to Fund 230 (Parks and Recreation). Since 2012 when Kiddie Kollege leased the operation, the Bayway Cabin Fund 232 is no longer necessary. The balance of the Fund should be transferred to Fund 230 which is a fund for a similar purpose, and Fund 232 should be closed. This amount is \$20,038.06.

Fund 602, Workers' Compensation will be increased by \$65,000 to cover the increased cost of Workers' Compensation claims. This will be charged back to the respective departments.

The Civil Service Fund will be increased by \$5200 to pay for a Police Sergeant Promotional examination.

The budget will be changed to reflect Legal Department wages for the secretarial assistant to Contractual Wages for these clerical services.

Mr. Clark commented that this ordinance was discussed in some detail in the Council Caucus session this evening, with the exception of the Workers' Compensation which they would like to discuss in more detail at a later time. Most of the changes are procedural. Council has approved some; some result in a reduction, and the Finance Committee has discussed resolving the funds flow with Bayway Cabin.

There being no further discussion, Mr. Clark called for a vote on the motion to adopt Ordinance No. 14-51.

Roll Call on Suspension of Charter Rules:

Yeas- Clark, Henderson, Lee, Lieske, Tadych, Vincent

Nays-None

Roll Call on Suspension of Council Rules:

Yeas -Clark, Henderson, Lee, Lieske, Tadych, Vincent

Nays-None

Roll Call on Use of the Emergency Clause:

Yeas -Clark, Henderson, Lee, Lieske, Tadych, Vincent

Nays -None
Roll Call on Adoption:
Yeas—Clark, Henderson, Lee, Lieske, Tadych, Vincent
Nays—None.

Mr. Clark announced adoption Ordinance No. 14-51, an emergency measure, by a vote of 6-0

Mr. Tadych introduced **RESOLUTION NO. 14-52** ADOPTING A BUDGET FOR THE CITY OF BAY VILLAGE FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2015, SUBMITTING SAME TO THE COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY.

Resolution No. 14-52 was placed on First Reading. Mr. Clark noted that this resolution will be taken to three readings to allow for public discussion. There will be no change in the millage that exists at this time. Last year there was a reallocation of millage to allow for revenue and expenses, but no changes are anticipated this year.

Mr. Tadych introduced **ORDINANCE NO. 14-53** AUTHORIZING THE MAYOR TO ENTER INTO AN EXTENSION OF THE LEASE AGREEMENT WITH VILLAGE BIKE COOP FOR THE REAL ESTATE LOCATED AT 303 CAHOON ROAD, AND DECLARING AN EMERGENCY, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion to adopt Ordinance No. 14-53.

Roll Call on Suspension of Charter Rules:
Yeas- Henderson, Lee, Lieske, Tadych, Vincent, Clark
Nays-None
Roll Call on Suspension of Council Rules:
Yeas –Henderson, Lee, Lieske, Tadych, Vincent, Clark
Nays–None
Roll Call on Use of the Emergency Clause:
Yeas –Henderson, Lee, Lieske, Tadych, Vincent, Clark
Nays -None
Roll Call on Adoption:
Yeas–Henderson, Lee, Lieske, Tadych, Vincent, Clark
Nays–None.

Mr. Clark announced adoption Ordinance No. 14-53, an emergency measure, by a vote of 6-0

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE

Mr. Tadych introduced **ORDINANCE NO. 14-54** AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CHAGRIN VALLEY PAVING, INC. FOR THE 2014

PAVEMENT MAINTENANCE AND RESURFACING PROGRAM, AND DECLARING AN EMERGENCY, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion to adopt Ordinance No. 14-54.

Roll Call on Suspension of Charter Rules:
Yeas- Lee, Lieske, Tadych, Vincent, Clark, Henderson
Nays-None
Roll Call on Suspension of Council Rules:
Yeas –Lee, Lieske, Tadych, Vincent, Clark, Henderson
Nays–None
Roll Call on Use of the Emergency Clause:
Yeas –Lee, Lieske, Tadych, Vincent, Clark, Henderson
Nays -None
Roll Call on Adoption:
Yeas–Lee, Lieske, Tadych, Vincent, Clark, Henderson
Nays–None.

Mr. Clark announced adoption Ordinance No. 14-54, an emergency measure, by a vote of 6-0.

Mr. Tadych reminded everyone to vote tomorrow, Tuesday, May 6, 2014.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE

Mrs. Lieske had no report this evening.

RECREATION AND PARK IMPROVEMENTS COMMITTEE

Mr. Henderson had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE

Mr. Vincent had no report this evening.

MISCELLANEOUS

Mr. Clark advised that Karen Kirsch of The Illuminating Company has advised that on May 16, 2014 beginning at 9 a.m. The Illuminating Company will be hosting a Public and Safety Officials tour of their dispatch center in Brecksville, Ohio. Those who may be attending need to RSVP to Ms. Kirsch by May 8, 2014.

There being no further business to discuss, the meeting adjourned at 8:41 p.m.

Minutes of Regular Meeting
Bay Village City Council
May 5, 2014

Dwight A. Clark, Vice President of Council

Joan Kemper, Clerk of Council

CITY OF BAY VILLAGE

CAHOON MEMORIAL PARK TRUSTEES

May 5, 2014

Vice President of Council Dwight Clark called the meeting to order at 7:57 p.m. in the conference room of Bay Village City Hall.

Present: Clark, Henderson, Lee, Lieske, Tadych, Vincent

Not Present: Mr. Koomar, Mayor Sutherland

Also Present: Law Director Ebert, Finance Director Mahoney, Service Director Thomas, Community Services Director Bock, Police Chief Spaetzle, Fire Chief Lyons, Recreation Director Enovitch, Operations Manager Landers.

AUDIENCE

The following audience members signed in this evening: Dick Majewski, Lawrence Kuh, Conda Boyd, Marty Mace, Jerrie Barnett, Denny Wendell.

Motion by Henderson approving the event known as Summer Kick Off Contest at the Bay Skate and Bike Park on Saturday, June 14, 2014 from 10 a.m. to 9 p.m., pending verification of insurance. Mr. Henderson noted that the Certificate of Insurance is on file. Mr. Kuh asked if a modification to the request could be made to allow the permission to indicate that the event will begin for registration for the scooter contest at 9:30 a.m. Mr. Henderson modified his motion to approve the event known as the Summer Kick Off Contest at the Bay Skate and Bike Park on Saturday, June 14, 2014, from 9:30 a.m. to 9 p.m., pending verification of insurance, noting that the insurance has been received.

Mrs. Barnett asked if there will be a rain date. Mr. Kuh stated that at this point there is no plan for a rain date. The group would cancel and re-schedule later, and if this would be the case they would return to the Trustees for approval.

Motion passed 6-0.

In regard to the annual Bay Challenge Cup Soccer Tournament, Mr. Henderson stated that he would like to be sure that the wording of the motion indicates that there is no use of the Cahoon Memorial Park on Sundays. Mr. Ebert stated that the soccer tournament does not use the Cahoon Memorial Park on Sunday. They use the Walker Road Park and the Bradley Park on Sunday.

Motion by Henderson approving the use of the Cahoon Memorial Park fields and gazebo for the 36th Annual Bay Challenge Cup Soccer Tournament on August 29, August 30, and August 31, 2014 in compliance with all the rules and regulations of Cahoon Memorial Park, and pending receipt of Certificate of Insurance.

Motion passed 6-0.

Minutes of a Meeting of
Cahoon Memorial Park Trustees
May 5, 2014

In regard to the use of the northerly portion of Cahoon Memorial Park on Monday, May 26, 2014 by the Village Foundation, Mr. Henderson advised that he is a trustee on the Village Foundation. Mr. Lee is also a trustee on the Village Foundation and will abstain from voting. Mr. Ebert suggested that the motion to approve the use of the northerly portion of Cahoon Memorial Park be held until the next meeting of the Cahoon Memorial Park Trustees in order to have a majority of the trustees voting.

Motion by Henderson to approve the renewal of the lease of Area 4 of the lower level of the Community House to the Village Bicycle Cooperative for a period of one year expiring March 31, 2015.

Motion passed 6-0.

There being no further business to come before the Cahoon Memorial Park Trustees, the meeting adjourned at 8:04 p.m.

Dwight Clark, Vice President of Council

Joan Kemper, Clerk of Council

RESOLUTION NO. 14-52
INTRODUCED BY: Mr. Tadych

First Reading 5-5-14

A RESOLUTION
**ADOPTING A BUDGET FOR THE CITY OF BAY VILLAGE FOR THE
FISCAL YEAR BEGINNING JANUARY 1, 2015 SUBMITTING SAME
TO THE COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY.**

WHEREAS, there has heretofore been prepared a tentative budget for the City of Bay Village for the fiscal year beginning January 1, 2015 showing detailed estimates of all balances that will be available at the beginning of the year 2015 for the purpose of such year and of all revenues to be received for such fiscal year, including all general and special taxes, fees, costs, percentages, penalties, allowances, prerequisites and all other types or classes of revenues; also estimates of all said revenues or balances; and otherwise conforming with the requirements of law; and

WHEREAS, the budget will be available for public inspection; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bay Village, Ohio:

SECTION 1. That the budget of the City of Bay Village for the fiscal year beginning January 1, 2015 as heretofore prepared and submitted to Council, copies of which are on file in the office of the Director of Finance of the City and the Clerk of Council, be and it is hereby adopted as the official budget for the City of Bay Village for the fiscal year beginning January 1, 2015.

SECTION 2. That the Clerk of Council is hereby directed to certify a copy of said budget and a copy of this Resolution to the Cuyahoga County Fiscal Officer, Ohio.

SECTION 3. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 4. That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to adopt such budget to provide funds for 2015 wherefore this Resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

ADOPTED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

MEMORANDUM

TO: Mayor and City Council
FROM: Renee Mahoney, Director of Finance
DATE: May 16, 2014
SUBJECT: Tax Budget

.....
Please see attached the Tax Budget for the 2015 tax year. This is to be on second reading for the Monday May 19 council meeting.

Below I have provided an explanation on the various levies that you will see on the Tax Budget in Schedule 1. Hopefully this will help in our discussions:

Currently the City has 3 voted on levies per the City's Charter (see Article X attached). These are levies that the citizens of Bay Village voted at various dates:

Section 10.1: A tax not to exceed 9 mills for the purposes of general operating expenses. The City currently levies 8.26 mills; 6.88 to General Fund and .69 to each Police Pension and Fire Pension.

Section 10.1(A) Parks and Recreation levy of .5 mills which the City levies the full amount.

Section 10.1(B) Paramedic Unit levy of 2.5 mills of which the City levies 2.25 mills currently.

The other amount levied per the tax budget is an inside millage of 3.89 mills. This amount is levied per the allotment to levy up to 10 mills for operation of the City as provided by the Constitution of the State of Ohio and is levied without a vote of the citizens. This 10 mill limitation also takes into account the portion allocated to the schools and the county. Historically the City has allocated this inside millage to cover the annual payments in relation to debt.

SECTION 9.8 PUBLIC IMPROVEMENTS.

Public improvements of all kinds may be made by the appropriate department either by the direct employment of the necessary labor and purchase of supplies and materials in the manner herein provided with a separate account as to each improvement so made, or by contract let as provided in the next preceding section either for a closed price or upon a unit basis.

ARTICLE X**TAXATION****SECTION 10.1 LIMITATION ON RATE OF TAXATION.**

For the purpose of paying the current operating expenses of the Municipality and for the purpose of paying any other expense which may lawfully be included within the general levy for the general fund of the Municipality, including the purposes of police and fire pensions, the Council, without a vote of the people, shall have the power to levy on the property in the Municipality listed and assessed for taxation, a tax not to exceed 9 mills on the dollar of assessed valuation, the provision to be effective as an amendment on January 1, 1961. (Ord. 60-64; approved by voters 11-8-60.)

SECTION 10.1(A) LEVY FOR PARKS AND RECREATION.

