

AGENDA

Agenda, Bay Village City Council
Committee Meeting
Conference Room
Paul A. Koomar, President of Council, Presiding

June 6, 2016
7:30 p.m.

ANNOUNCEMENTS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Vincent

Deer Management

FINANCE & CLAIMS COMMITTEE – Clark

Renewal of Liability and Property Damage Insurance

Amended Appropriation Ordinance

Chapter 151 – Employment Provisions

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske

Chapter 1158 – Attached Residence District

Chapter 1351 – Determination of Grade

Chapter 1155.04 – Exceptions on Older Lots – 90 Day Moratorium

Downtown Redevelopment District

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Henderson

RECREATION & PARK IMPROVEMENT COMMITTEE-Mace

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Tadych

Direct Energy Agreement – PSC Services and Electricity for all Bay Village Municipal Buildings

AUDIENCE

MISCELLANEOUS

CAHOON MEMORIAL PARK TRUSTEES

Second Annual Touch-a-Truck Event – Saturday, September 10, 2016 – Police and Fire Department Campus.

**A Deer
Management
Plan for the City
of Avon Lake,
Ohio - 2015**





A Deer Management Plan for the City of Avon Lake, Ohio - 2015

Written by: John Shondel, Chairman, Environmental Committee of Avon Lake City Council, March 31, 2016

Draft Approved by: Geoff Westerfield, Assistant Wildlife Management Supervisor, Ohio Division of Wildlife, ODNR, April 5, 2016

Plan Recommended to Avon Lake City Council's Collective Committee Meeting by the Environmental Committee, April 13, 2016

Plan introduced to the Collective Committee Meeting of the Avon Lake City Council, April 18, 2016

Motion to Approve the Plan by the Avon Lake City Council was passed unanimously, April 25, 2016

Deer Management for the City of Avon Lake, Ohio - 2015

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- D. Maps of the Area - Aerials and Land Use Maps
- E. Any other pertinent data/information

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- B. Management Obligations (i.e. natural resource management obligations, public safety etc.

Section 3. Identified Problems (Page 8)

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- A.2 Deer/Auto Accidents (2011 - 30, 2012 - 21, 2013 - 26, 2014 - 25 and 2015 - 24
- A.3 Deer attacks on humans (1 occurred in 2014)
- A.4 Deer attacks on domestic animals (2 occurred in 2014)
- A.5 Deer crashing through windows (1 occurred in 2015 and entering residences (2 occurred in 2014 & 1 occurred in 2013
- A.6. Deer destroying landscaping, gardens and flowers
- A.7. Deer creating unsanitary conditions by leaving pellets/scat in many yards
- A.8. Deer potentially spread disease to humans and domestic animals
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Section 4. Population Estimates (Pages 9 & 10)

- A. Aerial Helicopter Survey (Annually 2013 - 2016)
- B. City Public Works Department Pickups (Monthly 2011 - 2015)
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- A.1 Reduce the Deer/ Auto Accidents to less than 10 annually
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- A.3 Reduce the number of Deer attacks on human
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- A.5 Reduce the number of Deer crashing through windows
- A.6 Reduce the number of Deer to where some new growth returns to the woodlands and some native flora also return to the woods
- A.7 Reduce the amount of deer scat deposited in the neighborhoods

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Section 6. Management Techniques (Pages 12, 13 & 14)

- 6.11 Land South of the Wastewater Treatment Plant - NW Quadrant**
- 6.12 Kopf Family Reservation - NE Quadrant**
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Section 7. Evaluations - Subsection for each Technique Listed in Section 6. (Page 15)

- 7.1 Monthly Reports at Environmental Committee Meeting**
- 7.2 Environmental Committee Chairman's Reports to City Council and ongoing Legislative responsibilities**
- 7.3 Evaluation of Residents Comments at February Ward Meetings**
- 7.4 Evaluation of the Progress of Browse line elimination by annual photographs**
- 7.5 Evaluation of the Improvement of understory within the three Deer Enclosures within Kopf Family Reservation using annual photographs**

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Deer Management for the City of Avon Lake, Ohio - 2015

Section 1.1 Area Description - City owned or controlled property of Avon Lake, Lorain County, Ohio and identified by Units numbered 1.11 - 1.14

1.11 Land South of the Wastewater Treatment Plant - A City Owned Property

A. County - Lorain

B. Size of the Area - 10+ Acres of mature hardwoods and other native flora in NW quadrant of the City.

C. Population/Visitor use of the Area - Completely fenced and not accessible to the general public. Very limited access in the northern end by Employees of the Avon Lake Regional Water.

D. Maps of the Area - Aerials and Land Use Maps - Official City Map

E. Any other pertinent data/information - serves as a bedding area for many deer and has good vehicle access through gates and improved driving trails. Noticeable browse lines and significant loss of native flora.

1.12 Kopf Family Reservation - A mature forest park with paved hiking trails under the control of the Lorain County Metro Parks located totally within the City of Avon Lake established in 2005.

A. County - Lorain

B. Size of the Area - 170 Acres of mature hardwoods in NE quadrant of the City with paved hiking trails and accessible from all directions and totally surrounded by privately owned parcels which cooperate with various management needs of the park. The park contains three Deer Enclosures built in 2 in 2008 or 2009 to study the effect of the deer browsing. Another was built in 2013 to protect a native wildflower restoration project.

C. Population/Visitor use of the Area - General Public Recreation Area with limited parking on the perimeter except for the Avon Lake Public Library parking lot on the NW corner. Used for Hiking/Nature Walking/Photography.

D. Maps of the Area - Aerials and Land Use Maps - Official City Map and Park Trail Map.

E. Any other pertinent data/information - Due to over browsing, some naturalists have concluded, without serious restorative efforts, the "woods" may be lost due to the lack of new growth and native flora. Located within the Park are a number of privately owned parcels whose owners have agreed to cooperate with the City's culling efforts. The two

Deer Management for the City of Avon Lake, Ohio - 2015

deer exclosures built in 2008 or 2009, and another built in 2013 as part of a wildflower restoration project, are testimony to the over-browsing. The City has continue to monitor the differences in both the flora and small fauna (birds) as a basis for pro-active management activities

1.13 Weiss Field - A City Owned Park

A. County - Lorain

B. Size of the Area - 78 Acres in the SW quadrant of the City - 48 acres in the Northern portion that is Approximately 25% wooded and 75% cleared. The Southern portion is 30 acres that is 80% wooded and 20% cleared. The northern portion is bounded by Webber Road to the north and Industrial property to the east & west. The southern portion is bounded by industrial property to the east, west & south

C. Population/Visitor use of the Area - General Public Recreation area (northern portion) comprised of Picnic Area, Skate Park, 11 Full Sized Baseball/Softball Fields , Parking for 300 cars used primarily from May 1 - October 30 by Baseball, Softball, Soccer & Lacrosse Teams (southern portion) under the supervision of the City Department of Recreation and Private Sports Organizations, a 1/4 acre fenced dog park and a 1/3 acre horse corral with a 3' split rail fence.

D. Maps of the Area - Aerials and Land Use Maps - Official City Map

E. Any other pertinent data/information - Site of the City's Annual Independence Day Celebration and Fireworks display and cleared as a safe area for professionals to discharge legal fireworks and has a rough access road off of Moore Road. Noticeable browse lines and significant loss of native flora. Sharpshooters used 02/15/2015 - 03/31/2015 (See Section 8)

1.14 Walker Road Park - A City Owned Park

A. County - Lorain

B. Size of the Area - 30 Acres in the SE Quadrant of Avon Lake. Approximately 50% wooded and 50% cleared.

C. Population/Visitor use of the Area - General Public Recreation Area with picnicking, fishing & six (6) soccer fields with parking for approximately 50 cars used primarily from May 1 - October 30 by Soccer Teams under the supervision of the City/Cities Department(s) of Recreation and Private Sports Organizations. Some hiking and and dog walking year-round.

D. Maps of the Area - Aerials and Land Use Maps - Official City Map and various Park Maps.

Deer Management for the City of Avon Lake, Ohio - 2015

E. Any other pertinent data/information - A multi-use Park co-owned and jointly managed by the Cities of Avon Lake and Bay Village Due to over browsing, some naturalists have concluded, without serious restorative efforts, the "woods" may be lost due the lack of new growth and native flora.

1.15 Old Landfill - City Owned Property

A. County - Lorain

**B. Size of the Area - 30 Acres in the SW Quadrant of Avon Lake.
Approximately 15% wooded and 85% cleared.**

C. Population/Visitor use of the Area - Very limited access to the general public however, not fenced. Located due west of the ALPD firing range and the Public Works salt barn.

D. Maps of the Area - Aerials and Land Use Maps - Official City Map and various Park Maps.

E. Any other pertinent data/information - An open grassy knoll, surrounded on the west and north by woods. serves as a bedding area for many deer and has good vehicle access on all sides. Noticeable browse lines and significant loss of native flora.

1.16 Other City owned sites that may become viable in the future

A. County - Lorain

B. Size of the Area - TBD

C. Population/Visitor use of the Area - Limited access to the general public however, fully approved by the Chief of Police as a safe shooting area.

D. Maps of the Area - Aerials and Land Use Maps - Official City Map and various Park Maps.

E. Any other pertinent data/information - Generally wooded area that serve as a bedding area for deer, has good vehicle access and can be secured during sharpshooting activities by the ALPD.

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Section 1.2 Area Description - City Residential Neighborhoods, Commercial & Industrial areas of Privately Owned Property located in the four quadrants of the City - NW, NE, SW, SE divided north and south by Walker Road and east and west by Avon Belden Road

1.21 - 1.24 City Residential Neighborhoods, Commercial & Industrial areas of Privately Owned Property

A. County - Lorain

B. Size of the Area - 11.13 sq. miles (7,123 acres) of Avon Lake. Approximately 75% Residential, 10% Commercial and 15% Industrial.

C. Population/Visitor use of the Area - Population 22,581 (2010 census) not an especially heavily visited by "tourists"

D. Maps of the Area - Aerials and City Maps

E. Any other pertinent data/information - The City is Bounded on the North by Lake Erie, to the East by the City of Bay Village & Cuyahoga County, to the South by the southern boundary of the Norfolk & Western Railway right-of-way and to the West by the City of Sheffield Lake.

Several tracts are being cleared for housing development in the SW & SE quadrants. One is south of Walker Road, midway between Webber and Walker Roads (SW) and the other south of Walker Road, just west of Walker Road Park. This will reduce the natural deer habitat.

A great deal of clearing has also occurred in the area just south of the Avon Lake border with the City of Avon and on both sides of Interstate 90 for commercial development. This will also reduce the natural deer habitat which will result in increased migration of the Deer into the neighborhoods destroying landscaping and leaving excess excrement,

ALPD No approved Archers w/DDCP 09/01/2014 - 11/30/2014. However, ALPD approved Archers w/DDCP 04/01/2015 - 11/30/2015 (See App 10).

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Section 2. Obligations

A. Legal Obligations - Any Federal, State or Local Ordinances affecting deer management on the area

B. Management Obligations (i.e. natural resource management obligations, public safety etc.

2.11 (Land South of the Wastewater Treatment Plant) A. No Federal Obligation, Usual State Obligations & Local Ordinance 618.12 & 618.13

2.11 (Land South of the Wastewater Treatment Plant) B. Only City Ordinances relating to City Property under control of Avon Lake Regional Water.

2.12 (Kopf Family Reservation) A. No Federal Obligation, Usual State Obligations, Local Ordinances 618.12 & 618.13 and Management Agreement and/or MOU's between the City & Lorain County Metro Parks (LCMP)

2.12 (Kopf Family Reservation) B. Management Agreement and/or MOU's between the City & LCMP. A MOU between LCMP and the Avon Lake Public Library regarding parking for park visitors.

2.13 (Weiss Field) A. No Federal Obligation, Usual State Obligations & Local Ordinance 618.12 & 618.13

2.13 (Weiss Field) B. Only City Ordinances relating to City Park operations

2.14 (Walker Road Park) A. No Federal Obligation, Usual State Obligations & Local Ordinances 618.12 & 618.13 and Management Agreement and/or MOU's between the City of Avon Lake & the City of Bay Village

2.14 (Walker Road Park) B. Management Agreement and/or MOU's between the City of Avon Lake & the City of Bay Village

2.15 (Closed Landfill) A. No Federal Obligation, Usual State Obligations & Local Ordinance 618.12 & 618.13

2.15 (Closed Landfill) B. Only City Ordinances relating to City Park operations

2.21 - 2.24 (Residential Neighborhoods in all four Quadrants) A. No Federal Obligation, Usual State Obligations & Local Ordinances 618.12 & 618.13

2.21 - 2.24 (Residential Neighborhoods) B. Only City Ordinances relating to Zoning and current ODNR, DOW Deer Damage Control Permit (DDCP) and current City of Avon Lake Municipal Deer Control Permit (MDCP)

Deer Management for the City of Avon Lake, Ohio - 2015

Section 3. Identified Problems

- 3.11 (Land South of the Waste Water Treatment Plant)**
- 3.12 (Kopf Family Reservation)**
- 3.13 (Weiss Field)**
- 3.14 (Walker Road Park)**
- 3.15 (Closed Landfill)**
- 3.2.1 thru 3.2.4 (Residential Neighborhoods in all four Quadrants)**

A steady increase of residents' complaints regarding all of the above as evidenced by telephone calls and letters to the Mayor, Police Chief and members of City Council - "When are you going to do something about the deer?" The migration of the Deer into neighborhoods has caused a general unsafe feeling preventing the quiet enjoyment of your backyard or neighborhood sidewalks. - All of 3.2

The Overpopulation of Deer within the City of Avon Lake has caused an unacceptable level of Deer/Auto accidents and excessive landscape damage in all parts of Sections 3.11 - 3.2.4

Deer Management for the City of Avon Lake, Ohio - 2015

Section 4. Population Statistics and Estimates

A. Helicopter Survey (Annually 2013, 2014, 2015 & 2016) APP 4

Year	Date	Actual Count	Count/78%
2013	March 6, 2013	153	196.15
2014	March 6, 2014	173	221.79
2015	March 8, 2015	139	178.20
2016	March 4, 2016	165	211.54

B. City Public Works Department Pickups (Monthly 2011 - 2015) APP 5

Year	Jan.	Feb.	Mar.	Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Total
2011	4	3	2	5	0	2	2	6	2	7	6	1	40
2012	3	2	0	1	1	7	5	8	4	5	8	4	48
2013	3	2	3	6	6	5	13	25	10	4	4	6	89
2014	0	2	2	2	5	19	18	14	14	13	12	4	105
2015	2	7	6	3	11	10	6	10	8	10	7	7	87
2016													

C. City Police Depart. Reported Auto/Deer Accidents (Monthly 2011 - 2015) APP 6

Year	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Total
2011	2	3	1	3	1	4	1	0	2	5	5	3	30
2012	2	2	2	3	0	0	0	2	1	1	7	1	21
2013	0	3	1	2	1	1	5	1	1	3	7	1	26
2014	3	1	2	2	2	2	2	1	1	4	4	1	25
2015	2	2	2	0	4	2	2	2	3	2	3	0	24
2016													

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D. City Police Depart. Reported Human/Deer Encounters (2013 - 2015) APP 7

Year	Date	Address	Description
2013	11.06.2013	225 Westwinds Drive #36, Avon Lake	Deer jumped through window
2014	06.13.2014	169 Westwinds Drive, Avon Lake	Deer jumped through window
2014	06.28.2014	282 Parkview Drive, Avon Lake	Deer attacked a Female (Injured) & her dog
2015	11.20.2015	390 Britannie Parkway, Avon Lake	Deer jumped through window & attacked 2 dogs
2016			

E. Lorain County Metro Park Infra Red Survey (2015) APP 8

Year	Date	Actual Count in the Park	Total counted in 1.43 acres incl Park
2015	February 1, 2015	28	84
2016			

F. Private Citizen Deer Surveys (Ad Hoc 2013 - 2016) APP 9

Year	Date	Address	Description
2013	November 29, 2013	Kopf Family Reservation	Counted 121 Deer
2014	January 4, 2014	Kopf Family Reservation	Counted 146 Deer
2014	September 24, 2014	Kopf Family Reservation & Vic	Counted 94 Deer
2014	December 15, 2014	Kopf Family Reservation & Vic	Counted 163 Deer
2016	January 7, 2016	Kopf Family Reservation & Vic	Counted 102 Deer
2016	January 14, 2016	Kopf Family Reservation & Vic	Counted 95 Deer
2016	January 21, 2016	Kopf Family Reservation & Vic	Counted 117 Deer
2016	February 18, 2016	Kopf Family Reservation & Vic	Counted 95 Deer
2016	February 27, 2016	Kopf Family Reservation & Vic	Counted 105 Deer

Deer Management for the City of Avon Lake, Ohio - 2015

Section 5. Desired Goals (goals relate to the problems in Section 3.)

5.11 (Land South of the Wastewater Treatment Plant)

5.12 (Kopf Family Reservation)

5.13 (Weiss Field)

5.14 (Walker Road Park)

5.15 (Closed Landfill)

Reduce the Herd so that there is no longer a visible browse line on the edge of the forests that are part of our City Parks and to a point where all of the following annual statistics are achieved and maintained:

A. Number of reported Deer/Auto Accidents < 10 per year

B. Number of Dead Deer picked up by the PW Department < 20 per year

5.25 (Residential Neighborhoods)

Reduce the Herd so that all of the above goals (A. - B.) are achieved and that the number of complaints from residents regarding these issues is reduced 50% from the base year of 2016:

A. Landscaping Damage

B. Deposits of Deer Scat

An increase in the number of Deer Damage Control Permits sought by Residents in all four Zones of the City as well as an increase annually in the number of deer taken until the results in (A. - B.) are achieved.

The subject of Deer Management will be a regular topic to be discussed at the Mayor's Annual Ward Meetings held each year in February with the questions and comments recorded and analyzed to determine if the community is one, aware and two, satisfied with our progress toward these goals.

At the end of Calendar Year 2015, a base line Report will be issued and updated at the end of each year documenting the items in Section 4, but also the addition of Charts showing the number of DDCP's applied for and the number granted, the number of tags issued and the number filled to determine the effectiveness of the individual Residents efforts.

The City desires to address the following items, but by reducing the deer population significantly cannot completely eliminate their occurrence, but will reduce the probability of them happening.

A. Number of Deer/Human Attacks

B. Number of Deer breaking into houses

C. Number of Deer/Domestic Animal Attacks

Based on results of the Annual Residential Survey, develop changes to the City Ordinances that will allow residents to construct effective deer exclosures to prevent damage to landscaping and gardens.

Deer Management for the City of Avon Lake, Ohio - 2015

Section 6. Management Techniques

6.11 (Land South of Wastewater Treatment Plant)

- 6.11.A Sharpshooters planned for the short term
- 6.11 B Possibly use Archers on a controlled basis
- 6.11.C Following Ordinance 618.13 and not feeding wildlife except song birds

6.12 (Kopf Family Reservation)

- 6.12.A Sharpshooters planned for the short term.
- 6.12.B Built three deer exclosures since 2008 to demonstrate the damage deer do
- 6.12.C Following Ordinance 618.13 and not feeding wildlife except song birds

The Kopf Family Reservation has several well used walking trails (see Appendix 2) and since our culling activities are limited to the City Right-of-Ways and a few pieces of Privately Owned Property for which permission has been obtained to conduct culling activities - Sharpshooters are the best option for effective culling. The park is surrounded by residences and have been the focus of the enforcement of Ordinance 618.13 (the prohibition of feeding wild animals) by the Avon Lake Police Department. The Environmental Affairs Advisory Board (a citizen volunteer board) sponsored a poster contest for Avon Lake Elementary students in grades 1 - 4 last year, "Why You Should Not Feed Wildlife" and had 92 entrants. Slowly but surely individual residents are coming forward with complaints when they observe neighbors openly feeding the deer.

The reduction of the number of Deer within the Kopf Reservation is the first step in the Restoration of "The Woods" that began in 2003 with a grassroots effort by the citizens of Avon Lake to establish this undeveloped tract of forest into a community woodland park. In 2008, it became a member of the Lorain County Metro Parks who is responsible for its maintenance and condition.

Beginning in 2016, it is the City's intention to meet with Management of Lorain County Metro Parks to review the progress of the past year, make necessary adjustments and continue to work toward the achievement of our mutual goals

6.13 (Weiss Field)

- 6.13.A Sharpshooters planned for the short term
- 6.13.B Possibly use Archers on a controlled basis
- 6.13.C Following Ordinance 618.13 and not feeding wildlife except song birds

The utilization of Sharpshooters proved to be a very effective management technique during March of 2015. The large amounts of acreage to the west of Weiss Field could be available for the use of DDCP's currently and perhaps limited archery hunting at some future date. The deer population of the SW quadrant will continue to be monitored by study of the Helicopter Surveys, Public Works Deer Pickups and the Police Department Deer/Reported Accidents.

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6.14 (Walker Road Park)

6.14.A Sharpshooters planned for the short term

6.14.B Possibly use Archers on a controlled basis

6.14.C Following Ordinance 618.13 and not feeding wildlife except song birds

In the spring, members of Avon Lake City Council and Members of the Joint Park Board of Walker Road Park met with the Bay Village City Council and encouraged them to pass legislation permitting culling activities in Walker Road Park during the Winter of 2015-2016 and thereafter with a sharing of all costs associated with the culling at Walker Road Park. The Bay Village City Council passed the enabling Ordinance on June 21, 2015.

The Residential Area of the City has been divided into Four (4) Quadrants - The NW Quadrant is bounded by Sheffield Lake to the west, Lake Erie to the north, Avon Belden Road /SR 83 to the east and Walker Road to the south, The NE Quadrant bounded by Avon Belden Road to the West, Lake Erie to the north, Bay Village to the east and Walker Road to the south. The SW Quadrant is bounded by Sheffield Lake to the west, Walker Road to the north and Bay Village to the east and Avon to the south. The SE Quadrant is bounded on the west by Avon Belden Road/SR 83 to the west, Walker Road to the north, Bay Village to the east and Avon to the south.

Beginning in 2016, it is the City's intention to meet with City Officials of Bay Village to review the progress of the past year, make necessary adjustments and continue to work toward the achievement of our mutual goals

6.15 (Closed Landfill)

6.15.A Sharpshooters planned for the short term

6.15.B Possibly use Archers on a controlled basis

6.15.C Following Ordinance 618.13 and not feeding wildlife except song birds

6.21 (Individual Residential Neighborhoods - NW Quadrant)

6.21.A Short Term use of DDCP by residents as needed

6.21.B Planting deer resistant plants & shrubs & use repellants

6.21.C Following Ordinance 618.13 and not feeding wildlife except song birds

6.21.D Placement and Movement of Deer Crossing Signs on main road arteries.

Since the use of Sharpshooters has been employed, NOACA has declined to use Avon Lake as a study area. Sign Location are at Appendix 12.

6.22 (Individual Residential Neighborhoods - NE Quadrant)

6.22.A Short Term use of DDCP by residents as needed

6.22.B Planting deer resistant plants & shrubs & use repellants

6.22.C Following Ordinance 618.13 and not feeding wildlife except song birds

6.22.D Placement and Movement of Deer Crossing Signs on main road arteries

Since the use of Sharpshooters has been employed, NOACA has declined to use Avon Lake as a study area. Sign Location are at Appendix 12.

Deer Management for the City of Avon Lake, Ohio - 2015

6.23 (Individual Residential Neighborhoods - SW Quadrant)

6.23.A Short Term use of DDCP by residents as needed

6.23.B Planting deer resistant plants & shrubs & use repellants

6.23.C Following Ordinance 618.13 and not feeding wildlife except song birds

6.23.D Placement and Movement of Deer Crossing Signs on main road arteries

Since the use of Sharpshooters has been employed, NOACA has declined to use Avon Lake as a study area. Sign Location are at Appendix 12.

6.24 (Individual Residential Neighborhoods - SE Quadrant)

6.24.A Short Term use of DDCP by residents as needed

6.24.B Planting deer resistant plants & shrubs & use repellants

6.24.C Following Ordinance 618.13 and not feeding wildlife except song birds

6.24.D Placement and Movement of Deer Crossing Signs on main road arteries

Since the use of Sharpshooters has been employed, NOACA has declined to use Avon Lake as a study area. Sign Location are at Appendix 12.

Applicable to all Individual Residential Neighborhoods (6.21-6.24)

In the short term, increase the number of DDCP in all neighborhoods as needed, but over time, as results are achieved, begin to see a reduction of requests. The overall goal is to enhance the ability of all residents to take the action necessary to reduce the negative effects of deer in the neighborhoods and achieve our stated goals.

6.30 (City Wide - In all Quadrants)

A reduction of Deer/Auto Accidents will be promoted on all available "Social Media" - City Facebook, Website and Avon Lake Community TV as well through the activities of the City Council's Safety and Environmental Committees.

The City will continue to use the helicopter surveys to estimate the numbers of deer in the city and more importantly where they seem to be concentrated. There may come a time when either biennial or triennial surveys will be sufficient.

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Section 7. Evaluations - Sep. Subsection for each Technique in Section 6.

7.1 Review the Monthly Reports from both the Police and Public Works Departments to determine if we are reaching our goals at each Monthly Meeting of the Environmental Committee and report regularly to the City Council as part of the Committee Chairman's report.

7.2 The Chairman of of the Environmental Committee will include the Evaluation of the Deer Management Goals as part of the required Committee Report issued annually to the City and Other Interested Organizations by March 31st each year. It will also be a direct responsibility of the Chairman to continually review and evaluate those City Ordinances that pertain to deer management and offer amendments or new Ordinances as needed.