For purposes of paying towards the expense of the Department of Parks and Recreation, the Council, without a vote of the people, shall have the power to levy on the property of the Municipality listed and assessed for taxation, a tax not to exceed one-half mill on the dollar of assessed valuation. This provision shall be in addition to the limitation provided in present Section 10.1 of the Charter. This provision shall be effective on January 1, 1975. (Ord. 72-144; approved by voters 11-7-72.)

SECTION 10.1(B) CREATION OF A PARAMEDIC UNIT; LIMITATION ON RATE OF TAXATION.

There is established within the Department of Public Safety an emergency Paramedic Unit, and Council shall provide for its organization by ordinance. For purposes of paying toward the capital and operating expenses of the Unit, the Council, without a vote of the people, shall have the power to levy on the property of the Municipality listed and assessed for taxation, a tax not to exceed two and one-half mills on the dollar of assessed valuation beginning with the 1986 tax year. This provision shall be in addition to the limitation provided in present Section 10.1 and present subsection 10.1(A) of the Charter. (Ord. 86-11; approved by voters 5-6-86)

CITY OF BAY VILLAGE, CUYAHOGA COUNTY, OHIO
2015 Tax Budget
For The Year Ending December 31, 2015

ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit **CITY OF BAY VILLAGE**
For the Fiscal Year Commencing **JANUARY 1, 2015**
Fiscal Officer Signature _____ Date **June 24, 2014**

COUNTY OF CUYAHOGA

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

Ohio Revised Code Section 5705.281

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

County Budget Commission Duties

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

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

County Budget Commission Action

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

Alternative Tax Budget Information Filing Deadline

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

CITY OF BAY VILLAGE, CUYAHOGA COUNTY, OHIO

2015 Tax Budget

For The Year Ending December 31, 2015

GUIDELINES FOR COMPLETING THE ALTERNATIVE TAX BUDGET INFORMATION

SCHEDULE 1

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

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

NOTE:

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

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

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

SCHEDULE 2

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

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

SCHEDULE 3

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

SCHEDULE 4

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

SCHEDULE 5

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

CITY OF BAY VILLAGE, CUYAHOGA COUNTY, OHIO
2015 Tax Budget
For The Year Ending December 31, 2015

STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

SCHEDULE 2

| I Fund By Type | II Beginning Estimated Unencumbered Fund Balance | III Property Taxes and Local Government Revenue | IV Other Sources Receipts | V Total Resources Available for Expenditures | VI Total Estimated Expenditures & Encumbrances | VII Ending Estimated Unencumbered Balance |
|-----------------------------------|--|---|---------------------------------|--|--|---|
| <u>General Fund Group</u> | | | | | | |
| General Fund | \$ 906,516 | \$ 3,869,761 | \$ 6,775,454 | \$ 11,551,731 | \$ 10,746,251 | \$ 805,480 |
| General Reserve | 163,929 | - | - | 163,929 | - | 163,929 |
| Total General Funds | 1,070,445 | 3,869,761 | 6,775,454 | 11,715,660 | 10,746,251 | 969,409 |
| <u>Special Revenue Fund Group</u> | | | | | | |
| Paramedic | 80,049 | 1,151,085 | 725 | 1,231,859 | 1,134,398 | 97,461 |
| Parks and Recreation | 25,984 | 255,797 | 621,601 | 903,382 | 887,033 | 16,350 |
| Community Gym Fund | 38,134 | - | 7,829 | 45,963 | 11,500 | 34,463 |
| Play in Bay | 851 | - | - | 851 | - | 851 |
| Bay Family Services | 2,467 | - | 40,500 | 42,967 | 41,300 | 1,667 |
| Community Diversion Program | 6,774 | - | 8,209 | 14,983 | 7,000 | 7,983 |
| Bay Bike and Skate Park | 785 | - | - | 785 | - | 785 |
| Equipment Replacement | 17,401 | - | 676,250 | 693,651 | 650,000 | 43,651 |
| Private Property Maintenance | 46,273 | - | 77,828 | 124,101 | 31,555 | 92,546 |
| State Highway | 11,575 | - | 50,905 | 62,480 | 50,000 | 12,480 |
| Street Maintenance and Repair | 182,965 | - | 1,960,250 | 2,143,215 | 1,805,240 | 337,975 |
| Police Pension | 29,146 | 352,999 | - | 382,145 | 351,697 | 30,448 |
| Fire Pension | 5,801 | 352,999 | 119,246 | 478,046 | 471,168 | 6,878 |
| Accrued Benefits | 12,643 | - | 144,000 | 156,643 | 140,000 | 16,643 |
| Endowment Trust | 18,495 | - | 4,650 | 23,145 | 6,235 | 16,910 |
| Senior Programs | 6,949 | - | 35,550 | 42,499 | 38,000 | 4,499 |

CITY OF BAY VILLAGE, CUYAHOGA COUNTY, OHIO

2015 Tax Budget
For The Year Ending December 31, 2015

STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

SCHEDULE 2

| I Fund BY Type | II Beginning Estimated Unencumbered Fund Balance | III Property Taxes and Local Government Revenue | IV Other Sources Receipts | V Total Resources Available for Expenditures | VI Total Estimated Expenditures & Encumbrances | VII Ending Estimated Unencumbered Balance |
|------------------------------------|--|---|---------------------------------|--|--|---|
| Police Trust | 42,758 | - | 16,500 | 59,258 | 5,500 | 53,758 |
| DARE | 565 | - | - | 565 | - | 565 |
| Grant Commission | 545 | - | - | 545 | - | 545 |
| Total Special Revenue Funds | 530,160 | 2,112,880 | 3,764,043 | 6,407,083 | 5,630,625 | 776,457 |
| Debt Service Fund Group | | | | | | |
| Bond Retirement Fund | 4,565,411 | 1,990,097 | 967,859 | 7,523,367 | 3,638,743 | 3,884,624 |
| Bond Retirement Special Fund | 19,104 | - | - | 19,104 | - | 19,104 |
| Total Debt Service Funds | 4,584,515 | 1,990,097 | 967,859 | 7,542,471 | 3,638,743 | 3,903,728 |
| Capital Project Fund Group | | | | | | |
| Bassett Road | 4,897 | - | - | 4,897 | - | 4,897 |
| Walker Road | 8,636 | - | - | 8,636 | 500 | 8,136 |
| Public Improvement | 156,807 | - | 344,000 | 500,807 | 344,000 | 156,807 |
| Service Salt Garage | 598 | - | - | 598 | - | 598 |
| Bradley Road Improvement | 1,840 | - | - | 1,840 | - | 1,840 |
| Infrastructure Improvement Fund | 1,844,330 | - | 1,030,000 | 2,874,330 | - | 2,874,330 |
| Municipal Buildings Improvement | 1,711,308 | - | - | 1,711,308 | 215,000 | 1,496,308 |
| Public Buildings | 29,308 | - | - | 29,308 | - | 29,308 |
| Total Capital Project Funds | 3,757,724 | - | 1,374,000 | 5,131,724 | 559,500 | 4,572,224 |
| Enterprise Fund Group | | | | | | |
| Swimming Pool | 159,276 | - | 342,000 | 501,276 | 421,473 | 79,803 |
| Sewer Fund | 126,895 | - | 3,056,800 | 3,183,695 | 3,059,607 | 124,088 |
| Total Enterprise Funds | 286,171 | - | 3,398,800 | 3,684,971 | 3,481,080 | 203,891 |

CITY OF BAY VILLAGE, CUYAHOGA COUNTY, OHIO
2015 Tax Budget
For The Year Ending December 31, 2015

STATEMENT OF FUND ACTIVITY
(List All Funds Individually)

SCHEDULE 2

| Fund BY Type | ii Beginning Estimated Unencumbered Fund Balance | iii Property Taxes and Local Government Revenue | iv Other Sources Receipts | v Total Resources Available for Expenditures | vi Total Estimated Expenditures & Encumbrances | vii Ending Estimated Unencumbered Balance |
|-------------------------------------|--|---|---------------------------------|--|--|---|
| Internal Service Fund Group | | | | | | |
| Health Insurance | 1,030,400 | - | 1,577,306 | 2,607,706 | 1,464,752 | 1,142,954 |
| General Insurance | 3,909 | - | 189,600 | 193,509 | 189,600 | 3,909 |
| Workers Compensation | 151,280 | - | 60,000 | 211,280 | 197,860 | 13,420 |
| Total Internal Service Funds | 1,185,589 | - | 1,826,906 | 3,012,495 | 1,852,212 | 1,160,283 |
| Trust Funds | | | | | | |
| Cahoon Income | - | - | 83,600 | 83,600 | 83,507 | 93 |
| Cahoon Park Trust | 78,913 | - | 2,225 | 81,138 | 3,300 | 77,838 |
| Cahoon Library | 22,701 | - | 10,600 | 33,301 | 8,000 | 25,301 |
| Waldeck Estate Trust | 164,948 | - | 100 | 165,048 | 5,500 | 159,548 |
| Dwyer Fund | 54,740 | - | 2,000 | 56,740 | 5,000 | 51,740 |
| Community Gardens | 10,529 | - | 4,000 | 14,529 | 4,000 | 10,529 |
| Total Trust Funds | 331,831 | - | 102,525 | 434,356 | 109,307 | 325,049 |
| Security Deposit Funds | | | | | | |
| Building Deposit Fund | 38,063 | - | 42,000 | 80,063 | 42,000 | 38,063 |
| Security Deposit Fund | 1,715 | - | 22,000 | 23,715 | 21,000 | 2,715 |
| Total Security Deposit Funds | 39,778 | - | 64,000 | 103,778 | 63,000 | 40,778 |
| TOTAL ALL FUNDS | \$ 11,786,213 | \$ 7,972,738 | \$ 18,273,587 | \$ 38,032,538 | \$ 26,080,718 | \$ 11,951,820 |

CITY OF BAY VILLAGE, CUYAHOGA COUNTY, OHIO
2015 Tax Budget
For The Year Ending December 31, 2015

UNVOTED GENERAL OBLIGATION DEBT

(Include General Obligation Debt To Be Paid From Inside/Charter Millage Only)
 (Do Not Include General Obligation Debt Being Paid By Other Sources)

Fiscal Officer Signature _____ Date June 24, 2014

SCHEDULE 3

| I Purpose Of Bonds Or Notes | II Date Of Issue | III Final Maturity Date | IV Principal Amount Outstanding At The Beginning Of The Calendar Year | V Amount Required To Meet Calendar Year Principal & Interest Payments | VI Amount Receivable From Other Sources To Meet Debt Payments |
|--------------------------------|---------------------|----------------------------|--|--|--|
| 2002 Various Purpose | 2002 | December 1, 2022 | \$1,240,000 | \$263,450 | |
| 2009 Various Purpose | 2009 | December 1, 2016 | \$350,000 | \$184,625 | |
| 2010 Various Purpose | 2010 | December 1, 2017 | \$320,000.00 | \$177,545.00 | |
| 2011 Police Station Refinance | 2011 | December 1, 2031 | \$1,400,000.00 | \$142,813.00 | |
| 2012 Police Station Refinance | 2012 | December 1, 2030 | \$3,230,000.00 | \$313,510.00 | |
| 2012 Various Purpose | 2012 | December 1, 2022 | \$1,185,000.00 | \$224,040.00 | |
| 2014 Various Purpose | 06/12/14 | June 1, 2015 | \$2,320,000.00 | \$2,332,760.00 | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| Totals | | | \$10,045,000.00 | \$3,638,743.00 | \$0.00 |

RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
**CERTIFYING UNPAID TREE REMOVAL CHARGES TO THE
CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION,
AND DECLARING AN EMERGENCY.**

BE IT RESOLVED by the Council of the City of Bay Village, Ohio:

SECTION 1. That pursuant to Section 547.15 of the Codified Ordinances of the City of Bay Village, it is hereby determined and declared that the list of tree removal charges on file in the office of the Director of Finance of the City, which list is hereby incorporated herein by reference, is delinquent and unpaid. The Director of Finance is hereby directed to do all things necessary to cause said unpaid tree removal charges to be certified to the Cuyahoga County Fiscal Officer for collection as other taxes, and the Fiscal Officer is hereby requested pursuant to statute, to cause said charges to be extended on the 2014 tax duplicate for collection in semi-annual installments.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to cause said charges to be certified for collection in order to make funds available to the City, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