7.3 Evaluate the Residents' comments from the February Ward Meeting regarding the deer's impact on their landscaping and lawns to determine if they feel the City is adequately managing the Deer Herd.

7.4 Annually evaluate the progress toward eliminating the browse lines at Weiss Field, Kopf Family Reservation and Walker Road Park by photographic record from fixed positions annually to document the change.

7.5 Using Photos taken Annual at the same time, we will evaluate the effectiveness of the three Deer Enclosures within the Kopf Family Reservation.

Deer Management for the City of Avon Lake, Ohio - 2015

Section 8. Historical Records of Deer Management

8.1 Report of 2014 & 2015 requests for and issuance of Deer Damage Control Permits is included as Appendix 10

8.2 Report of the Initial Sharpshooter Culling program (February 27 - March 19, 2015) is included as Appendix 11.

8.3 The City Adopted the Lake Erie Allegheny Partnership (LEAP) Position Statement On White-Tailed Deer Management (Updated May 2014) by Motion of City Council at the Regularly Scheduled Meeting held on March 14, 2016. That document appear as Appendix 13

Deer Management for the City of Avon Lake, Ohio - 2015

Supporting Documents - Referenced to applicable Sections

Appendices

Appendix 1 - Map of Avon Lake with City, School & LCMP areas colored and City Owned Sharpshooting Areas and Residential Quadrants identified

Appendix 2 - Trail Map of Kopf Family Reservation, LCMP

Appendix 3 - Map of Walker Road Park

Appendix 4 - Aerial/Helicopter Survey (2013 - 2016)

Appendix 5 - Avon Lake Public Works Deer Pickup Reports (2011 - 2015)

Appendix 6 - Avon Lake Police Dept Deer/Vehicle Accidents Report (2011 - 2015)

Appendix 7 - Avon Lake Police Incident Reports (2013 -2015)

Appendix 8 - LCMP Infra Red Survey of Kopf Reservation (2015)

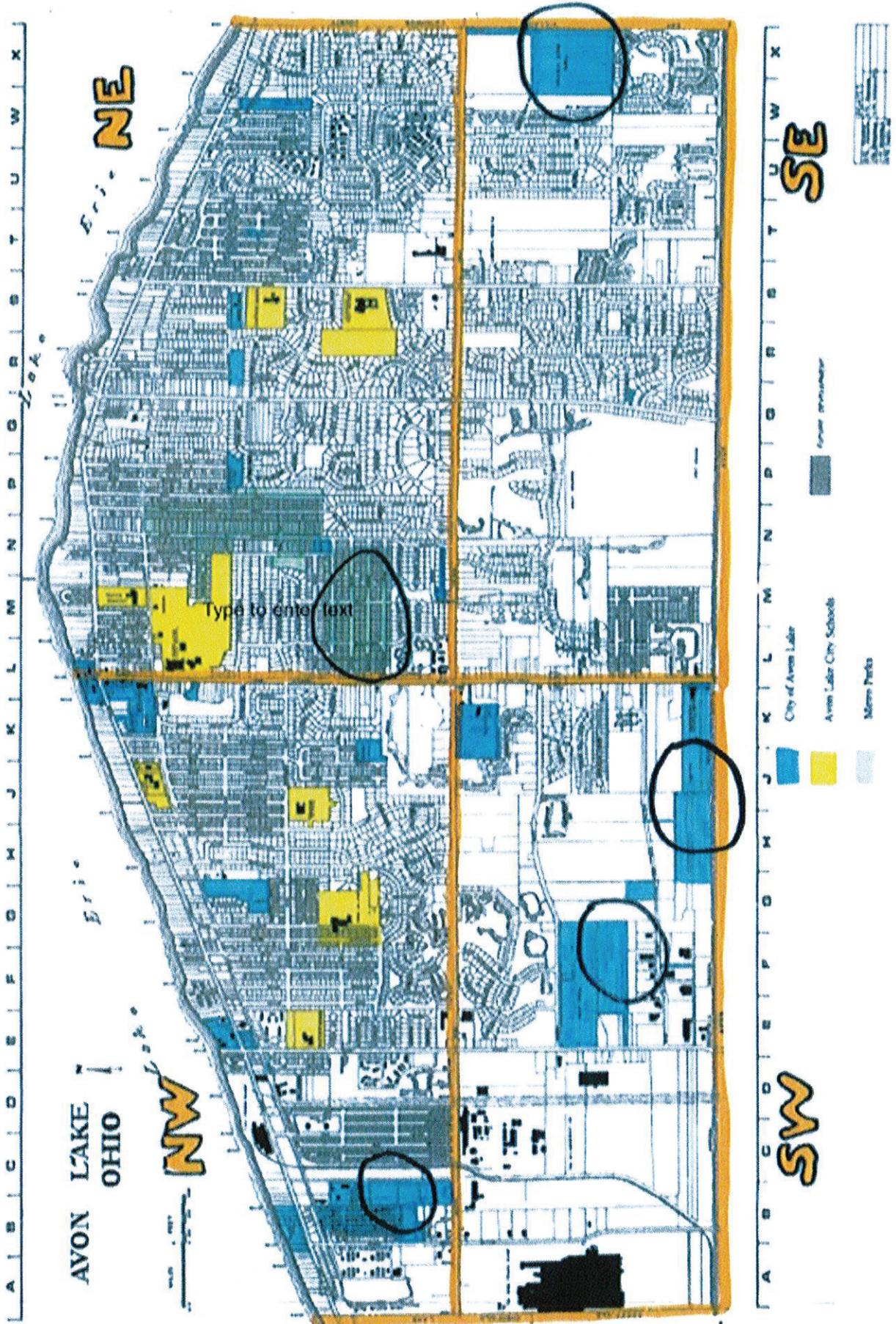
Appendix 9 - Private Citizen Deer Surveys (2013 - 2016)

Appendix 10 - Deer Damage Control Permits (2015 & earlier)

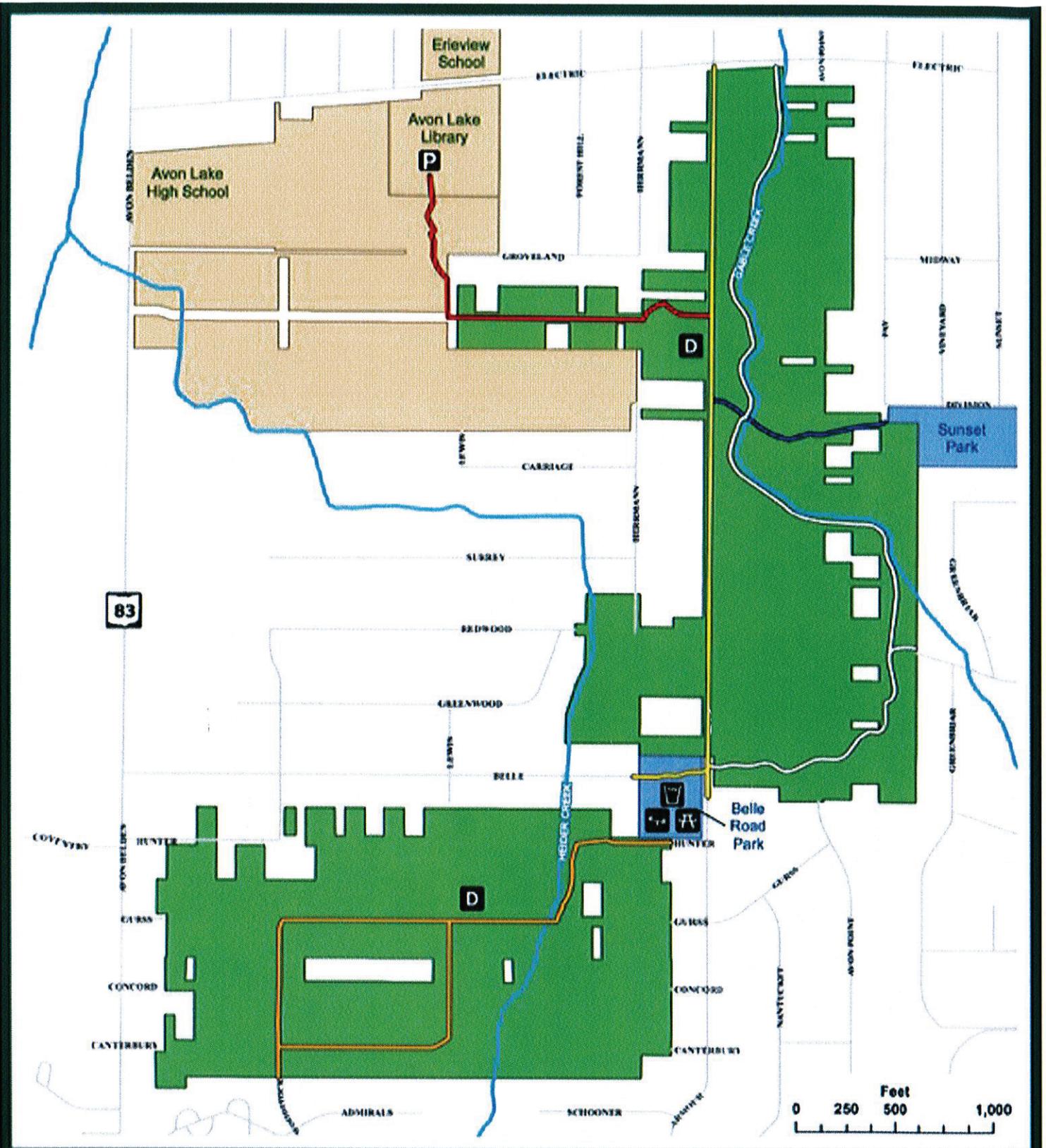
Appendix 11 - Results of Previous Deer Management Efforts

Appendix 12 - Locations of Deer Warning Signs

Appendix 13 - LEAP Position Statement on White-Tailed Deer Management (updated May 2014)



City of Avon Lake with Management Zones
Appendix 1

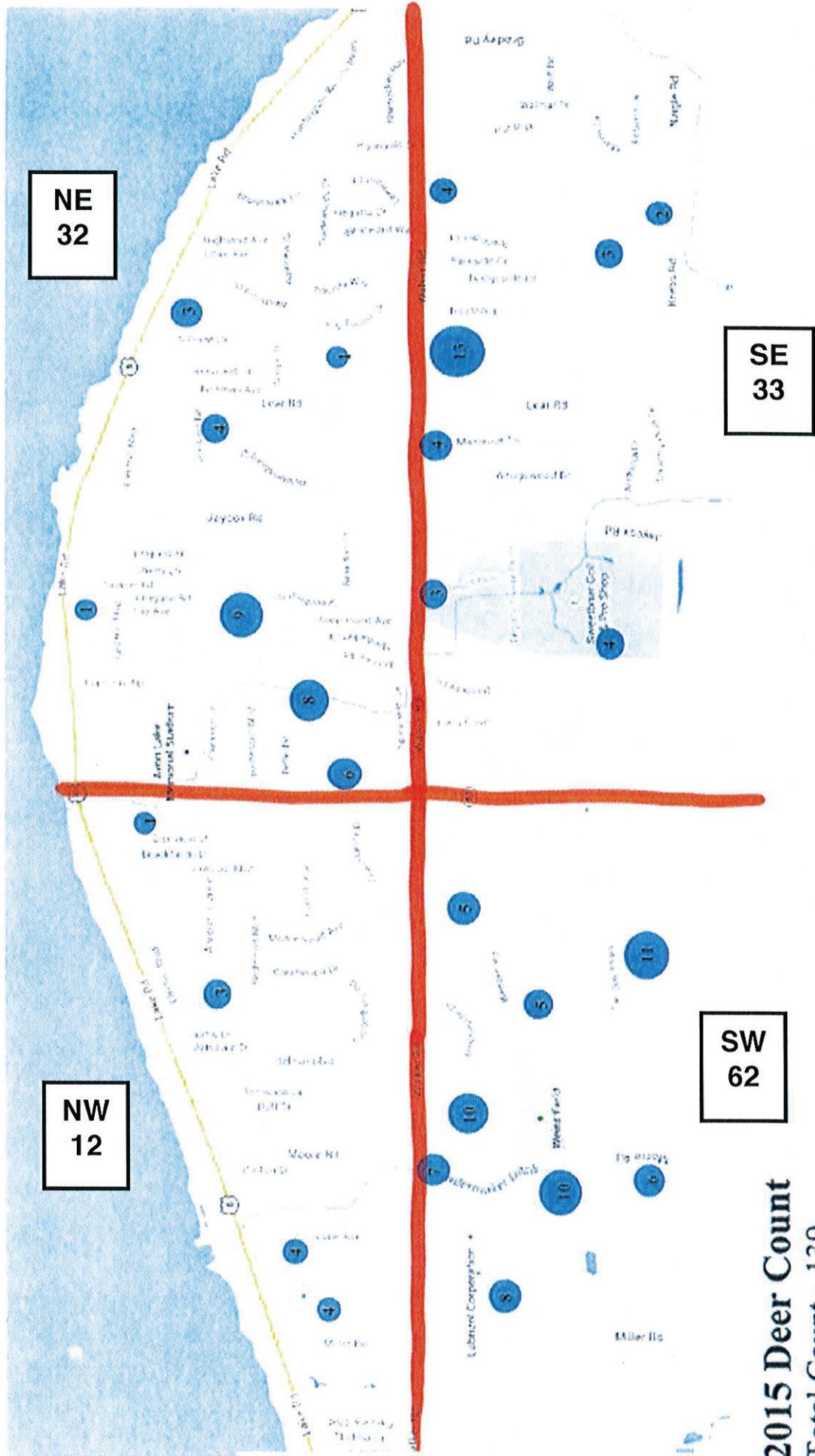


KOPF FAMILY RESERVATION

- SYMBOLS**
- Drinking Fountain
 - Parking
 - Playground
 - Picnic Tables
 - Deer Excursion
 - LCMP Property
 - Amity Trail - 0.75 miles
 - South Loop Trail - 0.66 miles
 - Library Connector - 0.4 miles
 - Sunset Connector - 0.14 miles
 - Gable Creek Trail - 1.0 miles
 - City Park



Appendix 4.2013 (Green) & 4.2014 (Pink)



2015 Deer Count
 Total Count - 139

AVON LAKE SERVICE DEPARTMENT		
DEER TRACKING REPORT		
2011		
DATE	LOCATION	NUMBER OF DEER
01/05/11	Walker Rd & Woodward Cr	1
01/12/11	Pin Oak Play	1
01/19/11	32845 Tangierwood - backyard	1
01/20/11	33874 Lake Rd	1
	January Total:	4
02/07/11	33871 Woodbridge Way	1
02/09/11	32097 Nottingham - backyard	1
02/23/11	216 Beck Fy - backyard	1
	February Total:	3
03/02/11	32610 Walker Rd	1
03/16/11	125 Westwood #43 - side yard	1
	March Total:	2
04/03/11	611 Avon Belden Rd - front yard	1
04/07/11	513 Lear Rd	1
04/07/11	32645 Lake Rd	1
04/12/11	32282 Brandon Place - back yard	1
04/18/11	31962 Pondside Dr - back yard	1
	April Total:	5
06/08/11	Walker Rd west of Ambleside Cr	1
06/17/11	Rice Park & Lake Rd	1
	June Total:	2
07/01/11	32676 Bala Rd - backyard	1
07/25/11	562 Niagara Ln - backyard	1
	July Total:	2
08/03/11	Lake Rd at Vets Park	1
08/12/11	Walker Rd at Armour Rd	1
08/17/11	Moore Rd at Pin Oak Play	1
08/28/11	571 Jaycox Rd	1
08/28/11	? Cleveland Dr	1
08/29/11	Lake Rd at Armour Rd	1
	August Total:	6
09/08/11	32315 Lake Rd	1
09/16/11	31836 Lake Rd	1
	September Total:	2
10/03/11	31660 Lake Rd	1
10/18/11	31906 Walker Rd	1
10/24/11	32897 Lake Rd	1
10/24/11	663 Avon Belden Rd	1
10/25/11	Parkside at Walker Rd	1
10/27/11	Miller Rd Park	1
10/27/11	33218 Lake Rd	1
	October Total:	7
11/02/11	Walker Rd at railroad tracks	1
11/05/11	364 Avon Belden Rd	1
11/09/11	Harbor Ct	1
11/17/11	715 Lear Rd	1
11/18/11	Miller Rd by Ford plant	1
11/28/11	521 Bedford Ct	1
	November Total:	6
12/27/11	Walker Rd at Semark Ln	1
	December Total:	1
		40

AVON LAKE SERVICE DEPARTMENT

DEER TRACKING REPORT

2012

DATE	LOCATION	NUMBER OF DEER
01/03/12	Treasde Ln by Walker Rd entrance	1
01/21/12	Moore Rd by lateral entrance	1
01/22/12	Walker Rd east of Drug Mart	1
	January Total:	3
02/03/12	31966 Krohn Rd	1
02/06/12	32137 Teates Ct backyard	1
	February Total:	2
04/03/12	Jaycox Rd north of Walker Rd	1
	April Total:	1
05/30/12	780 Viewwood side yard	1
	May Total:	1
06/05/12	33006 Lake Rd	1
06/06/12	325 Valtersburg backyard	1
06/11/12	32522 Lake Rd beach	1
06/12/12	653 Brust Dr backyard	1
06/21/12	32423 Legacy Pt backyard	1
06/21/12	32746 Electric Blvd	1
06/23/12	33336 Chapman Ct backyard	1
	June Total:	7
07/03/12	32346 Electric parking lot	1
07/13/12	Walker Rd by Sally Ct	1
07/14/12	234 Belmar Blvd backyard	1
07/23/12	Krohn Rd	1
07/24/12	Walker Rd	1
	July Total:	5
08/06/12	654 Galt Maple-dell	1
08/13/12	High Spnrl - East/Walker	1
08/14/12	Krohn Rd	1
08/15/12	32346 Electric - woods behind	1
08/15/12	32527 Greenwood - front yard	1
08/16/12	Krohn/Lear Rd	1
08/20/12	381 Spymore Ct backyard ditch	1
08/31/12	Walker Rd by Drug Mart	1
	August Total:	8
09/12/12	356 Avon Belzen Rd - backyard	1
09/17/12	Lake Rd - St Joes	1
09/21/12	Mason Rd by Walker Rd	1
09/24/12	Jaycox Rd at Wedgetwood	1
	September Total:	4
10/16/12	356 Avon Belzen Rd - backyard	1
10/12/12	Walker Rd by American Legion	1
10/18/12	32756 Lake Rd	1
10/22/12	Lake Rd - Enewold School	1
10/25/12	Walker Rd by American Legion	1
	October Total:	5
11/03/12	31847 Lake Rd	1
11/03/12	Walker Rd by Jaycox Rd	1
11/12/12	31822 Walker Rd	1
11/12/12	33725 Walker Rd - backyard	1
11/13/12	626 Jaycox Rd - in pond in frontyard	1
11/18/12	32314 Lake Rd	1
11/23/12	Rt 83 by Webber Rd	1
11/24/12	Lake Rd & Cleveland	1
	November Total:	8
12/04/12	328 Jaycox Rd	1
12/04/12	Santa ganges	1
12/06/12	327 Sunset Rd - backyard	1
12/20/12	Krohn Rd by Lakewood	1
	December Total:	4
	Annual Total:	48

**AVON LAKE SERVICE DEPARTMENT
DEER TRACKING REPORT**

2013

DATE	LOCATION	NUMBER OF DEER
01/02/13	Avondale by NAPA	1
01/07/13	32681 Walker Rd - backyard	1
01/14/13	33279 Westbrook Cr - vacant lot	1
	January Total:	3
02/15/13	Rt 83 near Webber Rd (piebald)	1
02/26/13	32418 Redwood Blvd - backyard	1
	February Total:	2
03/05/13	Electric Blvd by Williamsburg Dr	1
03/18/13	Rt 83 near Canterbury Rd	1
03/28/13	Jaycox Rd and Legacy Pointe	1
	March Total:	3
04/05/13	225 Westwinds - woods	1
04/11/13	Lake Rd by pool entrance	1
04/15/13	Crestwood Ave	1
04/16/13	Walker Rd	1
04/18/13	Spinnaker Dr	1
04/29/13	31692 Lake Rd - backyard	1
	April Total:	6
05/01/13	356 Avon Belden Rd - backyard	1
05/15/13	Maplecrest and Lake Rd	1
05/20/13	32972 Lake Rd - side yard	1
05/22/13	Walker Rd east of Britannia Pkwy	1
05/25/13	526 Danbury Ln - backyard	1
05/25/13	32522 Lake Rd	1
05/29/13	32677 Carriage Ln - backyard	1
05/29/13	Moore Rd - Poly One	1
	May Total:	8
06/05/13	31632 Winner Cr - backyard	1
06/06/13	Jaycox Rd and Lake Rd	1
06/21/13	Community Dr	1
06/26/13	136 Belmer - backyard	1
06/26/13	32210 Electric Blvd	1
	June Total:	5
07/02/13	Lake Rd & Fay Ave	1
07/03/13	388 Avon Belden Rd	1
07/03/13	Walker Rd west of Marbrook Ln	1
07/08/13	31917 Lake Rd	1
07/09/13	32124 Augusta Dr - backyard	1
07/12/13	336 Jaycox Rd	1
07/16/13	131 Jaycox Rd	1
07/17/13	Walker Rd east of Legends Row	1
07/19/13	33073 Electric Blvd - backyard	1
07/23/13	Nantucket Dr	1
07/26/13	Lear Rd	1
07/28/13	Brandon Pt by Jaycox Rd	1
07/30/13	32352 Brandon Pt - backyard	1
	July Total:	13

08/04/13	Jaycox Rd at Landonwood	1
08/05/13	Walker Rd by Spinnaker	1
08/08/13	32460 Lake Rd	1
08/11/13	314 Jaycox Rd	1
08/12/13	Learwood School - behind	1
08/12/13	Lake Rd by Brunswick	1
08/14/13	Electric Blvd by Avon Point	1
08/14/13	Walker Rd & Lear Rd	1
08/15/13	264 Avon Belden Rd	1
08/15/13	31941 Walker Rd	1
08/15/13	Lear Rd by Liberty Rose	1
08/15/13	Avon Belden Rd & Redwood Blvd	1
08/16/13	32330 Brandon Pt - backyard	1
08/18/13	Bleaser Park	1
08/18/13	Walker Rd at Legacy	1
08/19/13	575 Lear Rd	1
08/19/13	32330 Brandon Pt - backyard	1
08/19/13	156 Cove Ave - behind in woods	1
08/22/13	31847 Lake Rd - frontyard	1
08/23/13	31734 Lake Rd - frontyard	1
08/23/13	33186 Lake Rd - frontyard	1
08/23/13	725 Lear Rd	1
08/23/13	165 Westwinds Dr - frontyard	1
08/26/13	Lake Rd by Brookfield	1
08/27/13	Lear Rd south of Walker Rd	1
	August Total:	25
09/05/13	32330 Brandon Pt - backyard	1
09/06/13	31747 Lake Rd - vacant lot	1
09/06/13	Walker Rd by Dairy Queen	1
09/06/13	Lear Rd by Gramercy	1
09/06/13	Lake Rd by Bay line	1
09/08/13	32150 Walker Rd - backyard	1
09/12/13	Rt 83 by Webber Rd	1
09/20/13	Lear Rd & Gedechn Ave	1
09/30/13	Walker Rd	1
09/30/13	142 Brunswick	1
	September Total:	10
10/03/13	Walker Rd by Landings	1
10/11/13	Mooreland	1
10/17/13	32136 Lake Rd	1
10/20/13	Calvary Church on Electric Blvd	1
	October Total:	4
11/07/13	33126 Walker Rd	1
11/15/13	Krebs Rd & Lear Rd	1
11/19/13	33068 Lake Rd - front yard	1
11/20/13	Walker Rd by Waterside Dr	1
	November Total:	4
12/02/13	Webber Rd by Kingsham's	1
12/02/13	Lear Rd by Holy Spirit	1
12/04/13	Sweetwater subdivision by RR tracks	1
12/20/13	699 Lear Rd	1
12/25/13	32602 Walker Rd	1
12/27/13	32597 Walker Rd	1
	December Total:	6
	Grand Total:	89

AVON LAKE SERVICE DEPARTMENT DEER TRACKING REPORT 2014		
DATE	LOCATION	NUMBER OF DEER
January - no deer		
02/19/14	12345 Brandon Pl	1
02/19/14	507 Jaycox Rd - backyard	1
February Total: 2		
02/27/14	402 Maridon Ct - backyard	1
03/16/14	621 Lark Rd	1
March Total: 2		
04/14/14	490 Groebner - backyard	1
04/21/14	Miller Rd by Fountain Bleu	1
April Total: 2		
05/07/14	Walker Rd by Lenny's	1
05/18/14	Walker Rd by Greenwood	1
05/18/14	12399 Electric Blvd - backyard	1
05/28/14	12708 Lake Rd - front yard	1
05/29/14	12476 Lake Rd - front yard	1
May Total: 5		
06/07/14	136 Teradane	1
06/07/14	12606 Lake Rd	1
06/07/14	12504 Rote Rd - backyard	1
06/07/14	198 Fay Ave - backyard	1
06/04/14	Walker Rd by Treeside Ln	1
06/05/14	12509 Winona Ct - side yard	1
06/05/14	12654 Schaefer Ct	1
06/05/14	12662 Captains Gallery	1
06/09/14	165 Groebner - backyard	1
06/09/14	11825 Del Ln - backyard	1
06/12/14	521 Jaycox Rd - backyard	1
06/12/14	130 Lark Rd - backyard	1
06/12/14	183 Fay Ave - backyard	1
06/22/14	41130 Commerce	1
06/23/14	Larkin Lear Rd	1
06/22/14	12200 Electric Blvd	1
06/25/14	Lark Rd at Wood Rd	1
06/25/14	401 Galenwood	1
06/28/14	12531 Lake Rd	1
June Total: 18		
07/01/14	Annex Rd at Walker Rd	1
07/01/14	Avon Belden Rd by High School	1
07/07/14	Walker Rd by golf course	1
07/07/14	12175 Eleon	1
07/08/14	Eranna School	1
07/12/14	1003 Jaycox Rd	1
07/13/14	Walker Rd at Annex	1
07/14/14	Jaycox Rd by Gable Ln	1
07/15/14	Lake Rd by Gurs	1
07/17/14	12957 Canterbury Rd	1
07/21/14	115 Wilkerson - backyard	1
07/21/14	Jaycox Rd by Factory Ln	1
07/22/14	Lake Rd by Miller Rd Park	1
07/24/14	147 Greenwood	1
07/24/14	Lark Rd at Krebs Rd	1
07/24/14	Jaycox Rd	1
07/24/14	Jaycox Rd north of Gable Ln	1
07/25/14	179 Jaycox Rd	1
July Total: 18		