5/14/14 ll

RESOLUTION NO.
INTRODUCED BY

A RESOLUTION
**CERTIFYING UNPAID SIDEWALK REPAIR AND/OR CONSTRUCTION
CHARGES TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION,
AND DECLARING AN EMERGENCY.**

BE IT RESOLVED by the Council of the City of Bay Village, Ohio:

SECTION 1. That pursuant to Section 543.01 of the Codified Ordinances of the City of Bay Village, it is hereby determined and declared that the list of sidewalk repair and/or construction charges on file in the office of the Director of Finance of the City, which list is hereby incorporated herein by reference, is delinquent and unpaid. The Director of Finance is hereby directed to do all things necessary to cause said unpaid sidewalk repair and/or construction charges to be certified to the Cuyahoga County Fiscal Officer for collection as other taxes, and the Fiscal Officer is hereby requested pursuant to statute, to cause said charges to be extended on the 2014 tax duplicate for collection in semi-annual installments.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to cause said charges to be certified for collection in order to make funds available to the City, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
**CERTIFYING UNPAID GRASS CUTTING AND CLEANING CHARGES
TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION,
AND DECLARING AN EMERGENCY.**

BE IT RESOLVED by the Council of the City of Bay Village, Ohio:

SECTION 1. That pursuant to Section 521.11 of the Codified Ordinances of the City of Bay Village, it is hereby determined and declared that the list of grass cutting and cleaning charges on file in the office of the Director of Finance of the City, which list is hereby incorporated herein by reference, is delinquent and unpaid. The Director of Finance is hereby directed to do all things necessary to cause said unpaid grass cutting and cleaning charges to be certified to the Cuyahoga County Fiscal Officer for collection as other taxes, and the Fiscal Officer is hereby requested pursuant to statute, to cause said charges to be extended on the 2014 tax duplicate for collection in semi-annual installments.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to cause said charges to be certified for collection in order to make funds available to the City, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

5/14/14 ll

RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
CERTIFYING UNPAID SEWER RENTAL AND REFUSE COLLECTION
CHARGES TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION,
AND DECLARING AN EMERGENCY.

BE IT RESOLVED by the Council of the City of Bay Village, Ohio:

SECTION 1. That pursuant to Section 921.05 and Section 923.04 of the Codified Ordinances of the City of Bay Village it is hereby determined and declared the list of sewer rental and refuse collection charges on file in the office of the Director of Finance of the City, which list is hereby incorporated herein by reference, is delinquent and unpaid. The Director of Finance is hereby directed to do all things necessary to cause said unpaid sewer rental and refuse collection charges to be certified to the Cuyahoga County Fiscal Officer for collection as other taxes, and the Fiscal Officer is hereby requested, pursuant to statute, to cause said sewer rental charges to be extended in the 2014 tax duplicate for collection in semi-annual installments.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to cause said charges to be certified for collection in order to make funds available to the City, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

5/14/14 ll

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
NERONE & SONS, INC. FOR THE WALKER-NANTUCKET PUMP STATION
IMPROVEMENTS, AND DECLARING AN EMERGENCY.**

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That the Mayor be and she is hereby authorized to enter into an agreement with Nerone & Sons, Inc. 19501 S. Miles Road, Warrensville Hts., Ohio 44128, for the Walker-Nantucket Pump Station improvements in accordance with plans and specifications, it being here by determined that the bid of said company is the lowest and best bid received after advertising according to law. Total bid price for said improvements in one hundred five thousand, six hundred fifty dollars (\$105,650.00) and payment shall be made from the Sewer Fund/Capital Improvements (580.330.55410).

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason to ensure that construction will take place during the 2014 construction season, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE CHAPTER 913 REGARDING
CONNECTIONS TO SEWERS
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Chapter 913 which presently reads as follows:

CHAPTER 913
Connections to Sewers

- | | |
|---|---|
| 913.01 Sanitary sewer line connection. | 913.10 Test of sewer connections authorized. |
| 913.02 Storm sewer line connection. | 913.11 Corrective order and expenses therefor. |
| 913.03 Approval on sanitary sewer line. | 913.12 Certificate of occupancy. |
| 913.04 approval on storm sewer line. | 913.13 Provisions to supplement Building Code. |
| 913.05 Cesspool or septic tank construction. | 913.14 Sewer service lines; fee. |
| 913.06 Tap-in fee in lieu of assessment. | 913.99 Penalty. |
| 913.07 Notice to make connection. | |
| 913.08 Downspouts, roof and yard drains. | |
| 913.09 Test of downspouts, yard drains authorized. | |

CROSS REFERENCES

Repair and maintenance of service lines - see S. & P. S. Ch. 915
Sewer rental - see S. & P.S. Ch. 921

913.01 SANITARY SEWER LINE CONNECTION.

Whenever any new structure shall be hereafter constructed in the City upon a lot or parcel of land, any portion of which abuts upon a street containing a public sanitary sewer line, the sanitary disposal system of such structure shall be connected to and flow into the sewer line in such manner as may be approved by the Director of Public Service and Properties. Such service connection shall be five inches in diameter. (Ord. 75-3. Passed 1-6-75.)

913.02 STORM SEWER LINE CONNECTION.

Whenever any new structure shall be hereafter constructed in the City upon a lot or parcel of land, any portion of which abuts upon a street containing a public storm sewer line, the storm water disposal system of the structure shall be connected to and flow into the sewer line in such manner as may be approved by the Director of Public Service and Properties. Such service connection shall be six inches in diameter. (Ord. 75-3. Passed 1-6-75.)

913.03 APPROVAL ON SANITARY SEWER LINE

Whenever any structure shall have been heretofore constructed in the City upon a lot or parcel of land any portion of which abuts upon a street containing a public sanitary sewer line,

the Director of Public Service and Properties may, for the protection of public health, safety and welfare, order the sanitary disposal system of the structure connected to and flow into the sewer line in such manner as may be approved by him. (Ord. 75-3. Passed 1-6-75.)

913.04 APPROVAL ON STORM SEWER LINE.

Whenever any structure shall have been constructed heretofore in the City upon a lot or parcel of land any portion of which abuts upon a street containing a public storm sewer line, the Director of Public Service and Properties may, for the protection of public health, safety and welfare, order the storm sewer disposal system of the structure connected to and flow into the sewer line in such manner as may be approved by him. (Ord. 75-3. Passed 1-6-75.)

913.05 CESSPOOL OR SEPTIC TANK CONSTRUCTION.

After August 19, 1957, no person owning or having in possession the charge or management of any property within the corporate limits shall construct or permit to be constructed on any such property any cesspool or septic tank. (Ord. 57-122, Passed 8-19-57.)

913.06 TAP-IN FEE IN LIEU OF ASSESSMENT.

Wherever public sanitary sewers, storm sewers or water lines have been constructed, and the cost thereof has been wholly or partly paid out of the funds of the City, or the cost thereof has been partially or wholly assessed against property, and the owner of any abutting property makes application for permit to tap into any such sewer or water line, no permit shall be issued to any such abutting owner if for any reason no assessment has been levied against the property for which the tap is sought, unless such person shall first pay into the City Treasury a sum equal to an amount paid by the City or assessed against similarly situated properties for the cost of constructing such sewers and/or water lines into which he desires to tap. (Ord. 62-135. Passed 9-4-62.)

913.07 NOTICE TO MAKE CONNECTION.

Whenever either a storm sewer or a sanitary sewer or both are available for connection to any lot or parcel of land, the Director of Public Service and Properties shall cause written notice to be given to the owner of such lot or parcel of land to which such connections are to be made, which notice shall state the number and character of the connections required. The notice under this section shall be served by the Clerk of Council upon the owners of the lots or parcels of land to which such connections are to be made, by certified mail addressed to such owner at his last known address, or to the address to which tax bills are sent. If it appears by the return of the certified mail notice, or otherwise, that one or more of such owners cannot be found, such owners shall be served by publication of the notice once in a newspaper of general circulation within the City. The returned receipt for notice forwarded by certified mail, accepted by the addressee or anyone purporting to act for him, shall be prima-facie evidence of the service of notice under this section. Such connection shall be installed within sixty days from the date of service of the notice. (Ord. 70-97. Passed 6-1-70.)

913.08 DOWNSPOUTS, ROOF AND YARD DRAINS.

Downspouts, roof and yard drains shall not be connected to any sanitary sewer. (Ord. 70-42. Passed 3-10-70.)

913.09 TEST OF DOWNSPOUTS, YARD DRAINS AUTHORIZED.

The Director of Public Service and Properties or any employee of the City designated by him may enter upon any lot or parcel of land within the City and test any downspout or storm water drain on any building thereon to determine whether or not it discharges water into any sanitary sewer. (Ord. 70-42. Passed 3-16-70.)

913.10 TEST OF SEWER CONNECTIONS AUTHORIZED.

The Director of Public Service and Properties, or any employee of the City designated by him, may enter on any lot or parcel of land and open any test tee thereon to determine whether or not any sewer or sewer connection is blocked on the lot or parcel of land or in the public street in front of the same, and to determine whether the sewer lines are connected to the proper sewer. (Ord. 70-42. Passed 3-16-70.)

913.11 CORRECTIVE ORDER AND EXPENSES THEREFOR.

If investigations and tests reveal that downspouts, street drains or any surface waters flow into any sanitary sewer, the Director of Public Service and Properties shall order the abatement of such condition. Such order shall require connection of downspouts, yard drains and any other collectors of surface water to flow into the available storm sewer within sixty days. The Director is authorized to require immediate disconnection of any downspout which is found flowing into a sanitary sewer, and such downspout shall be discharged onto a splash box or other device, provided that no water so discharged flows onto adjoining property or over sidewalks. Such provision for splash boxes or other devices may be permanent if such discharge does not cause hardship onto adjoining properties, city sidewalks or current property. Inspection to be provided to assure proper connection. All costs involved in any necessary corrective action shall be at the sole expense of the property owner, contractor or builder involved. Failure to comply with such order shall be considered a violation of this chapter. (Ord. 07-98. Passed 11-5-07.)

913.12 CERTIFICATE OF OCCUPANCY.

No certificate of occupancy shall be issued pursuant to Section 1344.05 until the Director of Public Service and Properties has notified the Building Commissioner in writing that all of the provisions of Chapter 913 of the Codified Ordinances have been complied with in regard to the property for which a certificate of occupancy is sought. (Ord. 70-42. Passed 3-16-70.)

913.13 PROVISIONS TO SUPPLEMENT BUILDING CODE.

The provisions of this chapter are supplementary to the provisions of the City Building Code. (Ord. 70-42. Passed 3-16-70.)

913.14 SEWER SERVICE LINES; FEE.

Should it be necessary, the City shall provide sewer service lines for existing developed lots, when none are available by extending such sewer service line from the existing main sewer to the tree lawn area for the following set fees:

- (a) From any distance between the centerline of the street to the tree lawn: \$250.00
- (b) From any distance further than the centerline of the street to the tree lawn: \$500.00.

Such amount shall be billed to the owner.

If the owner or person having charge of such lands fails to pay the City's invoice for street work Council shall make a written return to the County Auditor of his/her action, with a statement of the charges and a proper description of the premises. Such amount, when allowed, shall be entered upon the tax duplicate, and be a lien upon such lands from and after the date of the entry, and be collected as other taxes and returned to the City with the General Fund. (Ord. 80-43. Passed 5-5-80.)

913.99 PENALTY.

Whoever violates any of the provisions of this chapter and/or fails to make a connection to the requisite sewer as directed by the Director of Public Service and Properties or by Council is guilty of a misdemeanor of the third degree. Each day's continued violation shall constitute a separate offense. (Ord. 80-43. Passed 5-5-80.)

be and the same is amended to read:

CHAPTER 913 Connections to Sewers

- | | |
|---|--|
| 913.01 Sanitary sewer line connection. | 913.11 Corrective order and expenses therefor. |
| 913.02 Storm sewer line connection. | 913.12 Certificate of occupancy. |
| 913.03 Approval on sanitary sewer line. | 913.13 Provisions to supplement Building Code. |
| 913.04 Approval on storm sewer line. | 913.14 Sewer service lines. |
| 913.05 Tap-In fee. | 913.15 Sewer service lines: clean out required. |
| 913.06 Tap-in fee in lieu of assessment. | 913.16 Approval on sewer service line. |
| 913.07 Notice to make connection. | 913.17 Cesspool or septic tank construction. |
| 913.08 Downspouts, roof and yard drains. | 913.99 Penalty. |
| 913.09 Test of downspouts, yard drains authorized. | |
| 913.10 Test of sewer connections authorized. | |

CROSS REFERENCES

Repair and maintenance of service lines - see S. & P. S. Ch. 915
Sewer rental - see S. & P.S. Ch. 921

913.01 SANITARY SEWER LINE CONNECTION.

Whenever any new structure shall be hereafter constructed in the City upon a lot or parcel of land, any portion of which abuts upon a street containing a public sanitary sewer line, the sanitary disposal system of such structure shall be connected to and flow into the sewer line in such manner as may be approved by the Director of Public Service and Properties.

913.02 STORM SEWER LINE CONNECTION.

Whenever any new structure shall be hereafter constructed in the City upon a lot or parcel of land, any portion of which abuts upon a street containing a public storm sewer line, the storm water disposal system of the structure shall be connected to and flow into the sewer line in such manner as may be approved by the Director of Public Service and Properties.

913.03 APPROVAL ON SANITARY SEWER LINE

Whenever any structure shall have been heretofore constructed in the City upon a lot or parcel of land any portion of which abuts upon a street containing a public sanitary sewer line, the Director of Public Service and Properties may, for the protection of public health, safety and welfare, order the sanitary disposal system of the structure connected to and flow into the sewer line in such manner as may be approved by him. (Ord. 75-3. Passed 1-6-75.)

913.04 APPROVAL ON STORM SEWER LINE.

Whenever any structure shall have been constructed heretofore in the City upon a lot or parcel of land any portion of which abuts upon a street containing a public storm sewer line, the Director of Public Service and Properties may, for the protection of public health, safety and welfare, order the storm sewer disposal system of the structure connected to and flow into the sewer line in such manner as may be approved by him. (Ord. 75-3. Passed 1-6-75.)

913.05 TAP-IN FEE.

The charge for an initial tap-in connection to the City sanitary sewer system or for an increase of sanitary flow caused by an expansion or change of use shall be as follows:

- (a) Residential: One thousand dollars (\$1,000.00) per dwelling unit.
- (b) Restaurant: Less than 2,000 square foot, two thousand two hundred and fifty dollars (\$2,250.00); each additional square foot 0.50.
- (c) Office Buildings, Retail and Commercial and All Others: Less than 2,000 square foot, one thousand dollars (1,000.00); each additional square foot 0.25.

The Chief Building Official will be responsible for determination of the tap-in fee calculation and approved by the Director of Finance. Existing uses that are being demolished/removed from service due to re-development will be used in the calculation. For example, if a re-development project proposes 30 units of residential and 5 existing units are being demolished, the tap-in fee will be based on 25 units. Other re-development projects will also take into account demolition of existing buildings.

These tap-in fees are for the ability to "tap-in" to the City's sewer system. They do not cover the construction cost for the tap-in. The private sector will be solely responsible for an approved contractor installing the connections with the City Inspector reviewing and approving the implementation of the project. The Director of Public Service will oversee any and all fees involved with City crews conducting any work at the site. The tap-in fees will not cover the cost of having a City Inspector at the site reviewing and approving the connection; such fees will be billed hourly as incurred with such fees as established by the Director of Finance.

The funds received from the collection of such charges shall be kept in a separate and distinct fund which shall be known as the Sewer fund. The Sewer Fund shall be used for the payment of the cost of management, maintenance, operation and repair of the City's sewerage systems, which includes both storm and sanitary sewers, sewage pumping stations and treatment and disposal works.

913.06 TAP-IN FEE IN LIEU OF ASSESSMENT.

Wherever public sanitary sewers, storm sewers or water lines have been constructed, and the cost thereof has been wholly or partly paid out of the funds of the City, or the cost thereof has been partially or wholly assessed against property, and the owner of any abutting property makes application for permit to tap into any such sewer or water line, no permit shall be issued to any such abutting owner if for any reason no assessment has been levied against the property for which the tap is sought, unless such person shall first pay into the City Treasury a sum equal to an amount paid by the City or assessed against similarly situated properties for the cost of constructing such sewers and/or water lines into which he desires to tap.
(Ord. 62-135. Passed 9-4-62.)

913.07 NOTICE TO MAKE CONNECTION.

Whenever either a storm sewer or a sanitary sewer or both are available for connection to any lot or parcel of land, the Director of Public Service and Properties shall cause written notice to be given to the owner of such lot or parcel of land to which such connections are to be made, which notice shall state the number and character of the connections required. The notice under this section shall be served by the Clerk of Council upon the owners of the lots or parcels of land to which such connections are to be made, by certified mail addressed to such owner at his last known address, or to the address to which tax bills are sent. If it appears by the return of the certified mail notice, or otherwise, that one or more of such owners cannot be found, such owners shall be served by publication of the notice once in a newspaper of general circulation within the City. The returned receipt for notice forwarded by certified mail, accepted by the addressee or anyone purporting to act for him, shall be prima-facie evidence of the service of notice under this section. Such connection shall be installed within sixty days from the date of service of the notice. (Ord. 70-97. Passed 6-1-70.)

913.08 DOWNSPOUTS, ROOF AND YARD DRAINS.

Downspouts, roof and yard drains shall not be connected to any sanitary sewer.
(Ord. 70-42. Passed 3-10-70.)

913.09 TEST OF DOWNSPOUTS, YARD DRAINS AUTHORIZED.

The Director of Public Service and Properties or any employee of the City designated by him may enter upon any lot or parcel of land within the City and test any downspout or storm water drain on any building thereon to determine whether or not it discharges water into any sanitary sewer. (Ord. 70-42. Passed 3-16-70.)

913.10 TEST OF SEWER CONNECTIONS AUTHORIZED.

The Director of Public Service and Properties, or any employee of the City designated by him, may enter on any lot or parcel of land and open any test tee thereon to determine whether or not any sewer or sewer connection is blocked on the lot or parcel of land or in the public street in front of the same, and to determine whether the sewer lines are connected to the proper sewer.
(Ord. 70-42. Passed 3-16-70.)

913.11 CORRECTIVE ORDER AND EXPENSES THEREFOR.

If investigations and tests reveal that downspouts, street drains or any surface waters flow into any sanitary sewer, the Director of Public Service and Properties shall order the abatement

of such condition. Such order shall require connection of downspouts, yard drains and any other collectors of surface water to flow into the available storm sewer within sixty days. The Director is authorized to require immediate disconnection of any downspout which is found flowing into a sanitary sewer, and such downspout shall be discharged onto a splash box or other device, provided that no water so discharged flows onto adjoining property or over sidewalks. Such provision for splash boxes or other devices may be permanent if such discharge does not cause hardship onto adjoining properties, city sidewalks or current property. Inspection to be provided to assure proper connection. All costs involved in any necessary corrective action shall be at the sole expense of the property owner, contractor or builder involved. Failure to comply with such order shall be considered a violation of this chapter. (Ord. 07-98. Passed 11-5-07.)

913.12 CERTIFICATE OF OCCUPANCY.

No certificate of occupancy shall be issued pursuant to Section 1344.05 until the Director of Public Service and Properties has notified the Building Commissioner in writing that all of the provisions of Chapter 913 of the Codified Ordinances have been complied with in regard to the property for which a certificate of occupancy is sought. (Ord. 70-42. Passed 3-16-70.)

913.13 PROVISIONS TO SUPPLEMENT BUILDING CODE.

The provisions of this chapter are supplementary to the provisions of the City Building Code. (Ord. 70-42. Passed 3-16-70.)

913.14 SEWER SERVICE LINES.

(a) It shall be the responsibility of the owner to construct "sewer service lines" for existing developed lots, when none are available.

(b) When it is necessary to construct or replace "sewer service lines", a permit must be obtained from the Building Official.

(c) Construction of "sewer service lines" shall be done by a licensed sewer contractor, with a City Inspector reviewing and approving all work.

(d) A refundable deposit shall be submitted prior to the issuance of a permit as set forth in 1305.02 of the Codified Ordinances. The Building Official and/or Service Director shall use the deposit at their discretion for inspection fees, debris removal and/or repair or replacement of any utility, right-of-way area, or surface damaged or removed and not replaced during the construction process.

913.15 SEWER SERVICE LINE; CLEAN-OUT REQUIRED.

Whenever any structure shall have been heretofore constructed in the City upon a lot or parcel of land which abuts upon a street containing a "sewer service line", connected to a public sewer, a clean-out shall be provided. Such clean-out and any existing clean-out shall be brought up to grade in such manner as approved by the Director of Public Service and Properties.

913.16 APPROVAL ON SEWER SERVICE LINE.

Whenever any new structure shall be hereafter constructed in the City upon a lot or parcel of land, any portion of which abuts upon a street containing a public sewer line, the Director of Public Service and Properties shall inspect and approve the connection of a new structure to any existing "sewer service lines" which flow into a public sewer line.

913.17 CESSPOOL OR SEPTIC TANK CONSTRUCTION.

After August 19, 1957, no person owning or having in possession the charge or management of any property within the corporate limits shall construct or permit to be constructed on any such property any cesspool or septic tank.

913.99 PENALTY.

Whoever violates any of the provisions of this chapter and/or fails to make a connection to the requisite sewer as directed by the Director of Public Service and Properties or by Council is guilty of a misdemeanor of the third degree. Each day's continued violation shall constitute a separate offense. (Ord. 80-43. Passed 5-5-80.)

and present Chapter 913 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons stated in the preamble hereof, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

05/14/14 II

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 912.03 REGARDING
LIMITATIONS OF CONNECTIONS
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 912.03 which presently reads as follows:

912.03 LIMITATIONS OF CONNECTIONS.

(a) No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb public or private sanitary or storm sewer or appurtenance thereof without first obtaining a permit from the City.

(b) No sewer, or system of sewers, shall be constructed, which connects either directly or indirectly to sanitary sewerage facilities controlled by the City until the owner of the sewer, or system of sewers, can demonstrate to the City that quality of the wastewater to be conveyed by this sewer can meet the requirements of this sewer use chapter.

(c) No permit shall be issued to connect a house sewer to a public sewer if the connection or any portion thereof is in, under, or on a lot not owned by the person whose house is to be connected and if no recorded easement exists authorizing the connection on such lot.

(d) No permit to connect to or tap a public sewer shall be issued if the sewage to be discharged would, in the opinion of the Director, overload any public sewer or downstream facilities including pump stations and/or treatment plants.

(e) When, in the opinion of the Director, it is necessary to connect a house connection sewer to a public sewer at a point where no connection facility has been provided, application for the public sewer tap shall be submitted and a separate fee for each tap shall be paid by the applicant before the permit is issued for the construction of the house connection sewer.
(Ord. 84-37. Passed 7-2-84.)

(f) All tapping of public sewers shall be made by a contractor registered per the requirement of Chapter 1310. Sewer taps shall be performed as directed by the City. All piping, fittings and connections shall be inspected and approved by the City prior to backfill. Material used as backfill and pavement replacement shall be as directed and approved by the City.

(1) **Deposit Fees.**

A. All excavations which require the removal of public sidewalks and/or excavating in the right-of-way area that does not contain a water, electric, communication and/or gas main shall require a five hundred dollars (\$500.00) refundable deposit at the time of permit application.

B. All excavations which require the removal of public sidewalks and/or excavating in the right-of-way area that contains a water, electric, communication and/or gas main shall require a two thousand five hundred dollar (\$2,500.00) refundable deposit at the time of permit application.