08/01/14	12201 Winona Ct - backyard	1
08/02/14	12602 Eleon	1
08/03/14	Avon Lake Cemetery	1
08/03/14	12175 Walker Rd - front yard	1
08/03/14	65 Cleveland - front yard	1
08/03/14	704 Jaycox Rd	1
08/21/14	12631 Lake Rd	1
08/23/14	12250 Krebs Rd	1
08/24/14	Lake Rd by 12200 Electric	1
08/25/14	123 Assn Belden Rd	1
08/26/14	163 Miller Rd - back by garage	1
08/27/14	12594 Lake Rd	1
08/28/14	Walker Rd by Winona	1
08/27/14	141 Sylvan Ct	1
August Total: 14		
08/31/14	143 Sylvan Ct	1
09/07/14	12204 Lake Rd	1
09/10/14	12710 Lake Rd	1
09/11/14	122 Jaycox Rd at Westwood Dr	1
09/13/14	124 Jaycox Rd	1
09/13/14	12662 Captains Gallery	1
09/17/14	Jaycox Rd at Gable Ln	1
09/18/14	Lark Rd at Annex Rd	1
09/19/14	130 Jaycox Rd	1
09/25/14	130 Lark Rd	1
09/24/14	12602 Walker Rd	1
09/25/14	100 Frodoxenberg - behind in wood	1
09/26/14	131 Gurs - backyard	1
09/28/14	Canterbury Rd by Greenwood	1
September Total: 14		
09/29/14	Walker Rd at Terrace Ln	1
10/01/14	157 Belmont Blvd	1
10/02/14	Lark Rd at Howard Ave	1
10/03/14	12547 Schaefer Ct - backyard	1
10/03/14	179 Lark Rd	1
10/04/14	12603 Lake Rd	1
10/06/14	12620 Krebs Rd	1
10/20/14	173 Lark Blvd - backyard	1
10/23/14	150 Commerce Dr - backyard	1
10/23/14	12660 Lake Rd	1
10/24/14	12250 Schaefer - backyard	1
10/25/14	131 Lark Rd	1
10/26/14	Riverton Mill - Avon Belden Rd	1
October Total: 13		
10/01/14	12341 Uptown Rd	1
11/01/14	13009 Paradise	1
11/03/14	12586 Durrell	1
11/17/14	145 Ashwood	1
11/17/14	Treeside at Walker Rd	1
11/19/14	Walker Rd at Somers Ln	1
11/20/14	Remuda Park	1
11/20/14	10000 Cr	1
11/22/14	108 Jaycox Rd	1
11/23/14	12200 Ambrose	1
11/23/14	101 Avon Belden Rd	1
11/24/14	Walker Rd at Bermuda Ln	1
November Total: 12		
12/02/14	12042 Walker Rd	1
12/03/14	12000 Rd at Walker Rd - some deer	1
12/10/14	108 Belmont Rd	1
12/22/14	Electric Blvd at High School entrance	1
December Total: 4		
Annual Total: 105		

AVON LAKE PUBLIC WORKS DEPARTMENT

**DEER TRACKING REPORT
2015**

DATE	LOCATION	NUMBER OF DEER
01/18/15	588 Moore Rd - in driveway	1
01/20/15	Walker Rd & Moorewood	1
January Total		2
02/02/15	298 Bayview Dr - side yard	1
02/02/15	32564 Schooner Cr - back yard	1
02/04/15	623 Avon Belden Rd	1
02/08/15	31620 Winners Cr - backyard	1
02/09/15	Moore Rd by Weiss Field	1
02/11/15	Carriage Ln & Woodstock Ave	1
02/25/15	Rt 83 & Belle Rd	1
February Total		7
03/09/15	Walker Rd by PolyOne	1
03/09/15	750 Avon Belden Rd	1
03/12/15	Country Club & Lear Rd	1
03/19/15	153 Belmar Blvd - side yard	1
03/20/15	32724 Belle Rd - backyard	1
03/26/15	134 Miller Rd - front yard	1
March Total		6
04/13/15	701 Coronado Cove - backyard	1
04/21/15	215 Glenview Dr - backyard	1
04/30/15	Lear Rd by Liberty Rose	1
April Total		3
05/01/15	Walker Rd at Treeside	1
05/09/15	AL Public Library - Electric Blvd	1
05/10/15	217 Jaycox Rd - backyard	1
05/10/15	188 Fredericksberg - backyard	1
05/13/15	583 Treeside Ln	1
05/14/15	32658 Lake Rd	1
05/14/15	Tradewinds & Westwind	1
05/18/15	352 Timberlane - side yard	1
05/26/15	335 Cheverne Falls - backyard	1
05/28/15	32593 Redwood - backyard	1
05/28/15	225 James Cr - side yard	1
May Total		11
06/02/15	335 Cheverne Falls - front yard	1
06/02/15	128 Harvey Pkwy - backyard	1
06/07/15	547 Parkside - backyard	1
06/07/15	748 Deymont - front yard	1
06/07/15	3320616 Lake Rd	1
06/09/15	Lake Rd at Curtis Dr	1
06/21/15	31857 Lake Rd	1
06/29/15	31747 Lake Rd	1
06/30/15	688 Coronado Cr - backyard	1
06/30/15	410 Briaross - front yard	1
June Total		10

		July Total	6
08/02/15	575 Lear Rd		1
08/03/15	753 Lear Rd - backyard		1
08/04/15	Krebs / Lear Rds		1
08/06/15	32562 Lake Rd		1
08/14/15	32294 Monaco Pl - backyard		1
08/14/15	Breakers Blvd		1
08/17/15	114 Cove Ave - side yard		1
08/17/15	224 Avon Belden Rd		1
08/23/15	32602 Electric Blvd		1
08/30/15	31980 Krebs Rd		1
		August Total	10
09/08/15	31980 Krebs Rd		1
09/09/15	588 Lear Rd		1
09/11/15	Lake Rd east of pool entrance		1
09/11/15	31980 Krebs Rd		1
09/18/15	109 Brookfield / Lake Rd		1
09/21/15	32701 Walker Rd		1
09/22/15	319 Bounty Way - backyard		1
09/23/15	Lake Rd by Armour Rd		1
		September Total	8
10/02/15	621 Lear Rd		1
10/05/15	288 Avon Belden Rd		1
10/05/15	32308 Azalea Cr - backyard		1
10/06/15	33658 Vinkler Rd - Alumnae		1
10/12/15	Jaycox & Lake Rd - SE corner		1
10/12/15	Fire Department drive		1
10/12/15	151 Harvey Pkwy		1
10/16/15	118 Harvey Pkwy - backyard		1
10/19/15	753 Lear Rd - backyard		1
10/30/15	Lake Rd at Lear Rd		1
		October Total	10
11/02/15	341 Westwinds Dr - backyard		1
11/05/15	Somana Ln - dry retention basin		1
11/09/15	Walker Rd - at Cedarwood		1
11/17/15	236 Avon Belden Rd		1
11/17/15	288 Avon Belden Rd		1
11/23/15	332 Champion Cr - backyard		1
11/30/15	2802 Coventry Cr		1
		November Total	7
12/03/15	31781 Lake Rd - front yard		1
12/03/15	223 Glenview Dr - backyard		1
12/03/15	150 Avon Belden Rd		2
12/08/15	64 Coveland		1
12/15/15	32406 Brandon Pl		1
12/23/15	32323 Steensy Brook - backyard		1
		December Total	7
		2015 Year to Date Total	81

2011 Deer/Car Accidents as of 12/31/2011

OCA	DATE	LOCATION	DESCRIPTION
1100283 1100284	1/9/11	586 Moore Rd	Driver southbound on Moore hit deer then it was hit again by northbound driver.
1100560	1/18/11	Lake Rd 100ft East of Aqua Marine Blvd	Driver westbound on Lake Rd hit northbound deer.
1101933	2/26/11	Walker Rd 20' W. of Waterside	Driver eastbound on Walker was hit by southbound deer.
1101967	2/26/11	Walker Rd & Long Pointe	Driver eastbound on Walker hit a southbound deer.
1101970	2/27/11	Avon Belden 500' N. of Webber Rd	Driver northbound on Avon Belden hit a eastbound deer.
1102086	3/2/11	Walker Rd 200' E. of Windward Dr	Driver westbound on Walker hit northbound deer.
1103145	4/1/11	575 Lear Rd	Driver northbound on Lear Rd hit westbound deer.
1103331	4/6/11	32545 Lake Rd	Driver eastbound on Lake Rd hit southbound deer.
1104271	4/29/11	Walker Rd 100ft W. of Anchors Weigh	Driver westbound on Walker Rd hit southbound deer.
1105310	5/28/11	Krebs Rd. near 31770 Krebs	Driver eastbound on Krebs ran off the road into a ditch to avoid a deer in roadway.
1105682	6/5/11	33570 Lake Rd	Driver eastbound on Lake Rd was hit by southbound deer.
1105758	6/6/11	Lake Rd & Avondale Ave	Driver westbound on Lake Rd hit southbound deer.
1106037	6/13/11	Lear Rd 20' N. of Country Club	Driver southbound on Lear was hit by westbound deer.
1106193	6/17/11	Lake Rd & Herrmann	Driver eastbound on Lake was hit by southbound deer.
1107702	7/19/11	100' S. of 659 Miller Rd	Driver northbound on Miller Rd was hit by an eastbound deer.
1110094	9/13/11	SR 83 just South of Webber Rd	Driver northbound on SR 83 was hit by an eastbound deer just south of Webber.
1110667	9/27/11	33250 Walker Rd	Driver westbound on Walker Rd hit southbound deer.
1111262	10/13/11	31972 Walker Rd	Driver westbound on Walker Rd hit deer in roadway.
1111438	10/17/11	32520 Lake Rd	Driver westbound on Lake Rd hit southbound deer.
1111662	10/23/11	663 Avon Belden Rd	Driver northbound on Avon Belden hit deer in roadway.
1111735	10/25/11	31621 Walker Rd	Driver westbound on Walker Rd hit deer in roadway.
1111707	10/25/11	Walker Rd 300' W. of Bridgeside Dr	Driver westbound on Walker Rd hit by deer on passenger side.
1112055	11/3/11	269 Avon Belden Rd	Driver southbound on Avon Belden hit deer in roadway.
1112133	11/4/11	31830 Lake Rd	Driver westbound on Lake Rd hit northbound deer.
1112203	11/7/11	32179 Walker Rd	Driver eastbound on Walker Rd hit southbound deer.
1112326	11/10/11	Walker Rd & Long Cove	Driver westbound on Walker Rd hit deer in roadway.
1112833	11/16/11	366 Avon Belden	Driver northbound on Avon Belden hit deer entering roadway.
1113046	12/2/11	Walker Rd & Salfrey Court	Driver westbound on Walker Rd hit by northbound deer.
1113248	12/6/11	Lake Rd & Lear Rd	Driver eastbound on Lake Rd hit deer in roadway.
1113883	12/23/11	32830 Walker Rd	Driver eastbound on Walker Rd hit southbound deer.

2012 Deer/Car Accidents as of 1/2/2012

OCA	DATE	TIME	SEVERITY	LOCATION	DESCRIPTION
1200198	1/6/12	1814	PDO	31940 Walker Rd	Driver westbound on Walker Rd hit by northbound deer.
1200228	1/7/12	118	PDO	389 Avon Belden	Driver northbound on Avon Belden hit deer in roadway.
1201064	2/3/12	709	PDO	389 Avon Belden	Driver northbound on Avon Belden hit eastbound deer.
1201855	2/25/12	2113	PDO	Electric 35' West of Centennial	Driver eastbound on Electric hit deer crossing roadway.
1202311	3/9/12	1854	PDO	Walker Rd & Ambleside	Driver eastbound on Walker Rd hit northbound deer.
1202913	3/26/12	805	PDO	Walker Rd West of Sorrento Lane	Driver eastbound on Walker Rd hit deer in roadway.
1203810	4/19/12	2051	PDO	Jaycox & Hickory Lane	Driver southbound on Jaycox hit eastbound deer.
1203859	4/20/12	2109	PDO	Krebs Rd, 500' E of Lear	Driver westbound on Krebs hit northbound deer.
1203935	4/24/12	2107	PDO	Walker Rd, 107' W of Legends Row	Driver eastbound on Walker Rd hit by northbound deer.
1208930	8/17/12	2117	PDO	East of 32526 Walker Rd	Driver westbound on Walker Rd hit southbound deer.
1209093	8/22/12	2250	PDO	Walker Rd, East of Jaycox	Driver westbound on Walker Rd hit by southbound deer.
1210009	9/16/12	745	PDO	Electric Blvd & Avon Point	Driver eastbound on Electric hit deer crossing roadway.
1211475	10/25/12	2201	PDO	32200 Walker Rd	Driver westbound on Walker Rd hit southbound deer.
1212053	11/8/12	1607	INJURY	Walker Rd, between 31941 & 31925	Line of three vehicles had stopped to allow deer to cross road. Fourth vehicle did not notice stopped traffic and struck 3rd vehicle causing 3rd vehicle to hit 2nd, and 2nd vehicle to hit 1st vehicle. Assured Clear Distance cause of accident.
1212163	11/9/12	1735	PDO	300' South of 510 Avon Belden Rd	Driver northbound on Avon Belden hit westbound deer.
1212177	11/9/12	2238	PDO	31860 Walker Rd	Driver westbound on Walker hit deer in roadway.
1212206	11/10/12	1949	PDO	Lake Rd, 500' East of Beck	Driver eastbound on Lake hit by southbound deer.
1212460	11/18/12	512	PDO	Krebs Rd & Lakeside	Driver westbound on Krebs hit deer in roadway.
1212475	11/19/12	1516	PDO	Lear Rd & Liberty Rose Dr	Driver northbound on Lear hit deer in roadway.
1212759	11/27/12	4703	PDO	15' North of 33655 Walker Rd	Driver westbound on Walker hit by deer in roadway.
1213706	12/23/12	1900	PDO	Lake Rd, 50' west of Westwind Dr.	Driver eastbound on Lake Rd hit northbound deer.

PDO indicates Property Damage Only, no injuries.

2013 Deer/Car Accidents as of 1/2/14

OCA	DATE	TIME	SEVERITY	LOCATION	DESCRIPTION
1301269	2/5/13	1937	PDO	Walker Rd & Britania Pkwy	Driver west bound on Walker Rd hit south bound deer.
1301311	2/6/13	2034	PDO	33365 Walker Rd	Driver east bound on Walker Rd hit deer in roadway.
1301951	2/23/13	2316	PDO	Moore Rd & Chatham	Driver north bound on Moore Rd hit east bound deer.
1302674	3/17/13	610	PDO	389 Avon Belden Rd	Driver north bound on Avon Belden Rd hit by deer entering roadway.
1303447	4/9/13	2357	PDO	Lake Rd & Brookfield	Driver west bound on Lake Rd hit by north bound deer.
1303949	4/23/13	2251	PDD	635 Miller Rd	Driver north bound on Miller Rd hit by deer.
1305302	5/25/13	2009	PDO	32520 Lake Road	Driver west bound on Lake Rd hit by north bound deer.
1305775	6/6/13	30	PDD	Lake Rd & Coveland Dr	Driver west bound on Lake Rd hit by north bound deer.
1307188	7/8/13	1645	PDO	Electric Blvd & Hermann	Driver east bound on Electric Blvd hit by south bound deer.
1307229	7/9/13	1814	PDO	599 Jaycox	Driver north bound on Jaycox hit by east bound deer.
1307350	7/12/13	1234	PDO	330 Jaycox	Driver north bound on Jaycox hit east bound deer.
1307738	7/19/13	2233	PDD	Lear Rd & Gramercy	Driver north bound on Lear Rd hit east bound deer.
1308077	7/25/13	2230	PDO	Lake Rd & Highland Ave.	Driver east bound on Lake Rd hit by south bound deer.
1309033	8/15/13	1149	PDD	32565 Lake Road	Driver east bound on Lake Rd hit south bound deer.
1311066	9/28/13	2043	PDO	31952 Lake Rd	Driver west bound on Lake Rd hit deer in roadway.
1311256	10/2/13	2220	PDD	31819 Walker Rd	Driver west bound on Walker Rd hit deer in roadway.
1311798	10/17/13	700	PDO	32176 Lake Rd	Driver east bound on Lake Rd hit deer in roadway.
1312077	10/24/13	1638	PDO	33134 Lake Rd	Driver on Lake Rd hit deer in roadway.
1312608	11/8/13	1840	PDD	31629 Lake Rd	Driver west bound on Lake Rd hit deer in roadway.
1312642	11/8/13	1950	PDD	635 Miller Rd	Driver north bound on Miller Rd hit deer in roadway.
1312833	11/14/13	1995	PDD	Krebs & Lear Rd	Driver west bound in Krebs hit by deer.
1312920	11/16/13	1812	PDO	Lear Rd & Krebs	Driver north bound on Lear Rd north of Krebs hit by east bound deer.
1312989	11/18/13	1541	PDD	Magnolia & Lear Rd	Driver south bound on Lear Rd south of Magnolia hit by west bound deer.
1313040	11/20/13	434	PDD	Walker Rd & Vintage Pl	Driver east bound on Walker Rd hit by deer entering roadway.
1313446	11/30/13	2060	PDO	33030 Webber Rd	Driver east bound on Webber Rd hit south bound deer.
1314499	12/31/13	1725	PDO	Walker Rd & Armour	Driver west bound on Walker Rd hit by south bound deer.

PDO indicates Property Damage Only, no injuries.

2014 Deer/Car Accidents

OCA	DATE	TIME	SEVERITY	LOCATION	DESCRIPTION
1400261	1/8/14	640	PDO	Walker Rd & Sorrento	Driver eastbound on Walker Rd hit by southbound deer.
1400346	1/10/14	1740	PDO	389 Avon Belden Rd	Driver southbound on Avon Belden Rd hit westbound deer.
1400447	1/13/14	1859	PDO	Moore Rd & Webber Rd	Driver northbound on Moore Rd south of Webber hit eastbound deer.
1401904	2/22/14	1841	PDO	32381 Walker Rd	Driver eastbound on Walker Rd hit a deer.
1402299	3/5/14	1916	PDO	388 Avon Belden Rd	Driver southbound on Avon Belden Rd hit a deer.
1402803	3/18/14	714	PDO	621 Lear Rd	Driver southbound on Lear Rd hit by eastbound deer.
1403788	4/13/14	102	PDO	31831 Lake Rd	Driver eastbound on Lake Rd hit deer in roadway.
1403833	4/13/14	2104	INJURY	Krebs Rd & Lear Rd	Driver eastbound on Krebs Rd swerved to avoid deer & struck a construction trailer parked on south side of the road.
1404742	5/5/14	1707	PDO	33681 Walker Rd	Driver westbound on Walker Rd hit northbound deer.
1405508	5/24/14	342	PDO	32770 Lake Rd	Driver eastbound on Lake Rd hit northbound deer.
1408219	6/7/14	2131	PDO	609 Jaycox Rd	Driver northbound on Jaycox Rd hit eastbound deer.
1407278	6/30/14	1955	PDO	31941 Walker Rd	Driver eastbound on Walker Rd hit by southbound deer.
1408229	7/20/14	1259	PDO	Lear Rd & Liberty Rose	Driver southbound on Lear Rd hit by westbound deer.
1408384	7/24/14	746	PDO	Lake Rd & Miller Rd	Driver westbound on Lake Rd hit southbound deer.
1410001	8/26/14	112	PDO	32972 Lake Road	Driver eastbound on Lake Rd hit northbound deer.
1410545	9/5/14	2154	PDO	32304 Lake Road	Driver westbound on Lake Rd hit northbound deer.
1411657	10/1/14	2250	PDO	Walker Rd & Avon Dale	Driver westbound on Walker Rd hit northbound deer.
1411800	10/5/14	1920	PDO	515 Moore Rd	Driver northbound on Moore Rd hit westbound deer.
1412763	10/27/14	1855	PDO	389 Avon Belden Rd	Driver northbound on SR 83 hit eastbound deer
1412829	10/31/14	1530	PDO	338 Avon Belden	Driver southbound on Avon Belden hit eastbound deer
1412877	11/1/14	1842	PDO	389 Avon Belden Rd	Driver southbound on Avon Belden hit eastbound deer.
1413832	11/23/14	1739	PDO	31735 Walker Rd	Driver westbound on Walker Rd hit by deer.
1413874	11/24/14	1531	PDO	Walker Rd & Sorrento	Driver eastbound on Walker Rd hit deer.
1414105	11/30/14	1736	PDO	33382 Walker Rd	Driver eastbound on Walker Rd hit southbound deer.
1415155	12/26/14	1745	PDO	Walker Rd & Moorewood	Driver westbound on Walker Rd west of Moorewood hit northbound deer.

PDO indicates Property Damage Only, no injuries.

2015 Deer/Car Accidents

OCA	DATE	TIME	SEVERITY	LOCATION	DESCRIPTION
1500546	1/15/15	736	PDO	640 Lear Rd	Driver southbound on Lear Rd hit by eastbound deer.
1501089	1/29/15	2322	PDO	Lear Rd & Teasel Ct	Driver northbound on Lear Rd hit deer in roadway.
1501330	2/4/15	525	PDO	639 Avon Belden Rd	Driver southbound on Avon Belden hit deer in roadway.
1502048	2/22/15	1934	PDO	33688 Walker Rd	Driver westbound on Walker Rd hit northbound deer.
1502359	3/3/15	1958	PDO	Walker Rd & Avon Point	Driver westbound on Walker Rd hit by northbound deer.
1503207	3/25/15	0505	PDO	164 Miller Rd	Driver southbound on Miller Rd hit by deer.
1504701	5/1/15	1712	PDO	Walker Rd & Treeside Ln	Driver eastbound on Walker Rd hit deer in roadway.
1505001	5/9/15	0853	PDO	32584 Electric Blvd	Driver eastbound on Electric Blvd hit by southbound deer.
1505050	5/10/15	0200	PDO	400 Avon Belden Rd	Driver southbound on Avon Belden Rd hit deer in roadway.
1505178	5/13/15	2018	PDO	Lake Rd & Maple Cliff	Driver westbound on Lake Rd west of Maple Cliff hit south bound deer.
1506274	6/8/15	0523	PDO	33206 Lake Road	Driver westbound on Lake Rd hit deer in roadway.
1506897	6/20/15	2201	PDO	32117 Lake Road	Driver eastbound on Lake Rd hit southbound deer.
1508097	7/13/15	1558	PDO	658 Lear Road	Driver northbound on Lear Rd hit deer in roadway.
1508722	7/28/15	1329	PDO	288 Avon Belden Rd	Driver southbound on Avon Belden Rd hit eastbound deer.
1509007	8/1/15	1658	PDO	32580 Lake Rd	Driver westbound on Lake Rd hit southbound deer.
1509107	8/3/15	1300	PDO	Electric Blvd & Beachdale Dr	Driver eastbound on Electric Blvd hit deer in roadway.
1510679	9/5/15	1800	PDO	31960 Krebs Rd	Driver eastbound on Krebs Rd swerved to avoid deer, hit another deer in roadway.
1511362	9/18/15	2200	PDO	32421 Walker Rd	Driver westbound on Walker Rd hit by northbound deer.
1511410	9/19/15	2240	PDO	Walker Rd & Crossings Way	Driver eastbound on Walker Rd hit northbound deer.
2015-00013544	10/20/15	1907	PDO	Walker Rd & Marbrook Ln	Driver westbound on Walker Rd hit northbound deer.
2015-00013840	10/30/15	2221	PDO	32960 Walker Road	Driver eastbound on Walker Rd hit by southbound deer.
2015-00013883	11/3/15	2150	PDO	Lake Rd between Harvey Pkwy & Jaycox	Driver eastbound on Lake Rd hit southbound deer.
2015-00014216	11/11/15	1730	PDO	538 Bronnans Ct	Driver northbound on Bronnan's Ct hit by an eastbound deer.
2015-00014408	11/15/15	2033	PDO	269 Avon Belden Road	Driver northbound on SR 83 hit by eastbound deer. Deer thrown into southbound lane of travel and was subsequently struck by a southbound vehicle.

PDO indicates Property Damage Only, No Injuries

as of 01/04/2016.

11/20/2014

AVON LAKE POLICE

Incident Number
14-13728

Incident / Offense Report

Method Received T	Time Received 09:42:12	Time Dispatched 09:43:19	Time Arrived 09:51:53	Time Cleared: 10:23:22
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Report Date / Time		Incident Occurred From		Incident Occurred To	
Date	Time	Date	Time	Date	Time
Thursday 11/20/2014	12:45:00	Thursday 11/20/2014	09:15:00	Thursday 11/20/2014	10:00:00

Location of the Incident (Street #, Street, Apt. #, City, State, Zip) Zone
380 BRITANNIA PKWY AVON LAKE OH 44012 SMITH RESIDENCE

Persons Involved: **STEVEN MICHAEL SMITH - PRP**
 -
 -
 -
 -

Property: **0**
 Amount:

Units: Officers:
 1st: **0224 DON GODLEWSKI**
 2nd:
 3rd:
 4th:
 5th:

Photos: **0**

Codes: Descriptions: **OFFENSES**
6399 ANIMAL - MISCELLANEOUS

COPY

Weapons Used: Trade Marks: Hate Bias

Entry: Location Type:
Residential Home

Refer to Arrest: Incident #: Tow#: Dispatcher: **0252** Officer in Charge: **0205** Entry Id: **0252**

Case Status: Cleared Date: Cleared By:

Narrative: **14-13728** Page: **1**

Homeowner at 380 Britannia Parkway reported a buck smashed through a sunroom window. The buck caused damage and exited by jumping through a different window in the same room. The buck never left the sunroom. The buck ran off and could not be located.

ALESSANDRO GIARDINI
 Reviewing Supervisor:

Bureau Supervisor:

PTL DON GODLEWSKI
 Officer:

AVON LAKE POLICE

Incident Number

14-13728

Page # 2

Persons Involved with Incident

Incident #:	Relation:	Arrest #:	CAD #:	Date of Contact:	Phone:		
1413728	PRP		1413728	11/20/2014	440-653-9184		
First Name:	Middle	Last Name:	TII:	DOB:	SSN:	Pager:	
STEVEN	MICHAEL	SMITH		08/29/1969			
Street #:	Street Name:	Apt:	City:	St:	Zip:	Cell Phone:	Employee Phone:
380	BRITANNIA PKWY		AVON LAKE	OH	44012		
Hgt:	Wgt:	Hair:	Eyes:	Race:	Sex:	Physical Marks:	
603	200	BRO	BLU	W	M		

Offenses:

Resident Class:

Resident

Suspected of using:

/

Victim Type:

COPY

Reviewing Supervisor:

Bureau Supervisor:

Officer:

AVON LAKE POLICE

Incident Number

14-13728

Investigative Report

Title / Subject: DEER DAMAGE

On Thursday November 20, 2014 0942 hrs this reporting officer was dispatched to 380 Britannia Parkway in reference to a buck jumping through a window of the residence. Upon arrival I made contact with the caller and homeowner, Steven Smith.

Steve stated he heard a loud noise and observed a buck in his sunroom. He closed the doors entering the sunroom and entered the room. The buck exited the room after a short time by jumping through a different window in the sunroom. Both the entering and exiting windows were located on the south side of the room. Pictures of the damage were taken by this reporting officer and placed into evidence.

I attempted to locate the deer with negative results. I observed a small amount of blood on the ground leading away from the home. Steve contacted his insurance company, Cincinnati Insurance.

COPY

By: PTL DON GODLEWSKI

Badge# 0224

Date: 11/20/2014 Time: 12:56:5 No. 001 Page #: 3

Reviewing Supervisor: _____

Date: _____

AVON LAKE POLICE

Incident Number

14-07168

Incident / Offense Report

Method Received	Time Received	Time Dispatched	Time Arrived	Time Cleared:
T	17:52:23	17:57:48	18:12:40	18:40:03

Report Date / Time		Incident Occurred From		Incident Occured To	
Date	Time	Date	Time	Date	Time
Saturday 06/28/2014	20:30:00	Saturday 06/28/2014	06:45:00	Saturday 06/28/2014	06:50:00

Location of the Incident (Street #, Street, Apt. #, City, State, Zip)

262 PARKVIEW DR AVON LAKE OH 44012

Zone

001

Persons: CATHY KRAJNY - PRP

Involved: -

Property:

0

Amount:

Units: Officers:

1st: 0227 LUKE HAGEDORN

2nd:

3rd:

4th:

5th:

Photos: 0

Codes: Descriptions: OFFENSES

6399 ANIMAL - MISCELLANEOUS

Weapons Used:

Trade Marks:

Hate Bias

Entry:

Location Type:

Single Family Home

Refer to Arrest:

Incident #:

Tow#:

Dispatcher: 0255 Officer in Charge: 0210 Entry Id: 0255

Case Status:

Cleared Date:

Cleared By:

Narrative: 14-07168 Page: 1

On June 28, 2014 at about 1752 hours an officer was dispatched to a residence on Parkview Dr regarding a female who was attacked by a deer. The female was taken to the hospital by her husband.

ORIGINAL

Reviewing Supervisor:

Bureau Supervisor:

PTL LUKE HAGEDORN # 727
Officer:

APPENDIX 7. 14-07168

AVON LAKE POLICE

Incident Number

Investigative Report

Title / Subject: ANIMAL / DEER -

14-07168

On June 28, 2014 at about 1752 hours I was dispatched to 262 Parkwood regarding a female who was attacked by a deer. On arrival I spoke with PRP - Cathy Krajny who stated that at about 0645 hours she let her dog out her back door and at the same time a deer came from around the house and tried to attack her dog. Cathy said she went outside to rescue her dog and the deer came and attacked her. She stated that the deer got up on his hind legs and came down on her face with his hoof. The deer then ran behind the back of the house and then attempted to come back at her. She stated that she was able to pick up her dog and get back in the house. While inside she discovered that her face was bleeding and she was muddy. She stated she woke her husband up and he came downstairs and saw the deer still on the back patio still very angry. He then banged on the glass door and the deer finally left the yard. Her husband transported her to the Cleveland Clinic ER in Avon where she was given a cat scan and three stitches to her right cheek. Photos were taken of Cathy.

ORIGINAL

By: PTL LUKE HAGEDORN

Badge# 0227

Date: 06/28/2014 Time: 20:29:0 No. 001 Page #: 3

Reviewing Supervisor: Set. J. [Signature]

Date: 06/29/14

6/13/2014

AVON LAKE POLICE

Incident Number

14-06413

Incident / Offense Report

Method Received	Time Received	Time Dispatched	Time Arrived	Time Cleared:
T	17:40:04	17:41:46	17:49:52	18:00:33

Report Date / Time		Incident Occurred From		Incident Occurred To	
Date	Time	Date	Time	Date	Time
Friday 06/13/2014	08:40:30	Thursday 06/12/2014		Thursday 06/12/2014	17:41:30

Location of the Incident (Street #, Street, Apt. #, City, State, Zip)
 169 WESTWIND DR AVON LAKE OH 44012

Zone
1

Persons Involved: DAVID M SHEPARD - COM
 -
 -
 -
 -

Property: 0
 Amount:

COPY

Units:	Officers:
1st: 0241	SEAN YONKERS
2nd: 0236	DAVID DOLEZAL
3rd:	
4th:	
5th:	

Photos: 17

Codes: 6399 Descriptions: ANIMAL - MISCELLANEOUS OFFENSES

Weapons Used:

Trade Marks:

Hate Bias

Entry:

Location Type:

Refer to Arrest: Incident #: Tow#: Dispatcher: 0252 Officer in Charge: 0207 Entry Id: 0252

Case Status:

Cleared Date:

Cleared By:

Narrative: 14-06413 Page: 1

On Thursday 06-12-14 1730 HRS ALPD received a call from a resident on Westwind Drive about a deer inside the residence. The deer was startled by the homeowner and jumped through a front window and ran through the house causing damage. The deer exited the house by jumping through a second window.

NATHAN TOTZ

Reviewing Supervisor:

PTL DAVID DOLEZAL

Officer:

Bureau Supervisor:

APPENDIX 7, 14-06413

AVON LAKE POLICE

Incident Number

Page # 2

Persons Involved with Incident

14-06413

Incident #:	Relation:	Arrest #:	CAD #:	Date of Contact:	Phone:		
1406413	COM		1406413	06/12/2014	440-933-6169		
First Name:	Middle	Last Name:	Til:	DOB:	SSN:	Pager:	
DAVID	M	SHEPARD		08/20/1936	XXXXXXXXXX		
Street #:	Street Name:	Apt:	City:	St:	Zip:	Cell Phone:	Employee Phone:
169	WESTWIND DRIVE		AVON LAKE	OH	44012		
Hgt:	Wgt:	Hair:	Eyes:	Race:	Sex:	Physical Marks:	
600	189	GRA	GRN		M		

Offenses:

Resident Class:

Suspected of using:

Victim Type:

COPY

Reviewing Supervisor:

Bureau Supervisor:

Officer:

AVON LAKE POLICE

Incident Number

14-06413

Investigative Report

Title / Subject: DEER DAMAGE

On 06-12-2014 at 1730 hours dispatch received a call of a deer inside the residence at 169 Westwind Drive. The deer was startled by the homeowner while laying in a flower bed at the front of the residence. The deer jumped through a front window entering the home into the study, ran across the front hall entering the living room and then tried to exit through the windows at the rear of the dinning room. Causing damage to the furnishings and leaving blood and hair on wall and floor areas including the rear windows. The deer turned and exited the residence by breaking out a front window in the living room. Damage to the walls , furniture, lamps, floors and carpeting and 2 broken windows and storm windows.

COPY

By: PATOLMA DAVID L. Dolezal

Badge# 0236

Date: 06/13/2014 Time: 09:16:4 No. 001 Page #: 3

Reviewing Supervisor: _____

Date: _____

11/6/2013

AVON LAKE POLICE

Incident Number

13-12550

Incident / Offense Report

Method Received T	Time Received 17:14:02	Time Dispatched 17:15:03	Time Arrived 17:21:22	Time Cleared: 17:56:58
Report Date / Time		Incident Occurred From		Incident Occurred To
Date	Time	Date	Time	Date
Wednesday 11/06/2013	20:30:00	Wednesday 11/06/2013	17:14:00	Wednesday 11/06/2013
				Time
				18:00:00

Location of the Incident (Street #, Street, Apt. #, City, State, Zip)
 225 WESTWIND DR 36 OH 44012

Zone

Persons Involved: WILLIAM P MCCLEAVE - PRP
 -
 -
 -
 -

Property:
 0
 Amount:

Units: Officers:
 1st: 0203 SCOTT FISHBURN
 2nd: 0211 JOSEPH DICESARE
 3rd: 0229 DON GODLEWSKI
 4th: 0251 JAMES VALENCIC
 5th:

COPY

Photos: 0

Codes: Descriptions: OFFENSES
 6399 ANIMAL - MISCELLANEOUS

Weapons Used: Trade Marks: Hate Bias

Entry: Location Type:
 Residential Home

Refer to Arrest: Incident #: Tow#: Dispatcher: 0256 Officer in Charge: 0203 Entry Id: 0256

Case Status: Cleared Date: Cleared By:

Narrative: 13-12550 Page: 1

Officers were dispatched to 225 Westwind Dr condo #36 in regards to a deer that had jumped through a window. The deer was currently still in the residence. The deer did considerable damage to the residence before it was chased out.

Reviewing Supervisor: Bureau Supervisor: PTL DON GODLEWSKI Officer:

APPENDIX 7. 13-12550

AVON LAKE POLICE

Incident Number

13-12550

Page # 2

Persons Involved with Incident

Incident #: 1312550	Relation: PRP	Arrest #:	CAD #: 1312550	Date of Contact: 11/06/2013	Phone: 440-653-9496
First Name: WILLIAM	Middle: P	Last Name: MCCLEAVE	Til:	DOB: 03/27/1948	SSN: [REDACTED]
Street #: 225	Street Name: WESTWIND DR	Apt: 36	City: AVON LAKE	St: OH	Zip: 44012
Hgt: 509	Wgt: 172	Hair: BRO	Eyes: BLU	Race: W	Sex: M
Physical Marks:					

Offenses:

Resident Class:

Suspected of using:

Victim Type:

COPY

Reviewing Supervisor:

Bureau Supervisor:

Officer:

AVON LAKE POLICE

Incident Number

13-12550

Investigative Report

Title / Subject: DEER IN RESIDENCE

On Wednesday November 06, 2013 1714 hrs officers were dispatched to 225 Weswind Dr. condo #36 in regards to a deer that had jumped through a window. The homeowner, William McCleave had been watching TV when the buck jumped through a front window. William called 911 and exited the residence as the deer was causing damage to the condo. The deer caused damage to several first floor rooms in the condo. The deer was eventually chased out. The deer exited the residence by jumping through a front window. Photos of the damage were taken and placed into evidence.

COPY

By: PTL DON GODLEWSKI

Badge# 0229

Date: 11/06/2013 Time: 20:27:2 No. 001 Page #: 3

Reviewing Supervisor: _____

Date: _____

Email from Dave Dibell - December 21, 2014

John,

Here are a couple older counts completed roughly a year ago for you to chew on before we meet tomorrow.

Regards/David

On November 29, 2013, I counted 121 deer in the Kopf Park with a maximum possible duplication of 4, so you can take 117 to the bank. The deer were mostly bedded and there was no movement from one sector to another until I got back to where I started wherein 4 deer came into the final sector from the initial sector. I did not count bucks separately from does and fawns but I just went through the photos from that day and there were 12 bucks (12% of the population.)

On January 4, 2014, I counted 146 deer in the Kopf Park, 13 of which were bucks (i.e. 9%). Of those bucks, there were only 2 that were estimated to be more than 2 1/2 years old. The 3, 4 and 5 year old bucks have not been frequenting the park to the extent that they have in the past. Food choices may play a roll in that. The deer are still working acorns in the park, but there is no woody browse to go along with the acorns. Amazingly, the herd appears to be very healthy which suggests that they are getting sufficient browse in the neighborhoods adjoining the park. When this census was taken, the deer were generally in large groups which made counting easy and facilitated the avoidance of any duplication.

Dibell Deer Census - December 15, 2014

I did a whitetail census on the recent warm day of December 15, 2014 in the 1 sq mile area bounded by Glenview on the west, Jaycox on the east Electric on the north and Walker on the south. Three houses of worship were included in the count; Kingdom Hall on the west side of Rt 83, Avon Lake United Church of Christ between Rt. 83 and Glenview and The Presbyterian Church on Electric Blvd just west of Jaycox.

Because the weather was relatively warm for deer carrying their heavy winter coats on that day, there was little or no deer movement from one sector to another so, while I may have missed a few, I believe there was no duplication at all.

The total count for the entire area was 163; 149 antlerless and 14 bucks. Of the total of 163, 122 were in the Kopf Reservation. The herds in the various individual sectors ranged generally from 9 to 20.

The population in the Kopf Reservation was generally lower all summer so there has been, at least on this day, significant migration back into the MetroPark. In a census taken on September 24, 2014 there were just 94 deer in the same entire 1 sq mile area, including the 3 churches.

I have a complete breakdown of where I saw each antlerless herd and each bachelor group or individual buck if that would be of any help. That, of course, changes every day as the herds and individual deer move around.

Please use this information in whatever way you wish. I am refraining from drawing conclusions at this juncture.

Regards & Happy Holidays!
David Dibbell

Dibbell, Dave

To: Grant Thompson, Fenderbosch Councilwoman, Shondel John

Deer Census - January 7, 2016

I did a whitetail census on the recent warm day of January 7, 2016 in the 1 sq. mile area bounded by Glenview on the west, Jaycox on the east, Electric on the north and Walker on the south. Three houses of worship were included in the count; Kingdom Hall on the west side of Rt 83, Avon Lake United Church of Christ between Rt. 83 and Glenview and The Presbyterian Church on Electric Blvd just west of Jaycox.

Because the weather was relatively warm for deer carrying their heavy winter coats on that day, there was little or no deer movement from one sector to another so, while I may have missed a few, I believe there was no duplication at all.

The total count for the entire area was 102, 94 antler-less and 8 bucks. This compares to 163 a year earlier on December 15, 2014; 149 antler-less and 14 bucks. Of the total of 102, 78 were in the Kopf Reservation, down from 122 a year ago.

With the continued deforestation in the city, it is surprising that more deer have not migrated into the MetroPark.

Please use this information in whatever way you wish. I am refraining from drawing conclusions at this juncture as it is difficult to do so based on a single sample. I'll try to duplicate this in the near future when there is some snow on the ground as that further reduces the likelihood of missing any animals in the designated area.

**Regards & Happy New Year!
David Dibbell**

To: Grant Thompson Fenderbosch Councilwoman & John Shondel

Deer Census -January 14, 2016

I did another whitetail census on the recent snow-covered day of January 14, 2016 in the 1 sq. mile area bounded by Glenview on the west, Jaycox on the east, Electric on the north and Walker on the south. Three houses of worship were included in the count; Kingdom Hall on the west side of Rt 83, Avon Lake United Church of Christ between Rt. 83 and Glenview and The Presbyterian Church on Electric Blvd just west of Jaycox.

My expectation was that, with snow on the ground, I would see a few more deer than I had seen a week earlier. I actually saw 7 fewer. This could have been due to deer movement in the Kopf Reservation from areas not yet counted into areas already counted. Deer movement, if any, was very limited. The first deer I saw when starting the count were still in the same place when I finished 3 hours later.

The total count for the entire area was 95 compared to 102 a week earlier, 81 antler-less versus 94 a week prior and 14 bucks compared to 8 a week earlier. This compares to 163 a year earlier on December 15, 2014; 149 antler-less and 14 bucks. Of the total of 95, 65 were in the Kopf Reservation, down from 122 a year ago. During the summer months, my sense was that there were fewer deer in the Kopf MetroPark. These two censuses would tend to bear that out.

With the continued deforestation in the city, it is surprising that more deer have not migrated into the MetroPark, but limited food supply may be resulting in migration out of the park, instead.

Please use this information in whatever way you wish. I think it is safe to say that there are about 100 deer in the 1 square mile area in question and that the population is about one third less than it was in December 2014.

**Regards & Happy New Year!
David Dibbell**

January 21, 2016

To: Grant Thompson, Councilwoman Fenderbosch & Councilman Shondel

Subject: Deer Survey in Avon Lake

Here is another count from today, January 21, 2016, of the same area as described below.

There were 117 total, 10 bucks and 107 antler-less, 89 in the Kopf Reservation and 28 outside the reservation.

I did another whitetail census on the recent snow-covered day of January 14, 2016 in the 1 sq mile area bounded by Glenview on the west, Jaycox on the east, Electric on the north and Walker on the south. Three houses of worship were included in the count; Kingdom Hall on the west side of Rt 83, Avon Lake United Church of Christ between Rt. 83 and Glenview and The Presbyterian Church on Electric Blvd just west of Jaycox.

David A. Dibbell

Email from Dave Dibbell

February 28, 2016

**Here are 2 more recent whitetail inventories of the area described below:
February 18, 2016 - 37 outside the Kopf Reservation and 58 within.
February 27, 2016 - 44 outside the Kopf Reservation and 61 within,
including 1 dead fawn.**

**If I have done the math correctly, the 7 recent inventories have averaged
102 compared to the 163 counted at the end of 2014 for a population
reduction of 61 overall. The recent counts range from 95 to 117.**

Regards/David Dibbell

**Ohio Department of Natural Resources, Division of Wildlife
Deer Damage Control Permits Issued in Avon Lake**

<u>Year</u>	<u>Date</u>	<u>Address -Zone</u>	<u>Permit #</u>	<u># of Deer</u>	<u># Taken</u>	
2008 - 2013		City Records are unavailable - Program started in 2014				

2014	10.08	Belfrey Court- SE	01	2	1	
2014	09.25	Avon Belden Road - NW	02	2	2	

Resident initiated Culling Activities - Totals				2	4	3
2015	03.11	Compost Pile - SW	03	15	3	
2015	03.11	Weiss Field - SW	04	15	16	

City Directed Culling Activities - Totals				2	30	19
2015	05.29	Belfrey Court - SE	05	3	1	
2015	06.16	Cove Avenue - NE	06	2	0	
2015	08.01	5 Parcels - Pinoak - SW	07	20	20	
2015	08.10	Wellesley Circle - SE	08	2	2	
2015	09.09	Gable Lane - NE	09	4	3	
2015	10.16	Williamsburg Lane - NE	10	9	9	

Resident initiated Culling Activities - Totals				6	40	35

MEMORANDUM FOR RECORD

TO: The Mayor and Members of Avon Lake City Council

FROM: John Shondel, Chairman of the Environmental Committee *JSS*

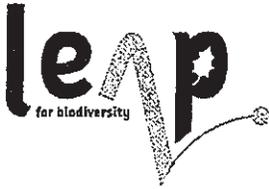
SUBJECT: Deer Culling on City Owned Property Winter of 2015

Date: May 4, 2015

The Culling of Deer on City owned Property from February 27 - April 11, 2015 (43 days) produced the follow results and incurred the following costs:

- | | |
|--|----------------------|
| 1. USDA Sharpshooter invoice(s) = | \$4,867.97 |
| 2. Refrigerated Trailer for storage & transport rental = | \$2,047.00 |
| 3. Butcher charges (17 deer @ \$50.00) = | \$850.00 |
| 4. Police security costs for Part-time Officers = | \$657.04 |
| 5. Signage used at Weiss Field = | No Charge - Reusable |
| 6. Bait (corn) costs = | <u>\$135.80</u> |
| Total charges incurred by the City of Avon Lake | \$8,557.81 |
7. Amount of Ground Venison delivered to 2nd Harvest = 696 lbs. at a cost of \$12.30 per lbs.
8. Number of Deer taken, Sharpshooters-16, Archers-3 Total = 19 at an average cost of \$450,41 per deer taken.
9. Fetus Count at Polansky Meats = 15 from 17 Deer
Fetus Count from the Archers = 0 from 2 Deer

**Lake Erie Allegheny Partnership Position
Statement On White-Tailed Deer Management
(Updated May 2014)**



LEAP POSITION STATEMENT ON WHITE-TAILED DEER MANAGEMENT

Updated May 2014

POSITION: As a regional alliance dedicated to conserving nature for future generations, Lake Erie Allegheny Partnership for Biodiversity (LEAP) members believe that natural communities in our region need to be actively managed and conserved based on scientific principles and best management practices. LEAP members recognize that white-tailed deer (*Odocoileus virginianus*) are an important component of the biodiversity within the region and have significant economic, ecological, and social value. However, when factors favor high deer populations—such as high birth output, low disease incidence, abundant food supply, and few predators—overabundant deer cause damage to ecosystems and negatively impact human safety. Conversely, in areas of the LEAP region where active, sustained deer management occurs, native vegetation flourishes, habitat quality is high, and conflicts between deer and human populations are reduced. As a result, white-tailed deer populations should be managed to 1) maintain a sustainable deer population, 2) retain the number of deer that a landscape can support while still remaining healthy over the long-term (ecological carrying capacity), and 3) minimize negative deer–human interactions (social carrying capacity).

BACKGROUND: The geographic focus area of the Lake Erie Allegheny Partnership for Biodiversity (LEAP) encompasses the Lake Plain and glaciated lands and waters south of Canada from Sandusky Bay to the Allegheny Mountains. This includes portions of northern Ohio, western Pennsylvania, and western New York.

The white-tailed deer populations within the LEAP region share a similar history to other deer populations across North America. White-tailed deer were nearly extirpated from the region in the late 19th and early 20th centuries, at which time conservation measures were enacted to establish sustainable populations. White-tailed deer populations have recovered from historic lows, and today—with few remaining predators, high reproductive rates and survivorship, local ordinances which prohibit hunting, adaptive food habits, supplemental feeding, and low disease-related mortality—the frequency of deer-human interactions has increased in many areas. Examples of deer-human interactions include deer-vehicle accidents, damage to landscaping and garden vegetation, and damage to agricultural crops. Importantly, local deer overabundance critically affects the health of natural areas in our region.

The impacts associated with an overabundance of or excessive browsing by deer have been well-documented (Rooney, 2010):

- **Impacts on Biodiversity:** An abundant deer population that is out of balance with its native ecosystem has detrimental impacts by both directly and indirectly affecting native plant and wildlife populations, habitat quality, and ecosystem processes (Rooney 2003; Côté *et al.* 2004)

- Impacts on Plants: When deer become overabundant they reduce the ability of rare and once common plants to survive and reproduce. Deer browsing reduces the height, vigor, and reproduction of plants through the repeated removal of stems, leaves, and flowering parts of plants (Rooney, 2001; Russell *et al.* 2001; Knight *et al.* 2009; Waller *et al.* 2009).
- Impacts on Wildlife: Deer browsing negatively impacts wildlife that needs woodland understory for forage, nesting, and cover. Deer browsing can, for instance, significantly reduce vegetation that birds use for foraging, escaping predators, and nesting (McShea and Rappole 2000; Fuller 2001; Allombert *et al.* 2005; Chollet and Martin 2013).
- Impacts on the Economy: Deer browsing and antler rubbing cause economic losses in many agricultural operations including row crops, orchards, nurseries, tree farms, and commercial forests, as well as causing substantial damage to landscape and garden vegetation, cemeteries, golf courses, and natural areas (Conover and Kania 1995; Scott and Townsend 1985; Brown *et al.* 2004; USDA 2009).
- Impacts on Disease: Overabundant deer populations can hasten the spread of diseases that impact deer and humans (McShea *et al.* 1997).
- Deer-Vehicle Accidents: An estimated 1.5 million reported deer-vehicle accidents occur in the United States each year and result in approximately 29,000 injuries and 200 human deaths annually. However, only a fraction of actual deer-vehicle accidents are reported (Messmer and Messmer 2008).

(<https://www.ohioinsurance.org/statewide-deer-vehicle-collisions-decline-for-third-consecutive-year-driver-awareness-remains-key/>) (accessed March 2013).