C. All excavations which require the removal of street pavement or boring beneath public streets shall require a five thousand dollar (\$5,000.00) refundable deposit at the time of permit application.

The Building Official and/or Service Director shall use the deposit at their discretion for debris removal and/or repair or replacement of any utility, right-of-way area, or surface damaged or removed and not replaced during the construction process.

If at any time the deposit balance falls below fifty percent (50%) of the initial refundable deposit, additional funds shall be submitted immediately upon receipt of written notice from the City to bring the balance to the original required amount.

(g) No person other than an authorized employee of the City shall in any way tamper with, remove or otherwise move or disturb any manhole cover of a City sewer or sewer opening without first obtaining permission from the Director.

(h) No person, firm or corporation shall discharge or cause to be discharged to any natural outlet or storm sewer any sanitary sewage or other polluted waters. Effluent from privately owned individual household disposal devices shall not be discharged to storm sewers.

(i) The Director or any employee of the City designated by him may enter on any lot or parcel of land and open and observe the test tee thereon to determine whether or not any sewer or sewer connection is blocked on the lot, parcel of land or in the public right of way or easement in front of the same, and to determine whether the sewer connections are connected to the proper sewer.

(Ord. 12-94. Passed 11-19-12.)

be and the same is amended to read:

912.03 LIMITATIONS OF CONNECTIONS.

(a) No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb public or private sanitary or storm sewer or appurtenance thereof without first obtaining a permit from the City.

(b) No sewer, or system of sewers, shall be constructed, which connects either directly or indirectly to sanitary sewerage facilities controlled by the City until the owner of the sewer, or system of sewers, can demonstrate to the City that quality of the wastewater to be conveyed by this sewer can meet the requirements of this sewer use chapter.

(c) No permit shall be issued to connect a sewer service line to a public sewer if the connection or any portion thereof is in, under, or on a lot not owned by the person whose house is to be connected and if no recorded easement exists authorizing the connection on such lot.

(d) No permit to connect to or tap a public sewer shall be issued if the sewage to be discharged would, in the opinion of the Director, overload any public sewer or downstream facilities including pump stations and/or treatment plants.

(e) When it is necessary to connect a sewer service line to a public sewer at a point where no connection facility has been provided, a permit must be obtained from the Building Official to complete a "tap-in" to the City's sewer system.

(f) All "tap-in" connections of a public sewer shall be made by a licensed sewer contractor, with a City Inspector reviewing and approving the implementation of the project.

(1) Deposit Fees.

A. All applicants for the permit required by C.O. 912.03 shall deposit with the Director of Finance, the appropriate amount as set forth in Section 1305.02 of the Codified Ordinances.

B. The Building Official and/or Service Director shall use the deposit at their discretion for inspection fees, debris removal and/or repair or replacement of any utility, right-of-way area, or surface damaged or removed and not replaced during the construction process.

An additional amount may be required by the Director of Public Service and Properties to be so deposited if in his opinion the amount of the above-mentioned deposit is insufficient.

If at any time the deposit balance falls below fifty percent (50%) of the initial refundable deposit, additional funds shall be submitted immediately upon receipt of written notice from the City to bring the balance to the original required amount.

The balance of the deposit shall be returned to the permittee after completion of the work by the City and upon application from the permittee.

(g) No person other than an authorized employee of the City shall in any way tamper with, remove or otherwise move or disturb any manhole cover of a City sewer or sewer opening without first obtaining permission from the Director.

(h) No person, firm or corporation shall discharge or cause to be discharged to any natural outlet or storm sewer any sanitary sewage or other polluted waters. Effluent from privately owned individual household disposal devices shall not be discharged to storm sewers.

(i) The Director or any employee of the City designated by him may enter on any lot or parcel of land and open and observe the test tee thereon to determine whether or not any sewer or sewer connection is blocked on the lot, parcel of land or in the public right of way or easement in front of the same, and to determine whether the sewer connections are connected to the proper sewer.

and present 912.03 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons stated in the preamble hereof, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

05/14/14 II

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE CHAPTER 921 REGARDING
SEWER RENTAL
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Chapter 921 which presently reads as follows:

CHAPTER 921
Sewer Rental

- | | |
|---|--|
| 921.01 Definitions. | 921.07 Sewer maintenance deferred charge. |
| 921.02 Rental rates. | 921.08 Connection charge; properties |
| 921.03 Dates of payment. | improved prior to March 16, 1959. |
| 921.04 Billings. | 921.09 Extra-strength surcharge system |
| 921.05 Penalty for late payment. | charges. |
| 921.06 Sewer Fund established. | |

CROSS REFERENCE

Sewer connections - see S. & P.S. Ch. 913

921.01 DEFINITIONS.

The following definitions shall apply to all sections of this chapter:

- (a) "Sewer service charge" means the fee levied on the sewer user to fund the operation, maintenance, replacement and bond retirement costs for providing wastewater collection and treatment services.
- (b) "User charge" means a charge levied on the users of the wastewater collection and treatment facilities for the user's proportionate share of the cost of operation and maintenance (including replacement) of such facilities.
- (c) "Debt service" means the bond retirement which is incurred in the payment of capital costs for the construction of wastewater collection and treatment facilities.
- (d) "Operation and maintenance" means the costs which are incurred in providing for the operation and maintenance of wastewater collection, treatment and sewer billing services. Debt service costs are not included in operation and maintenance costs.
- (e) "Replacement" means expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
- (f) "Normal wastewater concentrations" means, for the purposes of the extra strength surcharge system, a five-day biochemical oxygen demand of 200 milligrams per liter, suspended solids of 200 milligrams per liter, phosphorus of 15 milligrams per liter and oil and grease of 50 milligrams per liter.
- (g) "User class" means a group of sewer users which have similar magnitudes of wastewater flows and wastewater characteristics.

(h) "Residential user" means occupied premises for human habitation including apartments, etc., but excluding hotels and motels.

(i) "Industrial user" means discharge of a waste resulting from manufacturing activities involving the chemical or mechanical transformation of materials or substances into other products.

(j) "Commercial user" means any discharges not meeting the definitions of residential or industrial. (Ord. 85-13. Passed 2-4-85.)

921.02 RENTAL RATES.

There is hereby established and imposed a charge upon all improved lots, lands and parcels of real estate within the City, except Municipal facilities, which are served by the City's water system or any other public or private water system and which are capable of being connected to the City's sewerage system by reason of the proximity of a public sewer on a street or easement abutting the lot, land or parcel to be charged, whether actually connected or not, at the following rates:

Annual User Charge Including Operating, Repair, Maintenance and Improvement

(a) Rates in Effect for: 7/1/2011 & Thereafter

| User Class | | |
|------------|-------------------|-------------|
| (1) | Single-family | \$242.00/yr |
| (2) | Double-family | 322.00/yr |
| (3) | Apartments | |
| | 2 bedroom or more | 160.00/yr |
| | 1 bedroom or less | 97.00/yr |
| (4) | Commercial | 22.37/MCF |
| (5) | Industrial | 22.37/MCF |

Commercial and industrial rate will be \$22.37 per MCF but not less than \$160.00 per year.

(b) Rates in Effect for: 1/1/2012 & Thereafter

| User Class | | |
|------------|-------------------|-------------|
| (1) | Single-family | \$250.00/yr |
| (2) | Double-family | 332.00/yr |
| (3) | Apartments | |
| | 2 bedroom or more | 165.00/yr |
| | 1 bedroom or less | 100.00/yr |
| (4) | Commercial | 23.10/MCF |
| (5) | Industrial | 23.10/MCF |

Commercial and industrial rate will be \$23.10 per MCF but not less than \$165.00 per year.

(c) Rates in Effect for: 1/1/2013 & Thereafter

| User Class | | |
|------------|-------------------|-------------|
| (1) | Single-family | \$260.00/yr |
| (2) | Double-family | 345.00/yr |
| (3) | Apartments | |
| | 2 bedroom or more | 171.00/yr |
| | 1 bedroom or less | 104.00/yr |
| (4) | Commercial | 24.02/MCF |
| (5) | Industrial | 24.02/MCF |

Commercial and industrial rate will be \$24.02 per MCF but not less than \$171.00 per year. (Ord. 11-51. Passed 6-20-11.)

921.03 DATES OF PAYMENT.

(a) The charges established by Section 921.02 shall be payable quarterly at the Bay Village City Hall.

Collection periods for the quarterly payments shall be:

- (1) First quarter of calendar year - January 1 through January 31;
- (2) Second quarter of calendar year - April 1 through April 30;
- (3) Third quarter of calendar year - July 1 through July 31;
- (4) Fourth quarter of calendar year - October 1 through October 31.

(b) In the event that the cutoff date should fall on a weekend or City-observed holiday, the collection period shall be extended to include the next regular business day on which the City Hall is open. (Ord. 95-145. Passed 2-5-96.)

921.04 BILLINGS.

Billings for each quarterly period shall be mailed as close as practical to January 1, April 1, July 1 and October 1 for the respective quarter. Such billings shall contain such information as the Director of Finance shall deem necessary. Notice of the user charge shall be given at least annually to each user through the sewer billings.(Ord. 95-145. Passed 2-5-96.)

921.05 PENALTY FOR LATE PAYMENT.

All unpaid charges for Section 921.02 and 923.01 shall be certified by the Director of Finance to the Auditor of Cuyahoga County for collection as other municipal taxes. A penalty of ten percent (10%) of the delinquent amount shall be added to delinquent accounts, but in no event shall such penalty be less than ten dollars (\$10.00). Should one or both of the charges in Section 921.01 or Section 923.01 not be paid, only one ten dollar (\$10.00) late fee shall apply. An account shall be deemed delinquent if not paid by the end of the quarterly collection periods specified in Section 921.03 and Section 923.02.(Ord. 08-52. Passed 5-19-08.)

921.06 SEWER FUND ESTABLISHED.

The funds received from the collection of such charges shall be kept in a separate and distinct fund which shall be known as the Sewer Fund. The Sewer Fund shall be used for the

payment of the cost of management, maintenance, operation and repair of the City's sewerage systems, which includes both storm and sanitary sewers, sewage pumping stations and treatment and disposal works.(Ord. 85-13. Passed 2-4-85.)

921.07 SEWER MAINTENANCE DEFERRED CHARGE.

Any lot, land or parcel which is improved after the effective date of Ordinance 59-32, passed March 16, 1959, by the construction of a structure thereon, which structure is served by the City water system or any other public or private water system and which is required to be connected to the City sewage system and treatment plant shall be charged, in addition to all other fees or charges, whether now in effect or adopted hereafter, the following amount:
(Ord. 85-13. Passed 2-4-85; Ord. 87-132. Passed 10-19-87.)

(a) Single-Family Dwellings. An amount which equals one-half of the charges which would have been made had the lot, land or parcel been improved at the time of the adoption of Ordinance 59-32, passed March 16, 1959, but not in excess of one thousand five hundred dollars (\$1,500).(Ord. 91-139. Passed 12-2-91.)

(b) Double-Family Dwellings. Same as single-family dwellings but not in excess of one thousand dollars (\$1,000).

(c) Apartment Houses. Same as single-family dwellings but not in excess of five hundred dollars (\$500.00) multiplied by the number of suites in the apartment building.

(d) Office Buildings, Retail and Commercial Structures and All Others. Fifteen dollars (\$15.00) per year multiplied by the quotient resulting from the division of 2,500 into the number of square feet of floor area of the structure, measured from the outside walls of the structure, the product of which shall further be multiplied by the number of full calendar years which have elapsed between the date of the issuance of the building permit and March 15, 1959, but in no event shall more than twenty years be considered in computing such time.

All funds which are collected through the previously described connection charges shall be used to retire debt service, and will not be applied to the operation, maintenance and replacement costs of the wastewater treatment facility or sanitary sewer system.
(Ord. 85-13. Passed 2-4-85.)

921.08 CONNECTION CHARGE; PROPERTIES IMPROVED PRIOR TO MARCH 16, 1959.

Any lot, land or parcel which is improved prior to March 16, 1959, but which did not have available to it a public sanitary sewer prior to such date shall, when such a sanitary sewer is available, be charged the following amounts:

(a) Single-Family Dwellings. An amount which equals one-half of the charges which would have been made had a sanitary sewer been available to the lot, land or parcel at the time of the adoption of Ordinance 59-32, passed March 16, 1959, but not in excess of one hundred fifty dollars (\$150.00).

(b) Two-Family Dwellings. An amount which equals one-half of the charges which would have been made had a sanitary sewer been available to the lot, land or parcel at the time of the adoption of Ordinance 59-32, passed March 16, 1959, but not in excess of three hundred dollars (\$300.00).

(c) Apartment Houses. An amount which equals one-half of the charges which would have been made had a sanitary sewer been available to the lot, land or parcel at the time of the

adoption of Ordinance 59-32, passed March 16, 1959, but not in excess of one hundred fifty dollars (\$150.00) multiplied by the number of suites in the apartment building.

(d) Office Buildings, Retail Business Structures, Commercial Business Structures, and All Others. Three-fourths of the estimated annual water bill multiplied by the number of full calendar years which have elapsed between the effective date of Ordinance 59-32, passed March 16, 1959, and the date when the sanitary sewer is available, but in no event shall more than twenty years be considered in computing such time.

In arriving at the estimated water bills set forth in subsection (d) hereof, the Director of Public Service and Properties shall be guided by the known water bills of structures of comparable size and use, whether located in the City or not, but limited, however, to Cuyahoga County. The determination of the estimated water bills by the Director of Public Service and Properties shall be final.

All funds which are collected through the previously described connection charges shall be used to retire debt service, and will not be applied to the operation, maintenance and replacement costs of the wastewater treatment facility or sanitary sewer system. (Ord. 85-13. Passed 2-4-85.)

921.09 EXTRA-STRENGTH SURCHARGE SYSTEM CHARGES.

Through an Industrial Surveillance/Pretreatment Program, the City of Rocky River will identify sewer users which discharge wastewater that is higher in strength than normal wastewater concentrations, as described in this chapter. Through the collection and analysis of wastewater samples from the sewer user and a review of water consumption, such City will calculate the extra-strength surcharge for these sewer users, and transmit these charges to the City Finance Director. The Finance Director will add the amount of the extra-strength surcharge to the normal user charge for that sewer user. All extra-strength surcharge revenue which is collected within a given user class will be credited to that user class and not comingled among other user classes. The extra-strength surcharge revenue will be credited to its particular user class prior to calculating the user charge for that user class for the upcoming year. (Ord. 85-13. Passed 2-4-85.)

be and the same is amended to read:

CHAPTER 921 Sewer Rental

921.01 Definitions.

921.02 Rental rates.

921.03 Dates of payment.

921.04 Billings.

921.05 Penalty for late payment.

921.06 Sewer Fund established.

921.07 Extra-strength surcharge system charges.

CROSS REFERENCE

Sewer connections - see S. & P.S. Ch. 913

921.01 DEFINITIONS.

The following definitions shall apply to all sections of this chapter:

- (a) "Sewer service charge" means the fee levied on the sewer user to fund the operation, maintenance, replacement and bond retirement costs for providing wastewater collection and treatment services.
- (b) "User charge" means a charge levied on the users of the wastewater collection and treatment facilities for the user's proportionate share of the cost of operation and maintenance (including replacement) of such facilities.
- (c) "Debt service" means the bond retirement which is incurred in the payment of capital costs for the construction of wastewater collection and treatment facilities.
- (d) "Operation and maintenance" means the costs which are incurred in providing for the operation and maintenance of wastewater collection, treatment and sewer billing services. Debt service costs are not included in operation and maintenance costs.
- (e) "Replacement" means expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
- (f) "Normal wastewater concentrations" means, for the purposes of the extra strength surcharge system, a five-day biochemical oxygen demand of 200 milligrams per liter, suspended solids of 200 milligrams per liter, phosphorus of 15 milligrams per liter and oil and grease of 50 milligrams per liter.
- (g) "User class" means a group of sewer users which have similar magnitudes of wastewater flows and wastewater characteristics.
- (h) "Residential user" means occupied premises for human inhabitation including apartments, etc., but excluding hotels and motels.
- (i) "Industrial user" means discharge of a waste resulting from manufacturing activities involving the chemical or mechanical transformation of materials or substances into other products.
- (j) "Commercial user" means any discharges not meeting the definitions of residential or industrial. (Ord. 85-13. Passed 2-4-85.)

921.02 RENTAL RATES.

There is hereby established and imposed a charge upon all improved lots, lands and parcels of real estate within the City, except Municipal facilities, which are served by the City's water system or any other public or private water system and which are capable of being connected to the City's sewerage system by reason of the proximity of a public sewer on a street or easement abutting the lot, land or parcel to be charged, whether actually connected or not, at the following rates:

Annual User Charge Including Operating, Repair, Maintenance and Improvement

Rates in Effect for: 1/1/2013 & Thereafter

| User Class | | |
|------------|---------------|-------------|
| (1) | Single-family | \$260.00/yr |
| (2) | Double-family | 345.00/yr |

- (3) Apartments
 - 2 bedrooms or more 171.00/yr
 - 1 bedroom or less 104.00/yr
- (4) Commercial 24.02/MCF
- (5) Industrial 24.02/MCF

Commercial and industrial rate will be \$24.02 per MCF but not less than \$171.00 per year.

921.03 DATES OF PAYMENT.

(a) The charges established by Section 921.02 shall be payable quarterly at the Bay Village City Hall.

Collection periods for the quarterly payments shall be:

- (1) First quarter of calendar year - January 1 through January 31;
- (2) Second quarter of calendar year - April 1 through April 30;
- (3) Third quarter of calendar year - July 1 through July 31;
- (4) Fourth quarter of calendar year - October 1 through October 31.

(b) In the event that the cutoff date should fall on a weekend or City-observed holiday, the collection period shall be extended to include the next regular business day on which the City Hall is open. (Ord. 95-145. Passed 2-5-96.)

921.04 BILLINGS.

Billings for each quarterly period shall be mailed as close as practical to January 1, April 1, July 1 and October 1 for the respective quarter. Such billings shall contain such information as the Director of Finance shall deem necessary. Notice of the user charge shall be given at least annually to each user through the sewer billings.(Ord. 95-145. Passed 2-5-96.)

921.05 PENALTY FOR LATE PAYMENT.

All unpaid charges for Section 921.02 and 923.01 shall be certified by the Director of Finance to the Auditor of Cuyahoga County for collection as other municipal taxes. A penalty of ten percent (10%) of the delinquent amount shall be added to delinquent accounts, but in no event shall such penalty be less than ten dollars (\$10.00). Should one or both of the charges in Section 921.01 or Section 923.01 not be paid, only one ten dollar (\$10.00) late fee shall apply. An account shall be deemed delinquent if not paid by the end of the quarterly collection periods specified in Section 921.03 and Section 923.02.(Ord. 08-52. Passed 5-19-08.)

921.06 SEWER FUND ESTABLISHED.

The funds received from the collection of such charges shall be kept in a separate and distinct fund which shall be known as the Sewer Fund. The Sewer Fund shall be used for the payment of the cost of management, maintenance, operation and repair of the City's sewerage systems, which includes both storm and sanitary sewers, sewage pumping stations and treatment and disposal works.(Ord. 85-13. Passed 2-4-85.)

921.07 EXTRA-STRENGTH SURCHARGE SYSTEM CHARGES.

Through an Industrial Surveillance/Pretreatment Program, the City of Rocky River will identify sewer users which discharge wastewater that is higher in strength than normal wastewater concentrations, as described in this chapter. Through the collection and analysis of wastewater samples from the sewer user and a review of water consumption, such City will calculate the extra-strength surcharge for these sewer users, and transmit these charges to the City Finance Director. The Finance Director will add the amount of the extra-strength surcharge to the normal user charge for that sewer user. All extra-strength surcharge revenue which is collected within a given user class will be credited to that user class and not comingled among other user classes. The extra-strength surcharge revenue will be credited to its particular user class prior to calculating the user charge for that user class for the upcoming year.

and present 921 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons stated in the preamble hereof, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

05/14/14 II

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 901 REGARDING
STREETS AND SIDEWALKS,
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 901 which presently reads as follows:

CHAPTER 901
Street Excavations

- | | |
|---|---|
| 901.01 Permit required. | 901.04 Information to be shown on application. |
| 901.02 Deposit for restoration of surface; exception as to public utilities. | 901.05 Safety rules for excavations. |
| 901.03 Public utilities to give notice when making street excavations. | 901.06 Method of making backfill. |
| | 901.99 Penalty. |

CROSS REFERENCES

Authority of Director of Public Service and Properties - see CHTR. Art. IV, §6
Care of streets - see Ohio R.C. 715.19, 723.01 et seq.
Damages resulting from improvements - see Ohio R.C. 727.18 et seq.
Vacating streets - see Preliminary Unit, Tbl. E
Abandoned excavations - see GEN. OFF. 521.03
Removal of lanterns and warning barricades - see GEN. OFF. 541.04, 543.08
Occupancy on unimproved streets - see BLDG. Ch. 1353

901.01 PERMIT REQUIRED.

No opening through, undermining or removal of any pavement or surface in any public streets or other public grounds of the City shall be undertaken by any person until a permit therefor shall have been issued by the Director of Public Service and Properties unless otherwise hereinafter provided.

901.02 DEPOSIT FOR RESTORATION OF SURFACE; EXCEPTION AS TO PUBLIC UTILITIES.

All applicants for the permit required by C.O. 901.01 shall deposit with the City Treasurer a minimum fee of fifty dollars (\$50.00) to cover the cost of any opening in the street area up to the center line, or a minimum fee of one hundred dollars (\$100.00) for any opening in the street area extending beyond the center line.

An additional amount may be required by the Director of Public Service and Properties to be so deposited if in his opinion the amount of the above-mentioned deposit is insufficient. Any amount so deposited shall be applied to the actual cost of restoring the pavement or surface of such street. In the event the actual cost of restoring the pavement or surface shall exceed the

amount of deposit, then the applicant shall pay to the City Treasurer the excess cost over and above the amount of the deposit within ten days after being notified thereof.

Public utilities which occupy streets or public grounds under franchise with the City shall not be required to obtain the permits hereinbefore specified or to make the deposits hereinbefore set forth but shall pay all costs of restoring such pavement or surface within a reasonable time after the work has been completed.

901.03 PUBLIC UTILITIES TO GIVE NOTICE WHEN MAKING STREET EXCAVATIONS.

Public utilities which occupy streets or other public grounds under franchise with the City shall be required to notify the office of the Director of Public Service and Properties, in writing, stating the exact location and estimated duration of any excavation prior to making same in a public street or other public ground, except in the event of an emergency in which case such notice shall be given the next regular business day.

901.04 INFORMATION TO BE SHOWN ON APPLICATION.

The application for a permit under the provisions of this chapter shall state the exact time when the opening is to be made, the probable length of time required for making the repair, location, sizes of the openings to be made, the purpose of the excavation and such other information as the Director of Public Service and Properties may deem necessary.

901.05 SAFETY RULES FOR EXCAVATIONS.

(a) Excavations on the paved or improved portion of any public street shall be made in such a manner as not to block or substantially interfere with the free and unrestricted use of the street for pedestrian or vehicular traffic.

(b) Equipment, materials and earth necessary in making such excavations shall be so used or placed as not to block or substantially interfere with the free and unrestricted use of the street for pedestrian or vehicular traffic.

(c) No excavation in the paved or improved portion of any public street shall remain for a period in excess of seventy-two hours.

(d) When, in the opinion of the Director of Public Service and Properties, it is necessary for the public safety, suitable covering shall be placed over any such excavations. If deemed necessary, in his opinion, the Director of Public Service and Properties may also require the placing of hand rails in order to protect pedestrian traffic.

(e) All such excavations, whether covered or not, shall be suitably barricaded and warning lights put in place.