RECOMMENDATIONS: LEAP members support the following points in regard to the management of conflicts and damage resulting from white-tailed deer:

- We recognize that white-tailed deer are an important and essential component of biodiversity within the region.
- We recognize that reducing wildlife damage is an important part of present-day wildlife management.
- We recognize that acceptable deer population levels depend on the specific situations and management objectives for a given area, and that factors such as deer herd health, ecological impacts from deer, additional threats to forest health, public safety, and social tolerance of deer. All of these factors can often contribute to determining this acceptable level.
- We recognize that when browsing by deer causes habitat deterioration, appropriate deer densities are best managed by site-specific reduction of deer numbers. Areas

with low to moderate impacts to plant and animal populations may require a lower degree of herd management than areas with heavy browsing and the appearance of a browse line.

- We believe that it is important to disseminate information to municipalities, residents, and other interested parties regarding deer management, including information on lethal and non-lethal control options.
- We believe that it is critical to develop and implement education efforts that foster an understanding of the biological, social, and economic consequences of managing deer populations including the option of no active management.
- We should encourage wildlife biologists and land managers within the region to continue to assess their deer populations and to continue to evaluate effective techniques for deer management.
- We support active control of deer populations (e.g., lethal methods including hunting) on public and private lands in accordance with state and local regulations.
- We support safe management techniques that are deemed most appropriate based on individual situations and best science currently available.
- We will encourage municipalities to work with the Ohio Division of Wildlife to develop safe and effective urban deer management plans to manage the white-tailed deer populations within their city boundaries.
- We believe that deer densities in forests and woodlands should be reduced to a level that, in combination with other appropriate forest management techniques, would allow for the reproduction of canopy tree species, and for the shrub and herbaceous understory layers to return to a healthy condition.

SUMMARY: White-tailed deer management is a critical component of a comprehensive, science-based land management strategy designed to restore a high degree of biodiversity and protect the long-term health and resilience of natural communities in the LEAP region. White-tailed deer have the potential to impact native plant and animal communities. Overabundant deer populations also result in increased numbers of deer-vehicle accidents, as well as an increased potential for disease and parasite transmission. In the absence of management, deer populations can increase beyond the capacity of habitats to support them in the long term, and the quality of habitats deteriorate significantly before any natural mechanisms take effect in limiting herd growth, thereby causing deer health and productivity to eventually suffer. Deer management programs should support an ecosystem balance that sustains a full range of native plants and provides diverse habitat for birds and other animals while also dealing with any identified deer-human interaction issues. At times it is necessary to use human intervention to manage deer population numbers at acceptable levels for desired healthy ecosystems, to reduce nuisance situations, and to increase human safety.

LEAP MEMBERS CONFIRMING THEIR SUPPORT FOR THE STATEMENT:

Audubon Society of Greater Cleveland
City of Mentor
Cleveland Botanical Garden
Cleveland Metroparks
The Cleveland Museum of Natural History
Cuyahoga County Board of Health
Cuyahoga Soil and Water Conservation District
Geauga Park District
Hiram College
Holden Arboretum
Medina County Park District
Metro Parks, Serving Summit County
Native Plant Society of Northeastern Ohio
Nature Center at Shaker Lakes
Ohio Division of Wildlife
The Nature Conservancy
The Wilderness Center
USDA/APHIS-Wildlife Services
Western Reserve Land Conservancy

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LEAP Members - February 1, 2016

- Audubon Society of Greater Cleveland
- Chagrin River Watershed Partners, Inc.
- City of Cleveland—Mayor's Office of Sustainability
- City of Mentor
- City of Twinsburg
- Cleveland Botanical Garden
- Cleveland Metroparks
- Cleveland Metroparks Zoo
- Cleveland Museum of Natural History
- Cuyahoga County Board of Health
- Cuyahoga County Planning Commission
- Cuyahoga Soil & Water Conservation District
- Doan Brook Watershed Partnership
- Earth Day Coalition
- East Cleveland Parks Association
- Foundation for Sustainable Forests
- Friends of Big Creek
- Geauga Park District
- GreenCityBlueLake Institute
- Lake Metroparks
- Lakeland Community College
- Lorain County Metro Parks
- Medina County Park District
- Mill Creek Metroparks
- Mount Union College: Huston-Brumbaugh Nature Center
- Native Plant Society of NE Ohio
- Nature Center at Shaker Lakes
- Ohio Division of Natural Areas & Preserves
- Ohio Division of Wildlife
- Ohio Invasive Plants Council
- Ohio Wetlands Association
- Pennsylvania Game Commission
- Pennsylvania Sea Grant
- Portage County Park District
- Presque Isle State Park
- Summit Metro Parks
- The Holden Arboretum
- The Nature Conservancy
- The Trust for Public Land
- The Wilderness Center
- U.S. Environmental Protection Agency
- USDA/APHIS - Wildlife Services
- West Creek Conservancy
- Western Pennsylvania Conservancy
- Western Reserve Land Conservancy

Distribution List of the Deer Management Plan for the City of Avon Lake - 2015

- 1. Mayor Zilka ***
- 2. Public Works Director Reitz**
- 3. Council President O'Donnell**
- 4. Committee Chairman Shondel ***
- 5. Committee Member Fenderbosch ***
- 6. Council Member Meiners**
- 7. Council Member Kos**
- 8. Council Member Bucci**
- 9. Council Member James**
- 10. Council Clerk Dopp**
- 11. Police Chief Streator**
- 12. Finance Director Presley**
- 13. Recreation Director Pinchek**
- 14. ALCTV Manager Cagley**
- 15. Utilities Executive Danielson ***
- 16. City of Bay Village**
- 17. Department of Wildlife - Westerfield ***
- 18. Lorain County Metro Parks - Ziemnik**
- 19. US Department of Agriculture - Seman**
- 20. EAAB - Chair Larson**
- 21. Avon Lake Press - Hennessy**
- 22. Chronicle Telegram - Wysochanski ***
- 23. Morning Journal - Remington**
- 24. cleveland.com - Sangiacomo**
- 25. Ignatius High School Student - Andros '16 ***

*** received "early working edition"**

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
THE MCGOWAN INSURANCE AGENCY AS AGENTS OF
ARGONAUT INSURANCE FOR PUBLIC OFFICIALS LIABILITY,
LAW ENFORCEMENT PROFESSIONAL AND FIREFIGHTERS PROFESSIONAL
LIABILITY, GENERAL LIABILITY, AUTOMOBILE PHYSICAL DAMAGE AND
LIABILITY, PROPERTY AND EQUIPMENT, BOILER & MACHINERY AND
CRIME COVERAGE, AND UMBRELLA INSURANCE,
AND DECLARING AN EMERGENCY.

WHEREAS, the current agreement between the City of Bay Village and McGowan Insurance Agency as agents for the City's general liability and property insurance coverage as authorized by Ordinance No. 15-46 expires June 15, 2016;

NOW THEREFORE, 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 McGowan Insurance Agency as agents of Argonaut Insurance for Public Officials Liability, Law Enforcement Professional and Fire Fighters Professional Liability, General Liability, Automobile Physical Damage and Liability, Property and Equipment, Boiler & Machinery and Crime Coverage, and Umbrella insurance for a one year period beginning June 15, 2016. The annual premium for Argonaut Insurance which includes Comprehensive Municipal Liability coverage, Public Officials Errors & Omissions, Automobile Liability & Physical Damage coverage, Police Professional Liability, Property (Business & Contents) coverage, Inland Marine coverage, Boiler & Machinery coverage, Electronic & Data Processing Equipment coverage, Valuable Papers & Records and Umbrella coverage is One hundred fifty-three thousand three hundred and seventy-six dollars (\$153,376.00). Payments shall be made from the appropriate account.

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 committees 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 provide uninterrupted insurance coverage to protect the assets of 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

5-26-15 ll

CITY OF BAY VILLAGE, OHIO
ORDINANCE NO.
By: Clark

To amend appropriations for the current and other expenditures of the City of Bay Village for the fiscal year 2016, as previously appropriated in annual appropriation 16-09 and amended by ordinance 16-23.

NOW, THEREFORE, be it ordained by the Council of the City of Bay Village, State of Ohio:

Section 1: That to provide for the current expenses and other expenditures of the City of Bay Village during the fiscal year ending December 31, 2016, the following sums be and they are hereby set aside and appropriated from the funds herein specified as follows, to wit:

Section 2: That there be appropriated transferred and advanced from the following funds and as further detailed in the Schedules attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein:

General Fund - 100						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
100	Total General Fund	\$ 6,813,167	\$ 3,541,762	\$ 40,700	\$ 1,024,006	\$ 11,419,635

Special Revenue Fund Group - 200						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
210	Emergency Paramedic	\$ 1,143,720	\$ 88,975	\$ 12,000	\$ -	\$ 1,244,695
230	Parks and Recreation	663,770	292,700	15,500	-	971,970
231	Community Gym Capital Improvement	-	-	5,000	-	5,000
235	Bay Family Services	-	43,700	-	-	43,700
236	Community Diversion	-	9,000	-	-	9,000
238	Tennis Court Maintenance	-	-	10,000	-	10,000
240	Equipment Replacement	-	5,000	800,320	-	805,320
245	Private Property Maintenance	13,555	32,500	-	-	46,055
250	State Highway	-	51,000	-	-	51,000
270	Street Construction	637,250	294,100	750,000	175,000	1,856,350
280	Police Pension	348,500	-	-	-	348,500
281	Fire Pension	471,100	-	-	-	471,100
282	Accrued Benefits	140,000	-	-	-	140,000
284	Endowment Trust	-	23,707	-	-	23,707
290	Senior Programs	-	49,500	-	-	49,500
292	Law Enforcement	-	28,000	-	-	28,000
293	Drug Fine/Bail Forfeiture	-	500	-	-	500
294	Alcohol Intervention	-	6,500	-	-	6,500
297	Federal Equitable Sharing	-	50,000	-	-	50,000
200	Total Special Revenue Funds	\$ 3,417,895	\$ 975,182	\$ 1,592,820	\$ 175,000	\$ 6,160,897

Debt Service Fund Group - 300						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
300	General Bond Retirement	\$ -	\$ 4,591,935	\$ -	\$ -	\$ 4,591,935

Capital Project Fund Group - 400						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
	480 Walker Road Park	-	220	-	-	220
	490 Public Improvement	-	-	120,700	-	120,700
	494 Infrastructure Improvements	-	-	130,000	-	130,000
	495 Municipal Building Improvements	-	-	46,000	-	46,000
	400 Total Capital Project Fund Group	\$ -	\$ 220	\$ 296,700	\$ -	\$ 296,920

Enterprise Fund Group- 500						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
	520 Pool	\$ 222,000	\$ 111,500	\$ 10,000	\$ -	\$ 343,500
	580 Sewer	815,475	1,481,612	94,000	-	2,391,087
	500 Total Enterprise Fund Group	\$ 1,037,475	\$ 1,593,112	\$ 104,000	\$ -	\$ 2,734,587

Internal Service Fund Group - 600						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
	600 Health Insurance	\$ -	\$ 1,297,250	\$ -	\$ -	\$ 1,297,250
	601 General Insurance	-	166,118	-	-	166,118
	602 Workers Compensation	140,000	-	-	-	140,000
	600 Total Internal Service Fund Group	\$ 140,000	\$ 1,463,368	\$ -	\$ -	\$ 1,603,368

Trust Fund Group - 800						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
	810 Cahoon Park	\$ -	\$ 66,900	\$ -	\$ -	\$ 66,900
	820 Cahoon Memorial	-	3,300	-	-	3,300
	830 Cahoon Library	-	8,000	-	-	8,000
	840 Waldeck	-	6,200	-	-	6,200
	860 Dwyer	-	5,000	-	-	5,000
	800 Total Trust Fund Group	\$ -	\$ 89,400	\$ -	\$ -	\$ 89,400

Deposit Fund Group - 900						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
	930 Building Deposits	\$ -	\$ 30,000	\$ -	\$ -	\$ 30,000
	931 Security Deposits	-	22,000	-	-	22,000
	900 Total Deposit Fund Group	\$ -	\$ 52,000	\$ -	\$ -	\$ 52,000

Grand Total All Funds	\$ 11,408,537	\$ 12,306,979	\$ 2,034,220	\$ 1,199,006	\$ 26,948,742
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Itemized list of Transfers and Advances by Fund	
Description	Amount
General Fund to Parks and Recreation	\$ 430,000
General Fund to Community Gym	8,306
General Fund to Street Construction	425,000
General Fund to Cahoon Income	25,000
General Fund to Cahoon Trust	2,000
General Fund to Cahoon Library	10,000
General Fund to Bay Family Services	43,700
General Fund to Accrued Benefits	30,000
General Fund to Fire Pension	50,000
Total Transfers	\$ 1,024,006
Street Construction to Infrastructure Improvements	175,000
Total Advances and Advance Repayments	\$ 175,000
Total Transfers and Advances	\$ 1,199,006

Section 3: That the City Director of Finance be and is hereby authorized and directed to draw warrants against the appropriations set forth upon presentation of proper vouchers.

Section 4: That all expenditures within the fiscal year ending December 31, 2016. shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided ("Appropriations" as used means the total amount appropriated for an individual fund).

Section 5: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6: This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and therefore shall take effect immediately upon its enactment and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

MAYOR

EXHIBIT "A"
SCHEDULE OF BUDGETS BY DEPARTMENT FOR GENERAL FUND

Department	Personal Service	Other	Equipment Replacement	Transfers	Total
Council	\$ 60,400.00	\$ 9,150.00	\$ -	\$ -	\$ 69,550.00
Clerk of Council	52,610.00	900.00	-	-	53,510.00
Mayor	132,600.00	7,400.00	1,000.00	-	141,000.00
Law	111,340.00	112,000.00	-	-	223,340.00
Finance	275,791.00	35,500.00	1,200.00	-	312,491.00
Taxation	-	194,300.00	-	-	194,300.00
General Administration	190,900.00	463,672.00	-	1,024,006.00	1,678,578.00
Civil Service	-	24,150.00	-	-	24,150.00
Planning Commission	-	800.00	-	-	800.00
Zoning Board of Appeals	-	700.00	-	-	700.00
Service	1,812,620.00	1,880,600.00	10,500.00	-	3,703,720.00
Fire	1,274,600.00	96,650.00	14,000.00	-	1,385,250.00
Police	2,677,516.00	307,465.00	14,000.00	-	2,998,981.00
Central Dispatch	-	131,325.00	-	-	131,325.00
Building	-	261,275.00	-	-	261,275.00
Architecture Board of Review	-	25.00	-	-	25.00
Community Services	224,790.00	15,850.00	-	-	240,640.00
GRAND TOTAL	\$6,813,167.00	\$3,541,762.00	\$ 40,700.00	\$1,024,006.00	\$11,419,635.00

EXHIBIT "B"
SCHEDULE OF CAPITAL PROJECTS AND EQUIPMENT APPROPRIATIONS BY FUND

Fund	Description	Amount
Equipment Replacement (240)		
	Computer Replacements	33,800.00
	Phone System (From 2012)	45,000.00
	Fire - Equipment	15,000.00
	Police - Cars 1125 and 1151	90,420.00
	Police - CAD/RMS System	14,575.00
	Police Equipment	24,200.00
	Service - Construction Trailer	4,000.00
	Service - Truck 19 - GMC 4wd	30,000.00
	Service - Truck 18 - Ford Explorer	30,000.00
	Service - Truck 71 - Pick up Truck 2wd	35,000.00
	Service - Truck 503 - Ford Tractor/Loader	35,000.00
	Service - Truck 66 F250 with Plow	35,000.00
	Service - Truck 21 Super Duty Dump	60,000.00
	Service - Truck 35 Five Ton Dump	170,000.00
	Service - Scareb - with Westlake	178,325.00
	Total Equipment Replacement (240)	<u>800,320.00</u>
Street Construction (270)		
	Street Improvements	700,000.00
	Total Street Construction (270)	<u>700,000.00</u>
Public Improvement (490)		
	Play in Bay Improvement	10,000.00
	Service - School Flashers Normandy	6,000.00
	Dwyer Window Replacement	10,000.00
	Dwyer - Kitchen Engineering	20,500.00
	Kiddie Kollege Floor	13,000.00
	Bay Lodge Floor	13,000.00
	SWIF Parking Lot Grant Completion	25,000.00
	PD Garage Light Replacement	7,200.00
	Rose Hill/Osborn House	16,000.00
	Total Public Improvements (490)	<u>120,700.00</u>
Infrastructure Improvement (494)		
	Queenswood Bridge	130,000.00
Municipal Building Improvements (495)		
	Service Painting Projects	46,000.00
Sewer (580)		
	Computer Model Lake/Bradley Sanitary	20,000.00
	Porter Creek Sewer	15,000.00
	Huntington Pump Station CPU Design	30,000.00
	Huntington Pump Station Radiator/Heat Exchanger	15,000.00
	Total Sewer (580)	<u>80,000.00</u>
GRAND TOTAL		<u><u>\$ 1,877,020.00</u></u>

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
ENACTING REVISED CODIFIED ORDINANCE CHAPTER 151
ENTITLED EMPLOYMENT PROVISIONS

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

SECTION 1. That the Codified Ordinances of the City of Bay Village are hereby amended by enacting revised Chapter 151 to read as follows:

“CHAPTER 151
Employment Provisions

EDITOR’S NOTE: Compensation and bond requirements are not included in these Codified Ordinances due to the fact that they are subject to constant change.

151.01	Payment to employees on Military leave.	151.11	Life insurance.
151.02	Payment of City wages during Jury duty.	151.12	Privacy Act rules.
151.03	Mileage allowance.	151.13	Surety bonds.
151.031	Legitimate expenses.	151.14	Equal employment opportunity Policies.
151.04	Holidays.	151.15	Compensation payment.
151.05	Vacations.	151.16	Uniforms and uniform Allowances.
151.06	Hospitalization.	151.17	PERS pick up.
151.061	Hospitalization eligibility.	151.18	Drug free Workplace and Harassment Policy.
151.07	Physical examinations.	151.19	PERS pickup of additional service Credit.
151.08	Sick leave.	151.20	Whistleblower protection for Employees.
151.081	Family Medical Leave Act.		
151.09	Longevity		
151.10	Overtime Compensation.		

151.01 PAYMENT TO EMPLOYEES ON MILITARY LEAVE.

(a) All regular full-time employees of the City who are on leaves of absence from their Municipal duties and in attendance in the military service, field training or other active duty of the Ohio National Guard, Ohio Defense Corps, Ohio Naval Militia, or as members of other Reserve components of the Armed Forces of the United States, shall be entitled to receive for the period of such service, training or active duty not in excess of thirty-one days in any one calendar year, their regular pay, less the pay received for participation in such service, training or other active duty. Reimbursed expenses, travel and subsistence pay and other similar allowances shall not be considered in determining the amount of pay received for such service, training or active duty. Provisions of this section shall not apply if such military service, field training or other active duty is less than seventy-two consecutive hours or longer than thirty-one consecutive days.

(b) Any such City employee may, at his election, credit all or any portion of such military leave of absence against his regular annual vacation and for such period so charged the employee shall receive his regular vacation pay without deduction for the pay received for such service, training or active duty.

151.02 PAYMENT OF CITY WAGES DURING JURY DUTY.

(a) All City employees shall receive their regular wages for time lost from their work with the City while serving as a member of a municipal, common pleas or federal court jury panel.

(b) In order to qualify for such pay, the employee shall notify his supervisor of such

service in advance and upon completion of such service present proof satisfactory to the Director of Finance from the court as to the time spent in such service.

(c) No time spent in such service shall be counted or used for purposes of determining eligibility for overtime pay or compensatory time off.

(d) The employee may keep any amount received from the court for such services, in lieu of reimbursement for any expenses associated with such service.

151.03 MILEAGE ALLOWANCE.

All employees and elected officials of the City shall receive, as reimbursement for the use of their personal motor vehicles on City business, a sum in accordance with the mileage allowance under the Internal Revenue Service Regulations, plus parking fees. The Director of Finance shall approve such reimbursement

151.031 LEGITIMATE EXPENSES.

Tips and gratuities which are included in any legitimate expense shall be paid by the City.

151.04 HOLIDAYS.

(a) (1) All full-time employees of the City, excluding employees covered under separate labor contract, shall have the following days off with pay:

New Year's Day	Columbus Day <u>Day After Thanksgiving</u>
Presidents' Day	Veterans' Day
Good Friday	Thanksgiving Day
Memorial Day	Christmas Day
July 4th	Martin Luther King Day
Labor Day	

(2) In the event that any of the aforesaid holidays shall fall on a Saturday or Sunday, when such holiday is not being observed on the preceding Friday or succeeding Monday, such employee shall receive comparable time off with pay on a date designated by the Mayor or the department or division head, ~~except that regular hourly employees in the Service Department and full-time employees of the Parks and Recreation Department for hours worked on the holiday shall receive one and one half times the employee's regular rate of pay, which compensation shall be in addition to the regular holiday pay for the day involved. The above referred to employees of the Service Department and Parks and Recreation Department shall receive double time in addition to holiday pay for all emergency call-ins midnight to midnight on Christmas Day. (December 25th)~~

(3) The preceding provision shall not apply to swimming pool personnel or temporary, seasonal or per diem personnel. Refusal on the part of an employee to work on a holiday when requested to do so shall constitute a forfeiture of all benefits of holiday pay under this section. Failure of an employee to work on the scheduled work day preceding and the scheduled work day succeeding the holiday, unless excused by the Mayor or department or division head, or unless on vacation, shall constitute a forfeiture of all benefits of holiday pay under this section.

(b) No employee shall receive the benefit of the provisions of this section in more than one employment capacity with the City.

(c) No part time or seasonal employee will receive holiday pay.

151.05 VACATIONS.

(a) Effective January 1, 2014, full time employees shall accrue vacation time, as set forth in the schedule below, unless otherwise agreed to by contract. An increase in accrual rate due to increase in longevity will be implemented in the next full pay period following the anniversary date. The Finance Director is hereby authorized to account for the hourly accumulation of earned vacation time on the bi-weekly payroll check of all City employees entitled to vacation time.

LENGTH OF SERVICE	ANNUAL VACATION IN WEEKS	BI-WEEKLY	ACCRUALS
		35 Hour Week	40 Hour Week
0 Months to 4 Years	2	2.69 Hours	3.08 Hours
4 to 10 Years	3	4.04 Hours	4.62 Hours
10 to 17 Years	4	5.38 Hours	6.15 Hours
17 to 25 Years	5	6.73 Hours	7.69 Hours
25 or More Years	6	8.08 Hours	9.23 Hours

(1) More than thirty but less than forty hour employees. Employees who work less than a forty-hour week shall accrue vacation hours pro-rated, on the basis of a forty-hour week.

(b) Effective January 1, 2014, unless otherwise agreed by contract, no employee shall be entitled to accumulate more than three weeks of vacation time. Any vacation time accumulated in excess of such limit shall be forfeited if not used by the employee by December 31 of each year.

(b) Effective January 1, 2014, unless otherwise agreed by contract, no employee shall be entitled to accumulate more than three weeks of vacation time. Any vacation time accumulated in excess of such limit shall be forfeited if not used by the employee by December 31 of each year.

(c) Effective January 1, 2014, unless otherwise agreed by contract, all employees that have accumulated vacation time in excess of three weeks shall be permitted to sell back to the City any accrued time in excess of three weeks by November 30 of each year. The employee shall receive a one-time payment from the City in the first regular pay date in December. No employee will be paid more than three weeks of time under this provision unless approved by both the Mayor and Director of Finance. Any accrued time in excess of three weeks that an employee does not sell back or use prior to December 31 shall be forfeited.

(d) When an employee resigns, retires or dies, salary payments in lieu of unused vacation allowance shall be granted in accordance with the schedule set forth above, provided the employee is leaving in good standing and has given two weeks' notice of the separation, where applicable:

(1) Any employee who has less than one year of service shall not be entitled to a salary payment in lieu of vacation.

(e) Full time years of service accumulated by any employee in one department or division shall be credited to such employee who transfers to another department or division for purposes of computation of vacation time.

(f) No employee of the City shall receive the benefit of the provisions of this section in more than one employment capacity with the City.

(g) The period of vacation shall be designated by the Mayor or the appropriate department or division head, or in the case of employees of Council, by Council.

(h) Effective January 1, 2014, no employee of the City shall be permitted to perform work for the City, in any capacity, while simultaneously receiving vacation pay.

~~_____~~(i) No part-time or seasonal employee will receive vacation pay.

~~_____~~(j) Any employee who becomes an employee of the City of Bay Village in a position of Director or Assistant Director after being employed by another political subdivision shall for the purposes of computation of vacation time be credited with the total years of his prior service with such political subdivision. The maximum vacation allowance for such an employee may not exceed 4 weeks for their first year of employment with the City of Bay Village and shall increase by 1 week for each year of continued service until the employee meets the vacation schedule in Section 151.06(a).

151.06 HOSPITALIZATION.

(a) Effective January 1, 2010, the City shall pay the cost of hospitalization insurance determined by the Plan adopted annually by the City of Bay Village.

(b) An election to participate in the group shall be made only at such times as permitted by the insurance carrier.

151.061 HOSPITALIZATION ELIGIBILITY.

(a) Effective January 1, 2012, the City will provide medical, dental, vision and hearing benefits to eligible employees, in accordance with state and federal law. The cost of such benefits shall be determined annually by the City, unless otherwise agreed by contract.

(b) Eligible employees may receive family or employee only coverage per state and/or federal law and in accordance with the terms of the City of Bay Village's Health Plan.