(f) If the excavation in any paved or improved portion of a street is of such a size, length or depth as to be a substantial obstruction to vehicular traffic, the Director of Public Service and Properties may require that:

(1) The excavation be done in sections, or all or a portion of the necessary work be done by tunneling and boring.

(2) Suitable detour signs be erected at such places as the Police Division shall direct.

(g) The Director of Public Service and Properties shall, from time to time, make such additional rules and regulations governing the opening of public streets, public grounds, and the materials to be used in relaying or repairing the various kinds of pavements or surfaces so opened. The Director of Public Service and Properties shall also prepare a schedule of prices to be charged for the repaving and repairing of all openings made by applicants under the provisions of this chapter, which work shall be done under his supervision, exclusively, upon due notice given by the Director of Public Service and Properties.

(Ord. 59-91. Passed 9-21-59.)

901.06 METHOD OF MAKING BACKFILL.

The method of making the necessary backfill where excavation has been made shall be performed as follows: If it is a sewer that is to be covered, stone sand shall be tamped solidly under and around the sewer, with proper tools for that purpose, to a depth of twelve inches. The remainder of the backfill shall be deposited in layers not exceeding four inches in thickness, each of which shall be well-pounded and rammed with a rammer of suitable weight, or an approved pneumatic tamper.

In case of excavations other than sewers, the earth backfill must be compacted in four-inch layers the same as stone backfill, but at all times it must be compact to a density of not less than ninety per cent of the maximum density as per Ohio State Highway Specifications. Care must be exercised at all times to have the backfill material contain the proper amount of moisture so as to obtain the maximum compaction.

901.99 PENALTY.

Whoever violates this chapter shall be deemed guilty of a misdemeanor and fined not exceeding fifty dollars (\$50.00). Each day's continued violation shall be deemed a separate offense.

be and the same is amended to read:

CHAPTER 901 Street Excavations

901.01 Permit required.

**901.02 Deposit for restoration of surface;
exception as to public utilities.**

**901.03 Public utilities to give notice when
making street excavations.**

901.04 Liability for damages.

901.05 Safety rules for excavations.

901.06 Method of making backfill.

901.99 Penalty.

CROSS REFERENCES

Authority of Director of Public Service and Properties - see CHTR. Art. IV, §6
Care of streets - see Ohio R.C. 715.19, 723.01 et seq.
Damages resulting from improvements - see Ohio R.C. 727.18 et seq.
Vacating streets - see Preliminary Unit, Tbl. E
Abandoned excavations - see GEN. OFF. 521.03
Removal of lanterns and warning barricades - see GEN. OFF. 541.04, 543.08
Occupancy on unimproved streets - see BLDG. Ch. 1353

901.01 PERMIT REQUIRED.

No opening through, undermining or removal of any pavement or surface in any public streets or other public grounds of the City shall be undertaken by any person until a permit therefor shall have been issued by the Building Official unless otherwise hereinafter provided. Permit fees and required deposit amounts shall be set forth in Section 1305.02 of the Codified Ordinances.

901.02 DEPOSIT FOR RESTORATION OF SURFACE; EXCEPTION AS TO PUBLIC UTILITIES.

All applicants for the permit required by C.O. 901.01 shall deposit with the Director of Finance, the appropriate amount as set forth in Section 1305.02 of the Codified Ordinances.

The Building Official and/or Service Director shall use the deposit at their discretion for inspection fees, debris removal and/or repair or replacement of any utility, right-of way area, or surface damaged or removed and not replaced during the construction process.

An additional amount may be required by the Director of Public Service and Properties to be so deposited if in his opinion the amount of the above-mentioned deposit is insufficient.

If at any time the deposit balance falls below fifty percent (50%) of the initial refundable deposit, additional funds shall be submitted immediately upon receipt of written notice from the City to bring the balance to the original required amount.

The balance of the deposit shall be returned to the permittee after completion of the work by the City and upon application from the permittee.

Public utilities which occupy streets or public grounds under franchise with the City shall not be required to obtain the permits hereinbefore specified, or to make the deposits hereinbefore set forth but shall pay all costs of restoring such pavement or surface within a reasonable time after the work has been completed.

901.03 PUBLIC UTILITIES TO GIVE NOTICE WHEN MAKING STREET EXCAVATIONS.

Public utilities which occupy streets or other public grounds under franchise with the City shall be required to notify the office of the Director of Public Service and Properties, in writing, stating the exact location and estimated duration of any excavation prior to making same in a public street or other public ground, except in the event of an emergency in which case such notice shall be given the next regular business day.

901.04 LIABILITY FOR DAMAGES.

The full primary responsibility of any excavation, trench or other street opening shall be that of the permit applicant who shall at all times keep the same properly guarded and enclosed

so that the safety of persons and vehicles using the street, alley or roadway will be assured. This responsibility shall continue until permanent replacement of the pavement or the roadway surface to its original status is completed as specified and approved by the Director of Public Service and Properties, and shall include the defense, settlement and payment of any and all claims actions or court judgments for the damages or injuries to anyone, arising in any way, out of the creation or maintenance of the excavation, trench or other street opening by the permit holder.

901.05 SAFETY RULES FOR EXCAVATIONS.

(a) Excavations on the paved or improved portion of any public street shall be made in such a manner as not to block or substantially interfere with the free and unrestricted use of the street for pedestrian or vehicular traffic.

(b) Equipment, materials and earth necessary in making such excavations shall be so used or placed as not to block or substantially interfere with the free and unrestricted use of the street for pedestrian or vehicular traffic.

(c) No excavation in the paved or improved portion of any public street shall remain for a period in excess of seventy-two hours.

(d) When, in the opinion of the Director of Public Service and Properties, it is necessary for the public safety, suitable covering shall be placed over any such excavations. If deemed necessary, in his opinion, the Director of Public Service and Properties may also require the placing of hand rails in order to protect pedestrian traffic.

(e) All such excavations, whether covered or not, shall be suitably barricaded and warning lights put in place.

(f) If the excavation in any paved or improved portion of a street is of such a size, length or depth as to be a substantial obstruction to vehicular traffic, the Director of Public Service and Properties may require that:

(1) The excavation be done in sections, or all or a portion of the necessary work be done by tunneling and boring.

(2) Suitable detour signs be erected at such places as the Police Division shall direct.

(g) The Director of Public Service and Properties shall, from time to time, make such additional rules and regulations governing the opening of public streets, public grounds, and the materials to be used in relaying or repairing the various kinds of pavements or surfaces so opened. The Director of Public Service and Properties shall also prepare a schedule of prices to be charged for the repaving and repairing of all openings made by applicants under the provisions of this chapter, which work shall be done under his supervision, exclusively, upon due notice given by the Director of Public Service and Properties.

(Ord. 59-91. Passed 9-21-59.)

901.06 METHOD OF MAKING BACKFILL.

The method of making the necessary backfill where excavation has been made shall be performed as follows: If it is a sewer that is to be covered, stone sand shall be tamped solidly under and around the sewer, with proper tools for that purpose, to a depth of twelve inches. The remainder of the backfill shall be deposited in layers not exceeding four inches in thickness, each of which shall be well-pounded and rammed with a rammer of suitable weight, or an approved pneumatic tamper.

In case of excavations other than sewers, the earth backfill must be compacted in four-inch layers the same as stone backfill, but at all times it must be compact to a density of not less than ninety per cent of the maximum density as per Ohio State Highway Specifications. Care must be exercised at all times to have the backfill material contain the proper amount of moisture so as to obtain the maximum compaction.

901.99 PENALTY.

Whoever violates this chapter shall be deemed guilty of a misdemeanor and fined not exceeding fifty dollars (\$50.00). Each day's continued violation shall be deemed a separate offense.

and present 901 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons stated in the preamble hereof, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE SECTION 1305.02 REGARDING PERMIT AND INSPECTION FEES, AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 1305.02 which presently reads as follows:

“1305.02 FEES FOR BUILDING PERMITS.

Fees for building permits shall be:

| A Building Permits | <u>Base Fee</u> | <u>Fee per square foot</u> |
|---|-----------------|----------------------------|
| (1) New Construction | | |
| (a) 1, 2 or 3 family residential building | \$180.00 | .09 |
| Foundation only | \$180.00 | |
| (b) Commercial building | \$250.00 | .10 |

A \$500.00 refundable deposit shall be submitted prior to the issuance of the permit for a new dwelling unit.

A \$1,000.00 refundable deposit shall be submitted prior to the issuance of a permit for a new commercial building.

The Building Director and/or Service Director shall use the deposit, at their discretion, for debris removal and/or repair or replacement of any right-of-way area or surface damage or removed, and not replaced, during the construction process.

If at any time the deposit balance falls below 50% of the initial refundable deposit, additional funds shall be submitted immediately upon receipt of written notice from the City to bring the balance to the original required amount.

Engineer's and Horticulturist Fees, Commercial Project and Residential Developments with more than 1 Dwelling. A deposit of \$2,500.00 is required prior to review of topographic, site improvement plans and/or landscape plans. Preliminary review, additional submittals requested and review of amended submittals shall be charged against the deposit. Additional funds shall be submitted to maintain the deposit balance at \$2,500.00 when the balance becomes \$500.00 or less. The balance, after deductions, will be refunded following the completion of the project.

Engineer and Horticulturist Fees, Residential Projects. A deposit of \$800.00 is required prior to review of topographic, site improvement plans and/or landscape plans. Preliminary review, additional submittals requested and review of amended submittals shall be charged against the deposit. Additional funds shall be submitted to maintain the deposit balance of \$800.00 when the balance becomes \$250.00 or less. The balance, after deductions, will be refunded following the completion of the project.

Rates for such services shall be determined from the fee schedule of the City Engineer and City Horticulturist.

The Building Director and/or Service Director shall, at their discretion, require the services of the City Engineer and City Horticulturist.

| | <u>Base Fee</u> |
|---|-----------------|
| (2) Demolition or raze accessory building | \$50.00 |
| Demolition or raze dwelling | \$100.00 |
| Demolition or raze commercial building | \$200.00 |

A \$500.00 refundable deposit shall be submitted for dwelling unit demolition permits.

A \$750.00 refundable deposit shall be submitted for commercial building demolition permits.

The Building Director and/or Service Director shall use the deposit, at their discretion, for debris removal and/or repair any right-of-way area or surface damaged during the demolition process.

If at any time the deposit balance falls below 50% of the initial refundable deposit, additional funds shall be submitted immediately upon receipt of written notice from the City to bring the balance to the original required amount.

| | | |
|---|-----------------|----------------------------|
| 3) Alterations and Additions | <u>Base Fee</u> | <u>Fee per square foot</u> |
| A 1, 2 or 3 family residential building | \$60.00 | .09 |
| | <u>Base Fee</u> | <u>Fee per square foot</u> |
| B Commercial Building | \$125.00 | .10 |
| Electrical Installations | | |
| (1) 1, 2 or 3 family residential | <u>Base Fee</u> | <u>Fee per square foot</u> |
| a) New construction and additions | \$75.00 | .05 |
| b) Remodeling/alterations | \$30.00 | |
| Hot Water Heater | \$25.00 | |
| <u>Separate Permits:</u> | | |
| Temporary Service Permit | \$75.00 | |
| New Service Permit | \$75.00 | |
| Generator Permit | \$75.00 | |
| (2) Commercial Buildings | <u>Base fee</u> | <u>Fee per square foot</u> |
| (a) New Construction and Additions | \$125.00 | .10 |
| (b) Remodeling/alterations/interior demolition | \$75.00 | .10 |
| Transformers, heaters, etc. | \$24.00 | |
| Communication system/intercom | \$75.00 | |
| Temporary Service Permit | \$75.00 | |
| New Service Permit | \$75.00 | |
| C) Plumbing, Sewers, Underground Utilities | <u>Base fee</u> | <u>Fee per square foot</u> |
| (1) 1, 2 or 3 family residential | | |
| (a) New construction and additions | \$60.00 | .03 |
| (b) Remodeling/alterations | \$30.00 | .03 |
| Each plumbing fixture | \$25.00 | |
| Hot water tank | \$25.00 | |
| Water service, sanitary and storm laterals (each) including repairs | \$30.00 | |
| Gas lines, new | \$30.00 | |
| Exterior storm water basins (each) includes piping | \$30.00 | |
| (2) Commercial Buildings | | |
| (a) New construction and additions | \$125.00 | .10 |
| (b) Remodeling/alterations | \$75.00 | .10 |
| Each plumbing fixture | \$25.00 | |
| Hot water tank | \$25.00 | |
| Water service, sanitary and storm laterals (each) including repairs | \$60.00 | |
| Gas line, new | \$60.00 | |

Exterior storm water basins (each)
includes piping \$30.00

All excavations, which require the removal of public sidewalks and/or excavating in the right-of-way area, shall require a \$500.00 refundable deposit at the time of permit application.

All excavations, which require the removal of street pavement or boring beneath public streets, shall require a \$1,000.00 refundable deposit at the time of permit application.

The Building Director and/or Service Director shall use the deposit, at the discretion, for debris removal and/or repair or replacement of any right-of-way area or surface damaged or removed and not replaced during the construction process.

If at any time the deposit balance falls below 50% of the initial refundable deposit, additional funds shall be submitted immediately upon receipt of written notice from the City to bring the balance to the original required amount.

| D Heating and Air Conditioning | <u>Base Fee</u> | <u>Fee per square foot</u> |
|--|---------------------|--------------------------------|
| (1) New Dwelling | \$60.00 | .03 |
| Each heating unit and/or a/c unit | \$30.00 | |
| Alterations and/or additions to existing residential duct work | \$30.00 | .03 |
| (2) New Commercial | \$125.00 | .07 |
| Each heating unit and/or a/c unit | \$60.00 | |
| Alterations and/or Additions to existing commercial duct work | \$50.00 | .07 |
| Commercial or Industrial conversion or replacement, per unit | \$60.00 | |
| (3) Solar Heat/Geothermal System | | |
| A. Residential | \$125.00 | |
| B. Commercial | \$250.00 | |
| E Miscellaneous Fees/Permits/ Boards/Commissions | <u>Base Fee</u> | <u>Fee per square foot</u> |
| Roofing and siding jobs | \$50.00 | |
| Window and door replacement | \$50.00 | |
| Garages, accessory buildings and structures | \$30.00 | .09 |
| Garage pad/floor | \$30.00 | |
| Swimming pools | \$60.00 | |
| Grade Setting | \$75.00 | |
| Concrete, asphalt, or other improved driveway surface | \$60.00 | |
| Apron | \$30.00 | |
| Commercial parking lots, per 5000 sq. ft. or part thereof | \$75.00 | |
| Sidewalk/patio | \$30.00 | |
| Grading permit fee: | | |
| Residential | \$60.00 | |
| Commercial | \$125.00 | |
| Fireplaces (each) | \$60.00 | |
| Fences | \$30.00 | |

| | |
|---|----------|
| Retaining walls | \$60.00 |
| Elevators | \$125.00 |
| plus per floor | \$30.00 |
| Security system | \$60.00 |
| Fire alarm system | \$90.00 |
| plus per device | \$.20 |
| Fire suppression system | \$90.00 |
| plus per head | \$.20 |
| Commercial kitchen hood and hood suppression | \$100.00 |
| Communication tower | \$300.00 |
| Water proofing | \$60.00 |
| Lawn sprinkler system | \$50.00 |

Any damage done by City employees to sprinkler systems installed in City right-of-way areas shall be the sole expense and responsibility of the property owner.

Any miscellaneous permit not heretofore listed shall have a fee charged per the most similar listed permit as determined by the Building Department.

| | | |
|---|---|----------|
| F | <u>Sign Permit</u> | |
| | Signs not in excess of 24 sq. ft. | \$30.00 |
| | Signs between 24 and 48 sq. ft. | \$60.00 |
| | Signs over 48 sq. ft. | \$125.00 |
| G | <u>Planning Commission Application</u> | |
| | Residential | \$75.00 |
| | Commercial | \$100.00 |
| H | <u>Architectural Board of Review Application</u> | \$100.00 |
| I | <u>Board of Zoning Appeals Application</u> | \$50.00 |
| J | Lot Splits (payable upon approval by Planning Commission.) | |
| | (1) Major/minor subdivision-per lot | \$50.00 |
| | (2) Lot split | \$75.00 |
| | (3) Re-division | \$75.00 |
| K | <u>Housing License Fee</u> | \$75.00 |
| L | <u>Residential Occupancy and Use Permit</u> | |
| | New dwelling | \$100.00 |
| | Addition 750 sq. ft. or larger | \$50.00 |
| M | <u>Commercial Occupancy and Use Permit</u> | \$150.00 |
| N | Coin Operated machines | |
| | (1 for machine) | \$60.00 |
| | (1) Replacement fee coin operated machines | \$30.00 |

be and the same is hereby amended to read:

“1305.02 FEES FOR BUILDING PERMITS.

Fees for building permits shall be:

| A Building Permits | <u>Base Fee</u> | <u>Fee per square foot</u> |
|---|-----------------|----------------------------|
| (1) New Construction | | |
| (a) 1, 2 or 3 family residential building | \$180.00 | .09 |
| Foundation only | \$180.00 | |
| (b) Commercial building | \$250.00 | .10 |

A \$500.00 refundable deposit shall be submitted prior to the issuance of the permit for a new dwelling unit.

A \$1,000.00 refundable deposit shall be submitted prior to the issuance of a permit for a new commercial building.

The Building Director and/or Service Director shall use the deposit, at their discretion, for inspection fees, debris removal and/or repair or replacement of any right-of-way area or surface damage or removed, and not replaced, during the construction process.

If at any time the deposit balance falls below 50% of the initial refundable deposit, additional funds shall be submitted immediately upon receipt of written notice from the City to bring the balance to the original required amount.

Engineer’s and Horticulturist Fees, Commercial Project and Residential Developments with more than 1 Dwelling. A deposit of \$2,500.00 is required prior to review of topographic, site improvement plans and/or landscape plans. Preliminary review, additional submittals requested and review of amended submittals shall be charged against the deposit. Additional funds shall be submitted to maintain the deposit balance at \$2,500.00 when the balance becomes \$500.00 or less. The balance, after deductions, will be refunded following the completion of the project.

Engineer and Horticulturist Fees, Residential Projects. A deposit of \$800.00 is required prior to review of topographic, site improvement plans and/or landscape plans. Preliminary review, additional submittals requested and review of amended submittals shall be charged against the deposit. Additional funds shall be submitted to maintain the deposit balance of \$800.00 when the balance becomes \$250.00 or less. The balance, after deductions, will be refunded following the completion of the project.

Rates for such services shall be determined from the fee schedule of the City Engineer and City Horticulturist.

The Building Director and/or Service Director shall, at their discretion, require the services of the City Engineer and City Horticulturist.

| | <u>Base Fee</u> |
|---|-----------------|
| (2) Demolition or raze accessory building | \$50.00 |
| Demolition or raze dwelling | \$100.00 |
| Demolition or raze commercial building | \$200.00 |

A \$500.00 refundable deposit shall be submitted for dwelling unit demolition permits.

A \$750.00 refundable deposit shall be submitted for commercial building demolition permits.

The Building Director and/or Service Director shall use the deposit, at their discretion, for inspection fees, debris removal and/or repair any right-of-way area or surface damaged during the demolition process.

If at any time the deposit balance falls below 50% of the initial refundable deposit, additional funds shall be submitted immediately upon receipt of written notice from the City to bring the balance to the original required amount.

| 3) Alterations and Additions | <u>Base Fee</u> | <u>Fee per square foot</u> |
|---|-----------------|----------------------------|
| A 1, 2 or 3 family residential building | \$60.00 | .09 |

| | | | |
|----|---|-----------------|----------------------------|
| B | Commercial Building | Base Fee | <u>Fee per square foot</u> |
| | Electrical Installations | \$125.00 | .10 |
| | (1) 1, 2 or 3 family residential | <u>Base Fee</u> | <u>Fee per square foot</u> |
| | a) New construction and additions | \$75.00 | .05 |
| | b) Remodeling/alterations | \$30.00 | |
| | Hot Water Heater | \$25.00 | |
| | <u>Separate Permits:</u> | | |
| | Temporary Service Permit | \$75.00 | |
| | New Service Permit | \$75.00 | |
| | Generator Permit | \$75.00 | |
| | (2) Commercial Buildings | <u>Base fee</u> | <u>Fee per square foot</u> |
| | (a) New Construction and Additions | \$125.00 | .10 |
| | (b) Remodeling/alterations/interior demolition | \$75.00 | .10 |
| | Transformers, heaters, etc. | \$24.00 | |
| | Communication system/intercom | \$75.00 | |
| | Temporary Service Permit | \$75.00 | |
| | New Service Permit | \$75.00 | |
| C) | Plumbing, Sewers, Underground Utilities | <u>Base fee</u> | <u>Fee per square foot</u> |
| | (1) 1, 2 or 3 family residential | | |
| | (a) New construction and additions | \$60.00 | .03 |
| | (b) Remodeling/alterations | \$30.00 | .03 |
| | Each plumbing fixture | \$25.00 | |
| | Hot water tank | \$25.00 | |
| | Water service, sanitary and storm connections and laterals (each) including repairs | \$30.00 | |
| | Gas lines, new | \$30.00 | |
| | Exterior storm water basins (each) includes piping | \$30.00 | |
| | (2) Commercial Buildings | | |
| | (a) New construction and additions | \$125.00 | .10 |
| | (b) Remodeling/alterations | \$75.00 | .10 |
| | Each plumbing fixture | \$25.00 | |
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All excavations, which require the removal of street pavement or boring beneath public streets, shall require a \$1,000.00 refundable deposit at the time of permit application.

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| D Heating and Air Conditioning | <u>Base Fee</u> | <u>Fee per square foot</u> |
|---|-----------------|----------------------------|
| (4) New Dwelling | \$60.00 | .03 |
| Each heating unit and/or a/c unit | \$30.00 | |
| Alterations and/or additions to existing residential duct work | \$30.00 | .03 |
| (5) New Commercial | \$125.00 | .07 |
| Each heating unit and/or a/c unit | \$60.00 | |
| Alterations and/or Additions to existing commercial duct work | \$50.00 | .07 |
| Commercial or Industrial conversion or replacement, per unit | \$60.00 | |
| (6) Solar Heat/Geothermal System | | |
| C. Residential | \$125.00 | |
| D. Commercial | \$250.00 | |
| E Miscellaneous Fees/Permits/ Boards/Commissions | <u>Base Fee</u> | <u>Fee per square foot</u> |
| Roofing and siding jobs | \$50.00 | |
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| Grading permit fee: | | |
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| Fireplaces (each) | \$60.00 | |
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| Security system | \$60.00 | |
| Fire alarm system | \$90.00 | |
| plus per device | \$.20 | |
| Fire suppression system | \$90.00 | |

| | |
|--|----------|
| plus per head | \$.20 |
| Commercial kitchen hood and hood suppression | \$100.00 |
| Communication tower | \$300.00 |
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| | Residential | \$75.00 |
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| I | <u>Board of Zoning Appeals Application</u> | \$50.00 |
| J | Lot Splits (payable upon approval by Planning Commission.) | |
| | (4) Major/minor subdivision-per lot | \$50.00 |
| | (5) Lot split | \$75.00 |
| | (6) Re-division | \$75.00 |
| K | <u>Housing License Fee</u> | \$75.00 |
| L | <u>Residential Occupancy and Use Permit</u> | |
| | New dwelling | \$100.00 |
| | Addition 750 sq. ft. or larger | \$50.00 |
| M | <u>Commercial Occupancy and Use Permit</u> | \$150.00 |
| N | Coin Operated machines | |
| | (2 for machine) | \$60.00 |
| | (1) Replacement fee coin operated machines | \$30.00 |

and present 921.07 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons stated in the preamble hereof, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK

APPROVED:

MAYOR

5/14/14 II