(c) **In lieu of employer provided coverage an opt-out provision is offered as long as proof of coverage from other source is provided to the City, this opt-out amount will be \$100 per month single coverage or \$250 per month for family coverage.**

~~_____~~(d) **No part time employee shall receive healthcare.**

151.07 PHYSICAL EXAMINATIONS.

(a) Every new employee of the City, except seasonal employees, shall submit to a physical examination, if necessary to the performance of their job duties.

(b) After a period of illness which requires any employee to be absent from his employment for ten consecutive working days or more, the Mayor may require the employee to submit to a physical examination prior to being returned to employment.

(c) Any employee who refuses to undergo such physical examinations as required in subsections (a) through (b) hereof, may be subject to discharge from his employment by the City.

(d) The Mayor shall designate the person who is to perform such physical examinations, and the expenditure of the City funds from the correct account is hereby authorized.

151.08 SICK LEAVE.

(a) Every full-time employee shall be entitled for each completed eighty hours of compensated service to sick leave of 4.6 hours with pay. Such employees may use sick leave, upon approval of the responsible administrative officer of the employing department, for absence due to personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to other employees, and to illness, injury, or death as set forth in the Employee Handbook. Said Employee Handbook is incorporated herein and made a part hereof as if fully rewritten herein. For the purpose of this section:

- (1) Department heads (excepting the Director of Law) and division chiefs shall be considered to have a work week of 40 hours; and
- (2) "Completed compensated service" shall include paid holiday time, paid vacation time and paid sick time.

~~(b) — Effective January 1, 2010 permanent part-time employees compensated on an hourly basis shall receive sick leave as provided in Section 151.09(a) for salaried employees.~~

(b) Unused sick leave shall be cumulative without limit. When sick leave is used, it shall be deducted from the employee's credit on the basis of one hour for every one hour of absence from previously scheduled work. There will be no reduction of sick leave time when an employee is absent due to job related injury and that employee has entered into a wage continuation agreement with the City.

(c) Any employee who, without resigning or retiring, transfers from one department of the City to another department of the City shall be credited with the unused balance of his accumulated sick leave.

(d) The responsible administrative officer of the employing department may require an employee to furnish a satisfactory written, signed statement to justify the use of sick leave. If medical attention is required, a certificate stating the nature of the illness from a licensed physician may be required to justify the use of sick leave. Falsification of either a written, signed statement or a physician's certificate shall be grounds for disciplinary action, including dismissal. No sick leave shall be granted an employee upon or after his retirement or termination of employment.

(e) Payment at Resignation, Retirement or Death.

- (1) Each employee with ten or more years of service with the City shall receive payment of his or her accrued but unused sick leave based on his or her rate of pay at resignation, retirement or death at the following schedule:

Twenty-five percent (25%) after ten years of service

Forty percent (40%) after fifteen years of service

Fifty percent (50%) after twenty years of service

up to a maximum payment of fifty percent (50%) of the employee's annual compensation, which payment shall be in full settlement of any and all accumulated sick leave. In the event of death, such payment shall be made to the surviving spouse, or if there is no surviving spouse, to the employee's estate. Employees who are discharged for cause forfeit all rights to payment under this subsection.

- (2) Employees laid off for more than one year will receive accumulated sick leave based upon the last day worked and paid in accordance with the above after lapse of one year if not recalled.

(f) The following circumstances will control the use of "sick leave" time for all employees of the City of Bay Village:

- (1) Illness of employee: All regularly scheduled working hours.
- (2) Death of employee's: son-in-law, daughter-in-law, or other relatives at the discretion of the respective department director. Sufficient time to attend funeral if scheduled to work, four hours maximum time.
- (3) Illness requiring hospitalization of: spouse, child, mother, father, brother, sister, and any other relative living in the employee's household.
 - A. Days of admittance to and discharge from hospital.
 - B. Day of surgery, including child birth.
 - C. Time certified as "critical" by attending physician.
- (4) Sudden illness or injury: To anyone living in the employee's household. Sufficient time to make temporary arrangements, but no more than four hours.

(g) The following circumstances shall control "bereavement leave" for all employees of the City of Bay Village, which excused leave shall not be charged against accumulated but unused sick leave time and for which the employee shall be compensated as though present in his or her employment with the City.

- (1) Death of employee's: employee's spouse, children, step-children, parents, parents-in-law, siblings and/or other relative living in the employee's household.
Scheduled working hours from time of death through and including day of funeral or memorial services.
- (2) Death of employee's: employee's siblings-in-law, grandparents, grandchildren, aunt, uncle and spouses grandparents, grandchildren, aunt and uncle. Day of funeral or memorial services if scheduled to work.

(i) For the purpose of administering the provisions of this section the following procedures shall be followed:

- (1) The Director of Finance shall establish for each employee and each department a sick leave time account.
- (2) Charges against the sum of such accumulated but unused sick leave time shall be made of one hour for every one hour of absence during regularly scheduled working hours.

151.09-XXX PAID TIME OFF

(a) (a) Permanent part-time employees compensated on an hourly basis shall earn paid time off at a rate of .0575 hours earned per hour worked, per pay period. When paid time off is used, it shall be deducted from the employee's credit on the basis of one hour for every one hour absence from scheduled work.

(b) (b) Paid time off may be used when an employee requests scheduled time off upon a twenty-four (24) hour advance notice by the employee and the approval of the employee's supervisor. Paid time off may be taken with less than a twenty-four (24) hour advance notice at the employee's supervisor's discretion.

(c) (c) The maximum amount of paid time off an employee can use in one (1) calendar

year is one hundred twenty (120) hours. In the event an employee is on an approved Family Medical Leave Act (FMLA) absence, any amount of accrued paid time off can be used during the length of the approved FMLA absence.

(d) ~~(d)~~If PTO is used for an illness or injury refer to Section 151.08-Sick Leave. This article also applies to unused PTO in the event of resignation, retirement or death.

151.0984 FAMILY MEDICAL LEAVE ACT (FMLA).

Family Medical Leave shall be granted and administered in accordance with applicable Federal and State laws

151.1009 LONGEVITY.

(a) Effective January 1, 2001, there shall be paid to all non-elected regular full-time employees, excluding employees covered under separate labor contract, additional compensation based on their years of service, at the rate of one hundred dollars (\$100.00) per year of service, after completion of five years, to a maximum of three thousand dollars (\$3,000).

(b) For new hires after January 1, 2016 the following amendment shall apply: full-time employees shall receive longevity payments after five (5) years of continuous full-time employment in the following table:

5-9 years \$500 each year
10-14 years \$1,000 each year
15-19 years \$1,500 each year
20-24 years \$2,000 each year
25 years and above \$2,500 each year

~~(bc)~~ The calculation of "years of service" shall begin on the anniversary date of the employee's original date of hire by the City.

~~(ed)~~ No individual employed by the City in more than one capacity shall be entitled to the benefits of this compensation in other than his primary department.

~~(de)~~ Termination of employment, for any reason, either voluntary or involuntary, shall terminate all rights and accrued benefits and eligibility under this section, except that those retiring shall be paid a pro-rated amount at time of retirement. Any employee who retires and is hired full-time by another department of the City shall accrue benefits hereunder as if the employee were a new employee and prior service with the City shall not be counted.

~~(ef)~~ For the purpose of determining the eligibility for longevity only, "full-time" shall be defined as an employee working 35 hours or more each week. The Mayor shall receive longevity only if specifically provided for in the compensation ordinance for the term in question.

~~(fg)~~ The amounts due hereunder shall be paid only to full-time employees, as defined in Section 151.10(e), on the first regular pay date in December.

~~(gh)~~ In addition to the cash payments provided for in this chapter, the Mayor is authorized to present Service Award Pins to those full-time or part-time employees, members of boards and commissions, and such other persons as the Mayor may designate from time to time, whether paid or unpaid, who have at least five years' service with the City.

~~(hi)~~ Part-time and seasonal employees shall not be eligible for longevity compensation

hereunder

151.1~~19~~ OVERTIME COMPENSATION.

(a) Salaried/Exempt employees shall not be paid overtime for hours worked in excess of forty in workweek, unless otherwise agreed by contract.

(b) Hourly/Non-exempt employees shall receive overtime for hours worked in excess of forty in a workweek

(c) No employee who serves the City in more than one capacity may combine his total work hours for the calendar week for the purposes of overtime computation, but each position work hours are to be counted separately.

(d) Holiday, vacation and sick leave time shall be included in the computation of overtime hours for the calendar week.

(e) Payment of overtime compensation (except that for the Department of Public Safety) shall be made on the first regular payday occurring after the hours have been worked.

151.1~~42~~ LIFE INSURANCE.

The City shall pay the cost of group term life and accidental death and dismemberment insurance up to a maximum benefit of \$50,000 for employees who work thirty (30) hours or more in a given workweek, elect to participate, and are acceptable to the insurance company. However, once obtaining the age of sixty-five (65) said life insurance will be reduced to thirty-two ~~five~~ thousand five hundred dollars (\$325,5000.00) and once obtaining the age of seventy (70) said life insurance will be reduced to twenty five thousand dollars (\$25,000.00).

151.1~~32~~ PRIVACY ACT RULES.

The Mayor is hereby authorized to adopt such written rules and regulations as may be necessary for the purpose of interpreting and enforcing the Ohio Privacy Act, being Ohio R.C. 1347.01 et seq. Such rules and regulations shall not conflict with or waive any privileges as provided by this City's Charter or ordinances. Such rules and regulations shall be on file with the City, and all parties affected shall be advised of their contents.

151.1~~34~~ SURETY BONDS.

The surety bonds covering the employees of the City shall be as follows:

(a) Mayor - \$15,000 public official bond for term of office.

(b) Director of Finance - \$50,000 public official bond for an indefinite term.

(c) All other City employees - \$25,000 honesty blanket position bond.

151.1~~45~~ EQUAL EMPLOYMENT OPPORTUNITY POLICIES.

(a) Council formally declares that the City shall provide equal employment opportunities (EEO) to all employees and applicants for employment without regard to sex, race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability or handicap (except where age or handicap would be an obvious and bona fide obstacle to expected and required job performance), genetic information, marital status, amnesty status as a covered veteran or pregnancy in accordance with applicable federal, state and local laws. The City shall comply with a all applicable state and local laws governing non –discrimination in the employment in every location or facility. This policy applies to all terms and conditions of employment, including but not limited to recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

(b) Artificial barriers of personal attitudes and customs cannot be permitted to have effect in matters of personnel practices.

(c) The City expressly prohibits any form of unlawful employee harassment based on sex, race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age genetic information, disability, veteran status or pregnancy. Improper interference with the ability of the City's employees to perform their expected job duties is absolutely not tolerated.

(d) The Director of Finance, by direction of the Mayor, will have overall responsibility for the implementation of this policy. With the cooperation of appropriate personnel, the Director of Finance will conduct periodic reviews to determine whether or not this policy is being adhered to. Reports of these reviews will be the basis for appropriate action to correct deficiencies.

(e) When outside sources of recruitment are used they shall be informed that the City is an Equal Opportunity Employer and that legal advertisements for bids include the wording, "AN EQUAL OPPORTUNITY EMPLOYER" and that Equal Opportunity clauses be included in all major single purchase orders, leases and contracts.

(f) The Clerk of Council is hereby directed to post, or have posted, a copy of this resolution on all departmental bulletin boards as well as provide a copy of this resolution to all employees of the City.

151.156 COMPENSATION PAYMENT.

(a) Payment dates shall be:

- (1) For hourly employees. On February 14, 1975, and every other Friday thereafter, all hourly paid employees shall be paid for all hours worked during the previous two weeks;
- (2) For salaried employees and elected officials. All salaried employees and elected officials shall receive their appropriate annual compensation on a bi-weekly basis, payment to be made on the same dates as payment is made to hourly personnel. The Director of Finance shall adjust the pay period rate so that in each calendar year the precise annual compensation is paid regardless of the number of bi-weekly payment dates during the year.

(c) Should any payment date referred to herein fall on a holiday, payment shall be made on the last working day preceding such holiday.

151.167 UNIFORMS AND UNIFORM ALLOWANCES.

(a) Department of Public Safety.

- (1) Effective January 1, 1998, deputy police officers in the Division of Police shall receive a five hundred dollar (\$500.00) uniform allowance at the completion of each 1,040 hours of service.
- (2) The above payments may be made at any time during the thirty days following the date on which they are due as may be convenient to the Director of Finance.

(b) Department of Public Service and Properties. Effective January 1, 2014~~6~~, the Director of Public Services and Properties shall receive a Two Hundred Fifty Dollar (\$250.00) uniform allowance, and the Department of Public Service and Properties shall provide a uniform ~~voucher allowance~~ of ~~Five Hundred Seventy Five Dollars (\$575.00)~~ ~~Eight Hundered~~ ~~Hundred Dollars (\$800.00)~~ in 2016, ~~Eight Hundred Twenty Five Dollars (\$825.00)~~ in 2017 and ~~Eight Hundred Fifty Dollars (\$850.00)~~ in 2018 and thereafter for all full-time employees of the Department whose job requires manual labor outside the office of the Department. This allowance is to be paid within the 1st pay period in February.

(c) Police Chief and Fire Chief. Effective January 1, 2014~~6~~, the Chief of the Fire Division and the Chief of the Police Division shall receive an ~~allowance of~~ ~~Thirteen-Seven~~

~~Hundred Fifty Fifty Dollar (\$7501350.00) nine hundred dollars (\$900.00) in 2016, one thousand dollars (\$1,000.00) in 2017 and one thousand three hundred fifty dollars (\$1,350.00) in 2018 to provide for~~ uniform allowance.

151.178 PERS PICK UP.

(a) Effective July 1, 1993, the full amount of the statutorily required contributions to the Public Employees Retirement System of Ohio shall be withheld from the gross pay of each person within any of the classes established in subsection (b) hereof and shall be "picked up" (assumed and paid to the Public Employees Retirement System of Ohio) by the City. This "pick up" by the City is, and shall be designated as, public employee contributions and shall be in lieu of contributions to the Public Employees Retirement System of Ohio by each person within any of the classes established in subsection (b) hereof. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to the Public Employees Retirement System of Ohio directly instead of having it "picked up" by the City or of being excluded from the "pick up".

The City shall, in reporting and making remittance to the Public Employees Retirement System of Ohio report that the public employee's contribution for each person subject to this "pick up" has been made as provided by the statute.

(b) The "pick up" by the City provided by this section shall apply to all persons that:
Are employees of the City who are or become contributing members of the Public Employees Retirement System of Ohio.

(c) The City's method of payment of salary to employees who are participants in PERS is hereby modified as follows, in order to provide for a salary reduction pick-up of employee contributions to PERS.

(d) The total salary for each employee shall be the salary otherwise payable under the City policies. Such total salary of each employee shall be payable by the City in two parts: (1) deferred salary and (2) cash salary. An employee's deferred salary shall be equal to that percentage of that employee's total salary which is required from time to time by PERS to be paid as an employee contribution by that employee, and shall be paid by the City to PERS on behalf of that employee as a pick-up and in lieu of the PERS employee contribution otherwise payable by that employee. An employee's cash salary shall be equal to that employee's total salary less the amount of the pick-up for that employee, and shall be payable, subject to applicable payroll deductions, to that employee. The City shall compute and remit its employer contributions to PERS based upon an employee's total salary. The total combined expenditures of the City for each employees' total salaries payable under applicable City policies and the pick-up provisions of this section shall not be greater than the amounts it would have paid for those items had this provision not been in effect.

(e) The Director of Finance is hereby authorized and directed to implement the provisions of this section to institute the "pick up" of the statutorily required contributions to the Public Employees Retirement System of Ohio for those persons reflected in subsection (b) hereof so as to enable them to obtain the result in Federal and State tax deferments and other benefits.

~~151.18 DRUGFREE WORKPLACE AND HARASSMENT POLICY.~~

~~(a) 44.01 All employees shall agree to a drug-free workplace program as defined by the State of Ohio Bureau of Workers' Compensation and in accordance with the Ohio Bureau of Workers' Compensation Drug-Free Safety Program-Advanced Level.~~

~~It is the policy of the City to maintain a workplace that is free from the effects of drug and alcohol abuse.~~

~~(1) Employees are prohibited from the illegal use, sale, dispensing,~~

distribution, possession, or manufacture of illegal drugs, unauthorized prescription drugs, controlled substances, narcotics, or alcoholic beverages on City premises or work sites. In addition, the City prohibits the off-premises abuse of alcohol and controlled substances, as well as the possession, use, or sale of illegal drugs, when those activities adversely affect job performance, job safety, or the City's reputation.

~~(2) The City will not hire, subject to legal restrictions, alcoholics or drug abusers whose current use of those substances prevents them from performing their jobs or who would constitute a direct threat to the property or safety of others. Whenever applicants for employment are to be tested for the presence of illegal drugs or alcohol, they are to be informed in advance and in writing.~~

~~(3) Employees will be subject to disciplinary action, up to and including termination, for violations of this policy. Violations include, but are not limited to, possessing illegal or non-prescribed drugs and narcotics or alcoholic beverages at work; being under the influence of those substances while working; using them while working; or dispensing, distributing, or illegally manufacturing or selling them on City premises and work sites. Employees, their possessions, and City-issued equipment and containers under their control are subject to search and surveillance at all times while on City premises or work sites or while conducting City business. Employees subject to the Drug-Free Workplace Act who are convicted of any criminal drug violation occurring in the workplace must report the conviction to the Personnel Department within five days, and the Personnel Department is then to take appropriate action as required by law.~~

~~(4) Upon reasonable suspicion, employees may be asked to take a test at any time to determine the presence of drugs, narcotics, or alcohol, unless the tests are prohibited by law. Employees that agree to take the test must sign a consent form authorizing the test and the City's use of the test results for purposes of administering its discipline policy. It is a violation of this policy to refuse consent for these purposes or to test positive for alcohol or illegal drugs. Policy violations will result in discipline and may result in termination. Tests that are paid for by the City are the property of the City, and the examination records will be treated as confidential and held in separate medical files. However, records of specific examinations, if required by law or regulation, will be made available to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, or the employee's doctor.~~

~~(5) Supervisors should report immediately to the Personnel Department any action by an employee who demonstrates an unusual pattern of behavior. The Personnel Department will determine whether the employee should be examined by a physician or clinic and/or tested for drugs and alcohol. Employees believed to be under the influence of drugs, narcotics, or alcohol will be required to leave the premises.~~

~~(6) Employees must report their use of over-the-counter or prescribed medications to the Personnel Department if the use might impair their ability to perform their job safely and effectively. A determination will then be made as to whether the employee should be able to perform the essential functions of the job safely and properly.~~

~~(7) Employees who are experiencing work-related or personal problems resulting from drug, narcotic, or alcohol abuse or dependency may request, or be required to seek, counseling help. Participation in counseling, including City-sponsored or required counseling, is confidential and should not have any influence on performance appraisals. Job performance, not the fact that an employee seeks counseling, is to be the basis of all performance appraisals.~~

~~(8) Any employee who is abusing drugs or alcohol may be granted a leave of absence to undertake rehabilitation treatment. The employee will not be permitted to return to work until certification is presented to the Personnel Department that the employee is capable of performing his job. Failure to cooperate with an agreed-upon treatment plan may result in discipline, up to and including termination. Participation in a treatment program does not insulate an employee from the imposition of discipline for violations of this or other City policies.~~

~~(9) The City will, to the extent feasible, provide continuing awareness programs about the harmful effects of drug and alcohol abuse.~~

151.19 HARASSMENT POLICY.

~~(a)~~ It is the policy of the City to promote a productive work environment -and not to

tolerate verbal or physical conduct by any employee that harasses, disrupts or interferes with another's work performance or that creates an intimidating, offensive or hostile environment. No form of harassment will be tolerated, including harassment for the following reasons: race, national origin, religion, disability, pregnancy, age, military status or sex. Each person has a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. No supervisor or manager is to threaten or insinuate either explicitly or implicitly that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment. Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, non-supervisory or non-employees is also prohibited. This conduct includes, but is not limited to:

- (1) Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances or propositions;
- (2) Verbal abuse of a sexual nature;
- (3) Demeaning, insulting, intimidating, or sexually suggestive comments about an individual's dress or body;
- (4) The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects or pictures, including nude photographs;
- (5) Demeaning, insulting, intimidating or sexually suggestive written, recorded, or electronically transmitted messages.

Any of the above conduct or offensive conduct, directed at individuals because of their race, national origin, religion, disability, pregnancy, age or military status or sexually orientation is also prohibited.

Any employee who believes that a supervisor's, manager's, other employee's or non-employee's actions or words constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible.

The report or complaint should be made to the employee's supervisor or to the department head or personnel manager if the complaint involves the supervisor or manager.

Complaints of harassment are to be handled and investigated under the City's grievance policy, unless special procedures are considered appropriate. Regardless, all complaints of harassment are to be investigated properly in as impartial and confidential a manner as possible. Employees are required to cooperate in any investigation. A timely resolution of each complaint should be reached and communicated to the parties involved. Retaliation against any employee for filing a complaint or participating in an investigation is strictly prohibited.

Any employee, supervisor or manager who is found to have violated this harassment policy will be subject to appropriate disciplinary action, up to and including termination of employment. The City prohibits any form of retaliation against employees for bringing bonifide complaints or providing information of harassment. However, if an investigation of a complaint shows that the complaint or information was false, the individual who provided the false information will be subject to disciplinary action, up to and including termination.

(eb) It is the policy of the City that an employee should have an opportunity to present complaints regarding harassment and to appeal the decision through a dispute resolution or grievance procedure. The City will attempt to resolve promptly all complaints. Employees who believe that they have been improperly harassed are to proceed as follows:

- Step 1: Promptly bring the complaint to the attention of the immediate supervisor. If the complaint involves the supervisor, then it is permissible to proceed directly to Step 2.
- Step 1a: The supervisor is to investigate the complaint, attempt to resolve it and give a decision to the employee within a reasonable time. The supervisor should prepare a written and dated summary of the complaint and proposed resolution for file purposes.
- Step 2: Appeal the decision of the department head if dissatisfied with the supervisor's decision or initiate the procedure with the department head if Step 1 has been bypassed, because the immediate supervisor is the subject of complaint. Such an appeal or initial complaint must be made in a timely fashion in a written form. The supervisor's version of the complaint and decision will then be submitted in writing as well. The department head

will, in a timely fashion, confer with the employee, supervisor, and any other persons considered appropriate; investigate the issues; and communicate a decision in writing to all parties involved.

Step 3: Appeal an unsatisfactory department head decision to the Mayor. The timeliness requirement and the procedures to be followed are similar to those in Step 2. The Mayor may take the necessary steps to review and investigate the complaint and will then issue a written, final and binding decision.

Final decisions on complaints will not be precedent or binding on future complaints. When appropriate, the decisions will be retroactive to the date of the employee's original complaint. Information concerning a complaint is to be held in confidence. Supervisors, department heads and other persons who investigate a grievance are to discuss it only with those individuals who have a need to know about it or who are needed to supply necessary background information or advice.

Employees are not to be penalized for proper use of the complaint procedure, however, it is not considered proper use if an employee raises complaints in bad faith if solely for the purpose of delay or harassment or repeatedly raises meritless grievance complaints. Implementation of the complaint procedure by an employee does not limit the right of the City to proceed with any disciplinary action which is not in retaliation for the complaint procedure. The City may, at its discretion, refuse to proceed with any complaint it determines is improper under this policy.

151.2019 PERS PICKUP OF ADDITIONAL SERVICE CREDIT.

(a) Effective October 1, 1997, employees of the City of Bay Village, described in subsection (b) hereof, may purchase additional service credit, tax-deferred, and the City of Bay Village shall withhold the required service credit deduction from the gross pay of each person who elects to do so and shall pick up (assume and pay) such deduction to the Public Employees Retirement System of Ohio. A person electing this pick up deduction shall not have the option of choosing to receive the payroll deduction directly instead of having this deduction picked up by the City of Bay Village. Members who have elected to participate in this plan cannot increase, decrease, or terminate the amount of the pickup deduction.

(b) The pickup deduction by the City provided by this section shall apply to all persons making the election within the following classes:
All employees, other than seasonal, of the City who are contributing members of the Public Employees Retirement System of Ohio.

(c) The Director of Finance is hereby authorized and directed to implement the provisions of this section to effect the pickup of the payroll deduction for the purchase of additional service credit to the Public Employees Retirement System of Ohio for those persons reflected in subsection (b) hereof.

151.201 WHISTLEBLOWER PROTECTION FOR EMPLOYEES.

(a) If any employee of the City of Bay Village becomes aware in the course of employment of a violation of state or federal statutes, rules, or regulations or the misuse of public resources, and the employee's supervisor or Mayor has authority to correct the violation or misuse, the employee may file a written report identifying the violation or misuse with the supervisor or appointing authority. In addition to or instead of filing a written report with the supervisor or Mayor, the employee may file a written report with the office of internal auditing created under Section 126.45 of the Ohio Revised Code.

If the employee reasonably believes that a violation or misuse of public resources is a criminal offense, the employee, in addition to or instead of filing a written report with the supervisor, appointing authority, or the office of internal auditing, may report it to the Prosecutor, Director of Law, to the Chief of Police, the President of Council, or, if the violation or misuse of public resources is within the jurisdiction of the inspector general, to the inspector general in accordance with Section 121.46 of the Revised Code. In addition to that report, if the employee reasonably believes the violation or misuse is also a violation of Chapter 102., Section

2921.42, or Section 2921.43 of the Ohio Revised Code, the employee may report it to the Ohio Ethics Commission.

(b) Except as otherwise provided in subsection (c) hereof, no employee shall take any disciplinary action against any employee for making any report authorized by subsection (a) hereof, including, without limitation, doing any of the following:

- (1) Removing or suspending the employee from employment
- (2) Withholding from the employee salary increases or employee benefits to which the employee is otherwise entitled
- (3) Transferring or reassigning the employee
- (4) Denying the employee promotion that otherwise would have been received;
- (5) Reducing the employee in pay or position

(c) Any employee shall make a reasonable effort to determine the accuracy of any information reported under subsection (a) hereof. The employee is subject to disciplinary action, including suspension or removal, as determined by the employee's appointing authority, for purposely, knowingly, or recklessly reporting false information under subsection (a) hereof.

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 will be in full force and take effect at the earliest time permitted by law.

PASSED:

PRESIDENT OF COUNCIL

CLERK

MAYOR

[3/X/2016/29/20144-8-2016-4/20/16](#)

CHAPTER 1155

Minimum Lot Area Requirements, Residence Districts

- 1155.01 First Residence District.
- 1155.02 Third Residence District.
- 1155.03 Fourth Residence District. (Repealed)
- 1155.04 Exceptions on older lots.
- 1155.05 Computing lot area.
- 1155.06 Subsequent reduction or reconsideration of area.

CROSS REFERENCES

Enforcement provisions - see P. & Z. 1123.03

Accessory uses - see P. & Z. 1149.02

1155.01 FIRST RESIDENCE DISTRICT.

In a First Residence District no dwelling shall hereafter be constructed or enlarged upon a lot unless such lot contains in area not less than 14,700 square feet per family to be housed in such building.

(Ord. 78-143. Passed 12-18-78.)

1155.02 THIRD RESIDENCE DISTRICT.

(A) In a Third Residence District no dwelling shall hereafter be constructed or enlarged upon a lot unless such lot contains in area not less than 7,500 square feet per family to be housed in such building.

(B) In a Third Residence District no buildings or structures permitted by C.O. 1145.01(B) shall hereafter be constructed upon a lot unless such lot contains in area not less than twenty-five (25) acres.

(Ord. 78-143., Passed 12-18-78.)

1155.03 FOURTH RESIDENCE DISTRICT.

(EDITOR'S NOTE: Section 1155.03 was repealed by Ordinance 78-143, passed December 18, 1978.)

1155.04 EXCEPTIONS ON OLDER LOTS.

Notwithstanding the provisions of the preceding sections, a single family dwelling may be constructed on a lot separately owned on September 5, 1922, or on a numbered lot in a subdivision recorded in the Office of the Recorder of Cuyahoga County prior to April 29, 1954.

(Ord. 54-42 Passed 4-2--54. Art. VII, §4)

1155.05 COMPUTING LOT AREA.

In computing the area of a lot for the purposes of C.O. 1155.01, 1155.02(A) and 1155.03 the depth used shall not exceed three times the mean width of such lot.

(Ord. 78-143. Passed 12-18-78.)

1155.06 SUBSEQUENT REDUCTION OR RECONSIDERATION OF AREA.

No lot area used for the purpose of meeting the requirements of this Zoning Code for any building, structure or use in Residence Districts shall be reduced or again considered as any part of the lot area required for any other building, structure or use.

(Ord. 54-42. Passed 4-29-54. Art. VII, §4)

ORDINANCE NO. 15-79
INTRODUCED BY: Mrs. Lieske

First Reading 11-16-15

AN ORDINANCE
AMENDING CODIFIED ORDINANCE SECTION 1158
REGARDING ATTACHED RESIDENCE DISTRICT, AND
DECLARING AN EMERGENCY

SECTION 1. That Codified Ordinance Section 1158 which presently reads as follows:

CHAPTER 1158
Attached Residence District

- 1158.01 Intent.**
- 1158.02 Development plans.**
- 1158.03 Building and occupancy permits.**
- 1158.04 Permitted buildings, structures and uses.**
- 1158.05 Accessory buildings, structures and uses.**
- 1158.06 Definitions.**
- 1158.07 Area and height regulations.**
- 1158.08 Yard and related requirements.**
- 1158.09 Parking requirements.**
- 1158.10 Street and access requirements.**
- 1158.11 Open space requirements.**
- 1158.12 Landscape planting and design.**
- 1158.13 Other site improvements.**
- 1158.14 Maintenance and use of public and common areas.**
- 1158.15 Solid waste disposal.**
- 1158.16 Compliance with code.**

1158.01 INTENT.

An Attached Residence District and its regulations are established in order to achieve, among others, the following purposes:

- (A) To regulate bulk and location of buildings in relation to the land in order to obtain proper light, air, privacy and usable open spaces on each zoning lot appropriate for the district; and
- (B) To regulate density and distribution of population in accordance with a plan to avoid congestion and to maintain adequate services; and
- (C) To protect the desirable characteristics of both existing and planned residential development, to maintain stability; and
- (D) To promote the most desirable and beneficial use of the land based on the Master Plan and directed to bring about the eventual conformity with said Master Plan as it may be amended.

(Ord. 74-51. Passed 7-1-74.)

1158.02 DEVELOPMENT PLANS.

Preliminary and final development plans shall be required for all proposed development in an Attached Residence District.

(A) Preliminary Plans:

(1) Plan Requirements:

(a) Survey. A survey of the property and topography, showing the land owned and proposed for development.

(b) Buildings. The locations, size, height and use of all main and accessory buildings and their general design and color.

(c) Streets. The proposed pattern of vehicular circulation, including estimated traffic volumes, service access and relationship to existing streets.

(d) Utilities. Evidence of adequacy of all required utilities and services.

(e) Parking. General layout and estimate of spaces provided, both open and enclosed.

(f) Miscellaneous. Other site improvement, including general drainage pattern.

(2) Submittal of Plans:

(a) Presentation of preliminary plans shall be made concurrently with the Building Department (to file an application for construction) and to the Planning Commission.

(b) A nonreturnable application fee in the amount of \$10 per dwelling unit shall accompany application in the Building Department.

(c) Planning Commission shall submit plans to the appropriate departments within the City for their comments, i. e. Fire, Police and Service.

(3) Approval of Plans:

(a) If preliminary plans are not acceptable to the Planning Commission, based on the requirements and intent of this chapter, a revised preliminary may be submitted.

(b) If preliminary or revised preliminary plans are acceptable to the Planning Commission with slight modification, final plans, including such modifications, may be submitted.

(B) Final Development Plans:

(1) Plan Requirements:

(a) Site Plan. All items submitted for preliminary approval, with modifications as requested.

(b) Utilities Plan. Detailed drawings of all required utilities, including water, sewers and underground electric and telephone systems.

(c) Fire Protection Plan. Water mains, hydrants and other appurtenances.

(d) Landscape Plan. Landscaping, buffers, drainage and grading.

(e) Miscellaneous. Construction schedule and disposition program and any other information specifically required by the Planning Commission.

(2) Submittal of Plans:

- Commission.
- (a) Presentation of final plans shall be made to the Planning Commission.
 - (b) Planning Commission shall submit plans to the appropriate departments within the City for their comments, i. e., Fire, Police, Service, and Building
 - (c) When development given preliminary approval is to be constructed in two or more phases, final plans shall be submitted separately for each phase, prior to scheduled construction.
- (3) Approval of Plans:
- (a) If final plans are not acceptable to the Planning Commission, based upon the requirements and intent of this chapter, revised final plans may be submitted.
 - (b) Only when final or revised final plans are acceptable to the Planning Commission without modification, shall final approval be given.
- (Ord. 74-51. Passed 7-1-74.)

1158.03 BUILDING AND OCCUPANCY PERMITS.

(A) No building permit for the improvement of a parcel or a portion thereof or for the erection of any building shall be issued for any building or structure in an Attached Residence District unless and until a final development plan has been approved by the Planning Commission in accordance with the provisions of this Chapter. If and when any proposed final development plan has been so approved, the Building Commissioner shall then issue the necessary building and other permits upon payment of the required fees and compliance with applicable codes.

(B) An occupancy permit shall be issued by the Building Commissioner if the use qualifies under the various restrictions of the Planning and Zoning Code and the inspections required by Chapter 1304 of the Codified Ordinances have been made and the work approved.

(C) Occupancy permits will not be granted until all required improvements, including landscaping, are completed in compliance with this chapter.
(Ord. 74-51. Passed 7-1-74.)

1158.04 PERMITTED BUILDINGS, STRUCTURES AND USES.

In an Attached Residence District, the following buildings, structures and uses are permitted: Attached Residences including townhouses, four-plexes and other multiple dwellings having separate private entrances.
(Ord. 74-51. Passed 7-1-74.)

1158.05 ACCESSORY BUILDINGS, STRUCTURES AND USES.

The following accessory buildings, structures and uses are permitted on a lot in the Attached Residence District:

- (A) Automobile storage facilities including enclosed garages.
- (B) Recreation facilities, such as swimming pools, sauna baths and tennis courts, for the exclusive use of residents and their guests.
- (C) Landscape features including gardens, fountains, sidewalks, lawns, patios, decorative walls and fences.

(D) Master radio and television antenna, air conditioning and ventilation equipment and necessary utility equipment as permitted under this chapter.

(E) Any building, structure or use customarily accessory or incidental to a permitted use, on special permit.

(Ord. 74-51. Passed 7-1-74.)

1158.06 DEFINITIONS.

The various area and height regulations of the area to be developed are defined in this section and scheduled in the following section.

(A) Land Area Per Dwelling Unit. "Land area per dwelling unit," means the minimum area required within a development area for each dwelling unit.

(B) Gross Floor Area of Dwelling Unit. The minimum gross area of all the floors of a dwelling unit, excluding the whole area of garages and one-half the area of balconies, porches.

(C) Maximum Height. "Maximum height" refers to the height to which any main building may be constructed above the designed finished grade at center of front elevation.

(D) Dwelling Unit. "Dwelling unit," means a space within a dwelling comprising a living room, a dining room, kitchen, and a sleeping room or rooms, storage closets and space and equipment for bathing and toilet facilities, all used by one family.

(Ord. 74-51. Passed 7-1-74.)

1158.07 AREA AND HEIGHT REGULATIONS.

Land and buildings shall be used in an Attached Residence District and buildings shall be designed, erected, altered, moved or maintained in such District in accordance with the following:

(A) Development Area. The minimum development site in an Attached Residence District shall be 5 acres.

(B) Density. The density of development for Attached Residences shall not exceed 6 dwelling units per acre.

(C) Height of Buildings. Attached Residences shall exceed neither two and one-half (2-1/2) stories nor 30 feet in height.

(D) Attached Residences per Building. Eight dwelling units, or a lesser number may be attached one to another by common or adjoining walls and shall be regarded as constituting a single building (but not as a single dwelling unit). All measurements of residences so attached shall be made as a single building. No building shall exceed 240 feet in length.

(E) Gross Floor Areas of Dwelling Units. Schedule as follows:

Dwelling Unit Minimum Area (Sq. Ft.)

2 bedroom unit 1,200

3 bedroom unit 1,400

4 bedroom unit 1,600

(F) Restrictions on Units. One-bedroom units are specifically not permitted. The total units shall be divided so that approximately one-third contains two bedrooms, one-third contains three bedrooms, and the remaining one-third may consist of the builder's choice of any mix of approved number of bedrooms.

(Ord. 74-51. Passed 7-1-74.)

1158.08 YARD AND RELATED REQUIREMENTS.

In an Attached Residence District, the following yard and related requirements shall be observed:

(A) Frontage Requirement. Frontage at each entrance to the development shall be at least one hundred feet wide including a minimum buffer of 30 feet on each side of the paved access, except that frontage at pedestrian entrances need not exceed 50 feet in width including minimum buffers of 20 feet on each side of the walk.

(B) Building Line Setbacks. Placement and erection of all buildings shall be 50 feet from the property line adjoining a dedicated street.

(C) Minimum Yards. No building or structure, except as provided in (E) below, may be placed or erected within 40 feet of any site boundary, except that when such boundary is a present or planned dedicated street, the 50 feet setback as set forth in C.O. 1158.08(B) shall apply.

(D) Distances Between Buildings. The minimum distance between any 2 adjacent buildings shall be determined by the relationships between their respective main walls according to the requirements of Schedule 1158.08(D) where:

B = the combined Base Factor = 40 feet
of 2 adjacent buildings

H = the combined Height Factor = 5 feet per 10 feet of combined building height

L = the combined Length Factor = One foot per 10 feet of combined
of two adjacent buildings main wall length

CROSS REFERENCES

See diagram 1 (insert)

MINIMUM DISTANCES BETWEEN BUILDINGS

Main Walls Do Not Overlap

Within 0° - 180° Main Walls Overlap

Within 0° - 180°

Schedule 1158.08(D) - MINIMUM DISTANCES BETWEEN BUILDINGS

Where MAIN WALLS of Adjacent Buildings: Within Degrees

of Parallel: Minimum

Requirement

Overlap 0° - 30° B + H = L

30° - 60° B + H + ½L

60° - 120° B + H

120° - 150° B + H ½L

150° - 180° B + H + L
 DO NOT Overlap
 0° - 30° ½ (B + H)
 30° - 60° ¾ (B + H)
 60° - 120° B + H
 120° - 150° ¾ (B + H)
 150° - 180° ½ (B + H)

(E) Distances from Accessory Uses to Main Buildings or Boundaries. The minimum distances from any Attached Residence to parking areas, driveways, walks and recreation areas and to the development area boundaries, as set forth below, are intended as desirable criteria and are to be applied in the site planning insofar as possible:

Minimum Distances (Feet)

From Dwelling

Accessory Use:	Main Wall	End Wall	From Boundary Line
Surface Garage	40* 30*	20	
Open Parking Areas	20	20	20
Private Drives	30 10	20	
Walks (Public Use)	15	10	20
Recreation Areas (Active Play)		40 30	40

* or attached to building

The minimum distances set forth in the above schedule are intended to be applied to:

- (1) The main wall, meaning any exterior wall containing the principal windows of a living, dining or sleeping room or rooms.
- (2) The end wall, meaning any exterior wall, other than a main wall, containing minor windows of a dining or sleeping room, or principal or minor windows of a kitchen or bathroom, or a blank surface.
- (3) Private drives at all locations except at the garage entrance or main entrance of the dwelling served.
- (4) Walks used by the public at all locations except at the entrance to the dwelling served.
- (5) Recreation areas, meaning areas used for active play.

(F) Private Area. Each Attached Residence shall have a private area of not less than 200 square feet at an entrance and differentiated as such by approved patios, screens, walls and plantings.

(G) Projections of Building Features:

(1) Intent. A projection is that part or feature of a building which extends outside of the enclosing walls and makes the enclosed space more usable. It is intended that certain features may project into required yards, but they shall be regulated as herein set forth so that they will not substantially interfere with the reception of sun, light and air on adjacent lots.

(2) Types of Projecting Features.

The following definitions shall apply to the terms used in the section:

- a. Architectural Feature. A belt course, balcony, bay window, cornice, chimney, solid overhang, or shading device.
 - b. Entrance Feature. A platform, landing, steps, terrace or other features not extending above the level of the floor of the first floor level of a building.
 - c. Shelters, Enclosed. An enclosed entry or porch.
 - d. Shelters, Unenclosed. An entrance hood or open but roofed porch.
- (3) Projection Limitations. Building features may project into required front and side yards of a dwelling, but shall not project more than set forth in the following schedule:

Projecting Feature	Maximum Projection Into Required Front or Side Yard (Ft.)
Architectural	4
Entrance	5
Shelters, enclosed	None
Shelters, unenclosed	4

(Ord. 74-51. Passed 7-1-74.)

1158.09 PARKING REQUIREMENTS.

(A) The parking of automobiles and other motor vehicles on private or public streets within an Attached Residence District is prohibited. All automobile parking lots shall be screened from adjoining streets and properties by the planting of shrubbery or the construction of a decorative fence or wall. Parking areas shall be permitted at convenient locations throughout the development except that:

- (1) No parking areas or access drives shall be constructed within 20 feet of any Attached Residence building.
- (2) No parking area shall be closer than 20 feet from the side or rear property line abutting a street.
- (3) Landscaped islands and planting areas shall be designed so that no more than eight parking spaces shall be contiguous.

(B) Off-street parking shall be provided in an Attached Residence District as follows:

- (1) Resident Parking. Two spaces per unit, at least one of which shall be an immediately attached garage having at least 280 square feet of usable floor space; and
- (2) Guest Parking. One space per unit.

(C) In view of the desire to preserve natural open space within the development, off-street parking shall not exceed minimum requirements pursuant to C.O. 1158.09(B) by more than 20%.

(Ord. 74-51. Passed 7-1-74.)

1158.10 STREET AND ACCESS REQUIREMENTS.

(A) All proposed streets and access within an Attached Residence District shall be in accord with an approved overall plan conducive to the safe and efficient access and circulation of automobiles and safety and service vehicles.

(B) All vehicular pavement in an Attached Residence District shall be constructed in accordance with the standards established by the City of Bay Village.

(C) Circulation and access shall be designed according to the following criteria:

- (1) Dedicated Streets. No dedicated street shall extend more than 1,200 feet without juncture with another dedicated street.
- (2) Dedicated Cul-de-Sacs. Dedicated cul-de-sacs shall not exceed 600 feet in length nor provide direct or indirect access to no more than 30 units.
- (3) Private Drives. Private drives shall be no more than 600 feet in length and provide direct or indirect access to no more than 30 units.
- (4) Private Cul-de-Sacs. Nondedicated cul-de-sacs and court arrangements shall not extend more than 300 feet from a dedicated right-of-way nor provide direct or indirect access to more than 15 units.
- (5) Individual Driveways. No individual driveway shall be more than 50 feet in length nor provide access to more than two units.

(D) Services to the building shall be separate from pedestrian and vehicular circulation routes.

(E) A comprehensive walkway system adequately separated from vehicular circulation shall be provided.
(Ord. 74-51. Passed 7-1-74.)

1158.11 OPEN SPACE REQUIREMENTS.

(A) Open Space as used in this Chapter means that portion of the total acreage not devoted to buildings and pavement. Open Space includes the spaces between buildings, required yards and setbacks, landscaped buffers and lawn areas, tennis courts, swimming pools or other recreational improvements.

(B) No less than 60%, of the total acreage shall be devoted to open space.
(Ord. 74-51. Passed 7-1-74.)

1158.12 LANDSCAPE PLANTING AND DESIGN.

All development within an Attached Residence District shall be landscaped according to a landscape plan accepted as part of the Final Development Plan. Plantings, walls, fencing and screens shall be so designed and located as to optimize privacy and aesthetic quality without encroaching upon required automobile sight distances. Natural wooded areas shall be preserved whenever possible.
(Ord. 74-51. Passed 7-1-74.)

1158.13 OTHER SITE IMPROVEMENTS.

In an Attached Residence District the following other site improvements shall be required:

(A) Water Supply. An adequate source of potable water shall be brought to the Attached Residence District from the City of Cleveland Water System and must be approved by the City of Bay Village, the City of Cleveland and the State of Ohio.

(B) Sewer System. The Landowner shall at its sole expense construct a sanitary sewage system meeting all requirements of the City of Bay Village, title of which is recognized by Council by the acceptance of dedication of the street. Plans and specifications must be approved by the City of Bay Village Sanitary Engineering Department and the State Department of Water and Health.

(C) Electric and Telephone Systems. Plans and specifications must be approved by the appropriate utilities serving this area.

(D) Fire Protection. Plans and specifications must be approved by the Fire Prevention Bureau. (Ord. 74-51. Passed 7-1-74.)

1158.14 MAINTENANCE AND USE OF PUBLIC AND COMMON AREAS.

(A) As a condition to approval of a proposed development under provisions of this Chapter, plans for the care, maintenance, use and disposition of all public and common area, if any, shall be approved by the City Planning Commission providing for:

(1) The public dedication and acceptance for maintenance by the City of property found by the Council to be of benefit to the general public, or

(2) The retention of property in common ownership of the individual owners through appropriate legal means with appropriate legal provisions to insure continuous maintenance and use for the purpose intended.

(B) All areas proposed for dedication to the City must be acceptable as to size, shape, location and improvement and shown by the applicant to be of benefit to the general public. Title of all land dedicated to public use shall be unencumbered at the time of conveyance and all areas shall be fully improved by the applicant, as required by the City Planning Commission, including all utilities, public walkways and streets through or abutting the property.

(C) For all areas proposed for common ownership by the residents, all rights of development other than for the use specified in the approved Final Development Plan shall be subject to approval of the City. However, each proposal for such use, including parking areas, private access ways, private parks and recreational facilities, and common service facilities shall be accompanied by appropriate legal documents which provide for the management and maintenance of common facilities. Legal instruments providing for dedications, covenants, home associations and subdivision controls shall:

(1) Place title of common property in a form of common ownership by the owners and/or residents of the area, e. g., a duly constituted and legally responsible home association, cooperative, etc.

(2) Appropriately limit the use of common property.

(3) Place responsibility for management and maintenance of common property. Council, at its discretion may require the applicant to obtain City services, for maintenance of commonly held properties where the public health, safety and/or welfare may require.

(4) Place responsibility for enforcement of covenants.

(5) Permit the subjection of each lot to assessment for its proportionate share of maintenance costs.

(D) All common property shall be fully improved by the applicant, as required by the Council, including all utilities, public walkways and streets through or abutting the property.

(E) The use, condition and maintenance of all common properties shall comply with City ordinances and existing regulations in all respects.
(Ord. 74-51. Passed 7-1-74.)

1158.15 SOLID WASTE DISPOSAL.

Arrangements for the performance of rubbish and garbage collection and removal shall be set forth in writing and subject to City approval. Any subsequent modification of said arrangements shall be presented to the City for review.
(Ord. 74-51. Passed 7-1-74.)

1158.16 COMPLIANCE WITH CODE.

(A) All rules and regulations contained in the Codified Ordinances of the City of Bay Village shall be applicable except those which are specifically excepted by C.O. 1158.01 through 1158.16.

(B) Noncompliance with the provisions of this Chapter shall be subject to penalty as set forth in C.O. 1123.99.
(Ord. 74-51. Passed 7-1-74.)

be and the same is amended to read:

CHAPTER 1158

~~R-4~~, Attached Residential District

- 1158.01 Intent.**
- 1158.02 ~~Applicability-Qualifying Condition.~~**
- 1158.03 Permitted Buildings and Structures.**
- 1158.04 Development Requirements.**
- 1158.05 Review and approval.**
- 1158.06 Reserved.**

1158.01 INTENT.

The ~~R-4~~, Attached Residential District and its regulations are established to achieve the following purposes:

- (A) To provide alternative housing choices to accommodate current residents as they enter new life phases;
- (B) To support the goals and recommendations of the City's Master Plan and the Retail Improvement Strategy relative to housing options, redevelopment and infill;
- (C) To protect the desirable characteristics of both existing and planned residential development, to maintain stability;
- (D) To provide an appropriate transitional use between single family residential and non-residential uses;

Commented [LL1]: "R-4" was removed throughout per discussions with Planning Commission and Consultant at conference call.

Commented [LL2]: See Planning Commission Comment Number 1

- (E) To enhance the vibrancy of the City’s central core business district; and
- (F) To offer a viable redevelopment option to ensure the City’s continued sustainability.

1158.02 APPLICABILITY-QUALIFYING CONDITION.

Consistent with the intent, this district ~~may shall only~~ be established in locations specifically identified in the ~~current approved Master Plan for the City of Bay Village 1999 Master Plan~~ and the 2004 Retail Improvement Strategy as development, redevelopment or infill sites for townhouse, condominium or multiple family residential. ~~In addition, other sites may be appropriate to provide a suitable buffer or transition between disparate uses.~~ Properties located along arterial or collector streets ~~in close proximity adjacent~~ to retail and service uses may also lend themselves to the uses permitted in this district.

1158.03 PERMITTED BUILDINGS AND STRUCTURES.

- (A) Principal Uses: The principal uses in this district shall be limited to townhouses, as defined in Section 1121.47A and two-family dwellings, as defined in Section 1121.48.
- (B) Accessory Uses: Accessory buildings, structures and uses including, but not limited to, the following are permitted on any lot in the ~~R-4~~, Attached Residential District:

- (1) Recreation facilities, such as swimming pools (See Section 1349.01), clubhouses, sauna baths and tennis courts, for the exclusive use of residents and their guests.
- (2) Landscape features including gardens, fountains, sidewalks, lawns, patios, decorative walls and fences.
- (3) Detached garages.

1158.04 DEVELOPMENT REQUIREMENTS.

The requirements of this section shall be the minimum standards for development within the ~~R-4~~ District. If any requirement of this section conflicts with other provisions of the City of Bay Village Zoning Code, the provisions of this section shall apply.

- (A) Spatial Requirements: The following requirements, specified in Table 1158-4, shall apply to any development within the ~~R-4~~ District:

TABLE 1158-4 Spatial Requirements			Townhouse	Two-family
Minimum site area (sq. ft.)			0 ¹	11,000
Minimum site width (feet)			100	80
Density (units per gross acre)			Maximum of 10	
Minimum yard setback (feet)	Front yard ³		10 ²	25 ²
	Rear yard ³		25	35
	Side	Interior	20	10
		Street	30	25
	Min. separation between ends of buildings		25	N/A
Maximum	Feet		35	

Commented [LL3]: See Planning Commission Comment Number 2

building height (feet)	Stories	2 ½	
Maximum lot coverage (percent)	Buildings	45	40
	Pavement and buildings	50	45
Maximum units per building		6	2
Minimum finished livable floor area (square feet)	1 bedroom	900	
	2 bedroom	1,200	
	3 bedroom	1,400	
	Additional bedrooms	150/added bedroom	

¹ There is no required minimum area for a townhouse development; provided, the gross density shall not exceed the equivalent of 10 units per gross acre. A minimum lot size of 5,500 square feet per dwelling unit shall be required for two-family dwellings.

² If at least 50 percent of the lots on the same side of the street and within the same block as the subject property contain a principal building, the minimum front yard setback, measured from the front lot line, shall be the average of the setbacks established by those principal buildings within 200 feet on either side of the subject property (not including corner lots where the front setback is on the intersecting street).

³ Front and rear yard setback requirements shall be met for each two-family or townhouse unit.

(B) Architectural Features: A projection is that part or feature of a building which extends outside of the enclosing walls and makes the enclosed space more usable. It is intended that certain features may project into required yards, but shall be regulated as provided in Table 1158-4a so they will not substantially interfere with the reception of sun, light and air on adjacent lots or impede emergency access.

Table 1158-4a Projections into Required Yard Setbacks			
Architectural Feature	Allowed Projections into a Required Yard		
	Front Yard	Side Yard	Rear Yard
Accessory structures, detached	See <i>Section 1149</i>		
Accessible ramps, wheelchair lifts and similar structures	Least encroachment necessary to meet state or federal requirements, but no more than 8 ft.; must maintain a minimum 3-foot side yard setback		
Air conditioning units, generators and other mechanical equipment	None	3 ft.	3 ft.
		No more than 5 ft. from the building	
Arbors, trellises and pergolas (attached to principal building)	5 ft.	3 ft.	10 ft.
Awnings and canopies			
Balconies (uncovered)	5 ft.	None	10 ft.
Bay windows	3 ft.	3 ft.	3 ft.
Chimneys	3 ft.	3 ft.	3 ft.
Eaves and gutters	2 ft.	2 ft.	2 ft.
Fences and walls	See <i>Section 1163</i>		

Commented [LL4]: See Planning Commission Comment Number 2

Table 1158-4a Projections into Required Yard **Setbacks**

Architectural Feature	Allowed Projections into a Required Yard		
	Front Yard	Side Yard	Rear Yard
Paved patios and similar at-grade structures (not including driveways and sidewalks), un-roofed and unenclosed ¹	4 ft.	None	Up to 15 ft. from a rear lot line
Porches, decks and stoops, uncovered and unenclosed ¹	4 ft.	3 ft.	10 ft.
Stairways (not including steps to main floor entry) and below-grade stairwells	None	3 ft.	10 ft.
Window wells and egress windows, below grade	3 ft.	3 ft.	3 ft.

Commented [LL4]: See Planning Commission Comment Number 2

Footnotes:

¹ Any covered or roofed porch, deck, patio, stoop or similar structure shall be considered part of the principal building and shall comply with the required setbacks for the principal building.

(C) Open Space: For townhouse developments, those areas of the site not covered by buildings, structures or pavement shall remain as open space. At a minimum, at least 40 percent of the total project site for townhouses shall be retained as open space, in accordance with the following:

- (1) Open space shall meet the following standards:
 - a. Provide spaces for the common use of all residents of the townhouse development or sufficient yards adjacent to each unit for the use of the residents of those units;
 - b. Common open space areas shall be centrally located or distributed throughout the development to provide convenient access in close proximity to all residents;
 - c. Preserve significant natural features on the site, including mature trees;
 - d. The Planning Commission may reduce the open space requirement, based on a finding that one or more of the following conditions exists:
 - i. The subject site abuts or is directly across the street from a public park or similar dedicated public open space area;
 - ii. The site is adjacent to a dedicated non-motorized trail or pathway that provides access for pedestrians and cyclists to City parks in relative proximity to the subject site; or
 - iii. The proposed development will provide one or more natural preserves and/or common activity areas for its residents that are of significant size and configuration to fulfill the spirit and intent of the open space requirement.

(D) Common Areas:

- (1) For all areas proposed for common ownership in any residential development within the ~~R-4~~ District, rights of development other than for the use specified in the approved final development plan shall be subject to approval of the Planning Commission. The use of common areas such as, but not limited to: open space, parking areas, private streets and alleys, recreational facilities, and common service facilities shall be restricted by appropriate legal documents, which provide for the management and maintenance of all common facilities. Legal instruments providing for dedications, covenants, home owners association and subdivision controls shall:
 - a. Place title of common property in a form of common ownership by the owners and/or residents of the area, e. g., a duly constituted and legally responsible home owners association, cooperative or similar legal entity.
 - b. Appropriately limit the use of common property.
 - c. Assign responsibility for management and maintenance of common property. the City, at its discretion may require the applicant to obtain City services, for maintenance of commonly held properties where the public health, safety and/or welfare may require.
 - d. Place responsibility for enforcement of covenants.
 - e. Permit the subjection of each dwelling unit to assessment for its proportionate share of maintenance costs.
- (2) All common property shall be fully improved by the applicant prior to issuance of an occupancy permit, including all utilities, landscaping, lighting, walkways and streets through or abutting the property; provided, the chief building official may issue an occupancy permit prior to completion of landscaping if it is determined that weather conditions prevent timely completion of the landscaping and a financial guarantee is posted to assure that all improvements will be completed within 120 days of receiving the occupancy permit.
- (3) The use, condition and maintenance of all common properties shall comply with City ordinances and existing regulations in all respects.

(E) Streets and Access: All proposed streets and access within the ~~R-4~~ District shall ensure efficient access and circulation of all vehicles and safe movement of non-motorized conveyances and pedestrians. The design and layout of streets and walkways within the development shall be established by the Planning Commission; provided, at a minimum, the following requirements shall be met:

- (1) Dedicated Streets. Dedicated streets shall not extend more than 1, 200 feet without intersecting another dedicated street.
- (2) Dedicated Cul-de-Sacs. Dedicated cul-de-sacs shall not exceed 600 feet in length nor provide direct or indirect access to more than 30 units.
- (3) Private Streets. Private streets shall not exceed 600 feet in length without intersecting another private or dedicated street, nor provide direct or indirect access to more than 30 units.

- (4) Private Cul-de-Sacs. Non-dedicated cul-de-sacs and court arrangements shall not extend more than 300 feet from a dedicated right-of-way nor provide direct or indirect access to more than 15 units.
- (5) Alleys. Access to units, garages or parking areas may be from alleys; provided, the alley meets City design standards and connects on both ends to a public or private street.
- (6) Access to Perimeter Streets. Townhouse units may front upon any public street abutting the boundaries of the project site; provided, all vehicular access shall be via interior public or private streets and individual driveways shall not be permitted along the perimeter street.
- (7) Walkways. A walkway system shall be provided along perimeter streets abutting the **R-4** District and on both sides of interior streets within any development. The walkways shall be ramped at all street intersections to provide handicapped accessibility and shall be separated from the adjacent dedicated or private street by a grass strip at least four feet wide.

(F) Parking: Off-street parking shall be provided in accordance with the following requirements:

- (1) Two spaces shall be provided for each dwelling unit, plus an additional .25 spaces per townhouse unit for visitors;
- (2) At least one of the required parking spaces per unit shall be within a garage attached to the unit which it serves;
- (3) Parking spaces shall be a minimum dimension of 20 feet long by 9 feet wide;
- (4) All parking spaces shall be hard-surfaced (asphalt or concrete) and striped; and
- (5) Parking areas and detached garages or carports shall not be permitted in any front or side yard and shall be set back at least 10 feet from any adjoining side or rear lot line; provided, if a garage or carport faces and is accessed from an alley, the minimum building setback shall be 20 feet from the rear lot line.

(G) Landscaping: For all residential development in the **R-4** District, except a single building containing a two-family dwelling on one (1) lot, a landscape plan, prepared by a landscape architect registered in the State of Ohio, shall be submitted for Planning Commission approval in accordance with the following minimum requirements:

- (1) Front yard landscaping shall contain at least one shade tree for each dwelling unit with a minimum caliper of two and one-half (2½) inches and one ornamental tree for each two units. Shrubbery and/or other low plant material at least 24 inches high at time of planting and approved by the Planning Commission shall be installed along the foundation of each unit.
- (2) A perimeter buffer meeting the following minimum requirements shall be installed along the side and rear property boundaries for townhouse developments abutting property zoned First Residence or Third Residence:
 - a. Minimum width of 10 feet;
 - b. Equivalent of one (1) tree per 50 feet or fraction of buffer zone length, at least one-third (1/3) of all trees shall be evergreen trees. At the time of planting, deciduous trees shall be a minimum of two and one-half (2 ½) inch caliper and evergreens shall be at least six (6) feet tall;

- c. Three (3) foot high continuous sight-obscuring screen composed of plant material, berms, walls, fences or any combination approved by the Planning Commission;
- d. If berms are used for any part of the buffer, they shall contain one (1) shrub for every 10 feet of berm length in addition to the requirements of subsection (2)b. All required plant material shall be placed on the top or side slope of the berm facing the exterior property line;
- e. If a wall or fence is used for any part of the buffer, a minimum of one (1) shrub for every 10 feet of wall or fence shall be placed along the exterior side in addition to the requirements of subsection (2)b. At least half of all shrubs shall be a minimum of 24 inches high at the time of planting;
- f. All areas within the buffer strip not containing trees, shrubs or planting beds shall be planted with grass and other living ground cover; and
- g. In order to promote better design and a more natural appearance, the required trees and other plant material need not be uniformly spaced. Clusters or groupings of plant material may be permitted; provided, the intent of the buffer strip to provide separation and screening from adjoining uses is achieved.

(3) Landscaped islands shall be provided within parking areas to reduce the visual impact of parking upon the development. At a minimum, a landscaped island at least nine (9) feet wide and 180 square feet in area shall separate each eight (8) contiguous parking spaces. Each island shall contain trees and/or other living plant material to provide visual relief and physical separation of parking spaces.

- (4) Screening shall be provided around all outdoor trash dumpsters, as follows:
- a. Solid sight-obscuring fence or wall six (6) feet high;
 - b. Enclosed on all sides and not containing any openings other than a gate for access which shall be closed at all times when not in use;
 - c. The fence or wall shall be constructed of masonry, treated wood or other material approved by the Planning Commission if determined to be attractive, durable, weather resistant, rust proof and easily maintained. Chain link and barbed wire fences are not permitted.

(H) Building Materials and Design Standards: Exterior design of all principal and accessory buildings shall complement the character of the adjacent neighborhood with respect to building materials, details, roof pitch, setbacks and scale. However, at a minimum, the following standards shall apply, unless a modification is permitted, as specified in Section 1158.05 H:

(1) Exterior Materials.

- a. Primary: At least 80 percent of the building exterior shall consist of:
 - i. brick and tile masonry (or synthetic equivalent),
 - ii. native stone (or synthetic equivalent),
 - iii. hardie-plank or equivalent, and/or
 - iv. wood siding.
- b. Accent: No more than 20 percent of any façade may consist of:
 - i. pre-cast masonry (for trim and cornice elements only),

- ii. gypsum reinforced fiber concrete (GFRC – for trim elements only),
 - iii. metal (for beams, lintels, trim elements and ornamentation only), and/or
 - iv. split-faced block (for piers, foundation walls and chimneys only).
- (2) **Building Facades.** Long, monotonous building planes shall be avoided. The front façade of each row of townhouse units within a single building shall be articulated using means such as, but not limited to: offsetting the front setback of individual units; using gables; recessing front entries; varying colors and materials on each unit; using a variety of window sizes and styles and/or incorporating columns, dormers, overhangs or other architectural elements. In addition, the following requirements shall be met:
- a. Transparency: Windows and doors shall comprise at least 25 percent of the front façade and the street side façade for units abutting a public street.
 - b. Front entry: Each dwelling unit shall have a front door facing a street or public open space that is accessed from a stoop or porch.
 - i. a stoop shall have a minimum depth of four feet and a minimum area of 24 square feet;
 - ii. a front porch must be at least eight feet deep, with a width equal to at least 40 percent of the width of the dwelling unit;
 - c. Roofs:
 - i. Pitched roofs shall have at least a 4:12 but not more than a 12:12 pitch. Mechanical equipment located on the roof shall be on the back half of the building and screened on all sides so as not to be visible as observed from the sidewalk or pavement edge of the street.
 - ii. Flat roofs shall be enclosed by a parapet which shall be high enough to conceal mechanical equipment as observed from the sidewalk or pavement edge of the street.

Commented [LL5]: See Planning Commission Comment Number 3

1158.05 REVIEW AND APPROVAL

- (A) **Pre-application Meeting:** Prior to submitting an application for rezoning to or development plan approval, the applicant shall conduct a meeting with surrounding property owners for the purpose of explaining the proposed development and soliciting comments and suggestions relative to the proposal. It is suggested that such meeting be conducted as a work session to obtain feedback that can be incorporated into the design and layout of the proposed project prior to formally submitting an application.
- (B) **Application:** Applications for rezoning property to an **R-4** District shall be submitted in compliance with Bay Village Charter 7.6.
- (C) **Development Plan:** The development plan shall contain, at a minimum, the information specified in Section 1129.01.
- (D) **Planning Commission Review:** The complete application and all required documents shall be forwarded to the Planning Commission for review and approval under Chapter 1129. The applicant shall attend the review meeting and present the proposed project to the Commission.
- (E) **Public Hearing:** Following the initial review meeting, the Planning Commission shall schedule a public hearing, notice of which shall be given to owners of property adjoining the subject site and published in a newspaper of general circulation in the city, as required by Ohio law. A public hearing shall only be required if the subject property is to be rezoned. If the property is already

Commented [LL6]: See Planning Commission Comment Number 4

zoned as an Attached Residence District and the applicant is seeking approval of the development plan, a public hearing shall not be required.

(F) Planning Commission Decision:

- (1) If the subject property is to be rezoned, the Planning Commission shall, upon conclusion of the public hearing, make a recommendation to the City Council to approve or disapprove the request and shall state the reasons and findings for its recommendation. In addition, if the Planning Commission recommendation is to approve the rezoning, it shall also transmit its decision with respect to approval, approval with conditions or disapproval of the development plan. The Planning Commission's action to approve the development plan or approve with conditions shall be contingent upon Council action to rezone the property and shall be based on the standards cited in 1158.05 (G). In the event the City Council approves the change in zoning, but differs with the Planning Commission regarding its decision relative to the development plan, the Council may, by two-thirds vote of its members, reverse or modify the Planning Commission decision.
- (2) If the subject property is already zoned, the Planning Commission shall review the development plan and approve, approve with conditions or disapprove the plan based on the standards cited in Section 1158.05 (G). The reasons for their action shall be stated for the record and provided, in writing, to the applicant. No public hearing or Council action shall be required.

(G) City Council Action: Upon receiving the Planning Commission recommendation regarding the rezoning, the City Council shall vote to approve or disapprove the change in zoning. District; provided, any approval by Council shall be subject to Section 7.6 of the City Charter.

(D)(H) Review Standards: The development plan shall be approved upon a finding that the plan meets the following standards:

- (1) The development plan complies with all requirements of this chapter, all applicable requirements of this ordinance and all other applicable laws and regulations.
- (2) The site is designed in a manner that is harmonious, to the greatest extent possible, with the character of the surrounding area.
- (3) The site is designed in a way that minimizes impacts upon adjacent property and mitigates the potential negative effects of traffic, noise, and glare to the maximum extent reasonably possible.
- (4) The development plan shall be found to be consistent with the Intent and Applicability provisions of this chapter, as stated in Sections 1158.01 and 1158.02, respectively.
- (5) Unless a more specific design standard is required by the city through a different ordinance, all uses and structures subject to development plan review shall comply with the following:
 - a. Traffic Circulation. The number, location and size of access points, and internal vehicular and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, and circulation within the site. In reviewing traffic features, the number, spacing, and alignment of existing and proposed access points shall be considered

relative to their impact on traffic movement on abutting streets and adjacent properties.

- b. Stormwater. Stormwater detention and drainage systems shall be designed so the removal of surface waters will not adversely affect neighboring properties or public stormwater drainage systems. Unless impractical, stormwater shall be removed from all roofs, canopies and paved areas by underground surface drainage system.
- c. Landscaping. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing unnecessary tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas. Landscaping, buffers and greenbelts, as required by this chapter, shall adequately screen proposed buildings from surrounding property.
- d. Lighting. Lighting shall be designed to minimize glare on adjacent properties and public streets. Where necessary, screening shall be provided to shield abutting residential properties from headlights and glare.
- e. Utility Service. All utility service shall be underground, unless impractical.
- f. Exterior Uses. Outdoor storage areas, parking areas, trash receptacles, heating and cooling units and similar accessory areas shall be located to have a minimum negative effect on adjacent properties, and shall be screened, if reasonably necessary, to ensure compatibility with surrounding properties.
- g. Emergency Access. All buildings and structures shall be readily accessible to emergency vehicles.
- h. Water and Sewer. Water and sewer installations shall comply with all city specifications and requirements.

and present Section 1158 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, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

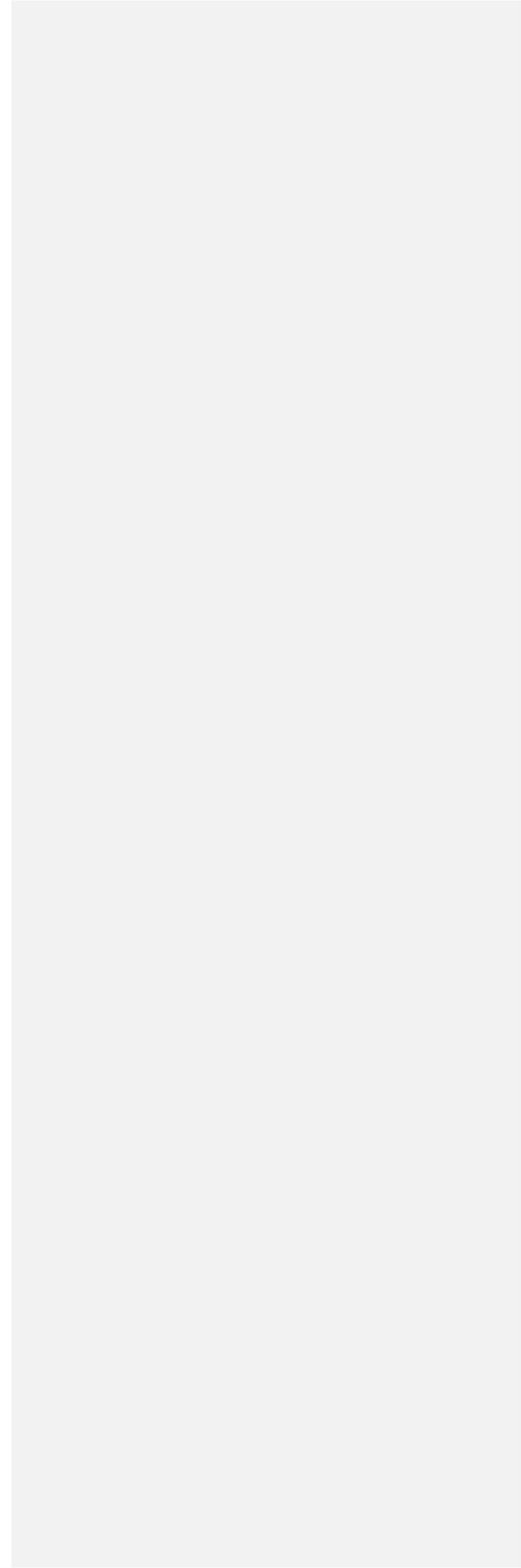
PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

~~12/3/15~~
1/20/16 II



ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CHAPTER 1351 “DETERMINATION OF GRADE LINES”

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

SECTION 1. That the Codified Ordinances of the City of Bay Village are hereby Amended by enacting revised Chapter 1351 to read as follows:

CHAPTER 1351
Determination of Grade Lines

- 1351.01** **Natural grade and finished grade defined.**
- 1351.02** **Fee for determining grades.**
- 1351.03** **Grade lines.**
- 1351.04** **Director of Public Service and Properties to establish grades.**
- 1351.05** **Grade line permits.**
- 1351.06** **Drainage of surface water.**
- 1351.07** **Positive drainage to be provided; nuisances abated.**
- 1351.08** **Drainage protection to adjoining lots.**
- 1351.99** **Penalty.**

1351.01 NATURAL GRADE AND FINISHED GRADE DEFINED.

For the purposes of this chapter the following terms, phrases, words and their derivatives shall have the meaning given in this section:

- (a) “Natural grade” is the elevation of the undisturbed natural surface of the ground.
- (b) “Finished grade” is the elevation of the finished surface, in its slope in reference to a horizontal plane of the ground adjoining any structure.

(Ord. 01-24. Passed 3-5-01.)

1351.02 FEE FOR DETERMINING GRADES.

No person shall be issued a building permit for any new structure whatsoever until a fifty-five dollar (\$55.00) fee is paid to the Building Director to cover costs in determining, reviewing or and fixing grades.

~~(Ord. 01-24. Passed 3-5-01.)~~

1351.03 GRADE LINES.

No building permit shall be issued until grade lines have been determined or reviewed by the Director of Public Service and Properties and established and indicated on the plans submitted; provided, however, no grade line permit shall be necessary nor shall a fee be charged therefor when the work called for in the application for a building permit either (i) consists entirely of interior work to an existing structure; or (ii) consists of exterior work to an existing structure or the construction of a building accessory to an existing main use when, in the opinion of the Director of Public Service and Properties, such work does not require the setting of a grade line different from the grade line already established.

~~(Ord. 01-24. Passed 3-5-01.)~~

1351.04 DIRECTOR OF PUBLIC SERVICE AND PROPERTIES TO ESTABLISH GRADES.

(a) The Director of Public Service and Properties shall be charged with the duty and final determination of natural grade lines and shall review or establish grade lines for all streets, sidewalks, boulevard, sanitary and storm sewers and structures of every kind and description.

~~(b) The Director of Public Service and Properties shall be responsible for performing an inspection of the finished foundation to determine compliance with ground grade prior to framing. (Ord. 01-24. Passed 3-5-01.)~~ Prior to requesting a footer inspection and Certificate of Occupancy, the builder or owner shall request verification of the bottom of footer elevation and finished ground grade, to be certified by the City's engineer that the grade complies with the submitted plot plan.

~~(c) All grade sheet/plot plans shall be based on the natural grade found on the existing lot and shall remain consistent with the grade on adjoining lots. Finished grade at the foundation of new structures shall not be set in excess of 6" higher than the highest elevation existing at the lot lines on adjoining lots. If existing grades of adjoining lots are at different elevations, grade for subject lot will be set at the average height of the adjoining lots. Any changes to approved grade plan must be submitted for review prior to commencing construction. Exceptions will be made in extreme situations if surface run-off can be maintained on this lot and conveyed to the storm sewer or natural watercourse, without creating a nuisance per 1351.08.~~

~~The required plot plans shall show natural grade elevations along property lines at 25' intervals, location of all structures and corresponding elevations of its foundation components, yard drain locations, swales and drainage direction lines. In the case of minor subdivisions, drainage plans, for all lots, must be submitted and reviewed prior to issuance of a building permit for any of the lots.~~

~~Final finished grade shall comply with 1351.06, 1351.07 and 1351.08.~~

1351.05 GRADE LINE PERMITS.

(a) Permit Required. A grade line permit must be obtained from the Building Director by any person before said person or another, (i) begins construction of a new sidewalk, curb, curb-cut, driveway or driveway apron, or (ii) before any existing sidewalk, curb-cut, driveway or driveway apron is altered or repaired, where, as a result of such alteration or repair, the grade line as set by the City, or the existing grade line where no grade line has been set, will be changed.

(b) Application. An applicant for a permit hereunder shall file with the Building Director an application showing:

- (1) Name and address of the owner;
- (2) Name and address of the party doing the work;
- (3) Location of the work area;
- (4) Attached plans showing details of the proposed alteration;

(5) Such other information as the Building Director shall find reasonably necessary to the determination of whether a permit should be issued hereunder.

(c) Issuance. Such permit shall be issued upon the filing of the application required in subsection (b) above and the payment of a fee of fifty-five dollars (\$55.00), and the determination of the Director of Public Service and Properties as to the proper grade line. (Ord. 01-24. Passed 3-5-01.)

1351.06 DRAINAGE OF SURFACE WATER.

(a) Whenever the surface of a lot or plot, or portion thereof, is excavated, filled, graded or hard-surfaced with impervious material, positive drainage shall be provided so that a nuisance will not be created.

(b) Catch basins properly connected to storm sewer or other approved provisions, such as underdrains, shall be made where water may pocket, to preclude the accumulation of surface water.

(c) Existing natural ground drainage of the ground area surrounding the lot or plot excavated, filled or graded shall not be impeded.

(d) Surface water shall not be drained onto adjacent properties. ~~not in the same ownership without written permission from the owner of the adjacent property.~~

(e) When a lot or section of ground is graded, it shall be incumbent upon the owner of such lot to provide that the lot is graded to the natural grade of the lots adjoining such lot, on both sides, and to the lot in the rear of such lot and, in such a manner, that surface water does not drain onto the aforesaid adjoining lots or lands.

~~(Ord. 01-24. Passed 3-5-01.)~~

1351.07 POSITIVE DRAINAGE TO BE PROVIDED; NUISANCES ABATED.

No condition shall be created nor any existing condition maintained whereby there will be upon any lot or plot excavations, depressions, pits, holes, gullies or similar depressions which may accumulate and retain surface water and which may become a public hazard or nuisance. Any such condition shall be properly abated and protected by filling or by providing positive drainage.

(Ord. 01-24. Passed 3-5-01.)

1351.08 DRAINAGE PROTECTION TO ADJOINING LOTS.

When it is found necessary to grade a lot higher or lower finished grade than the natural grade of adjoining property on the sides and to the rear of such lot, it shall be incumbent upon the owner of the lot to get permission from the Director of Public Service and Properties to change to a higher or lower finished grade. It shall be further incumbent upon the owner of the lot to provide suitable retaining walls or other approved protection on his property to protect the adjacent property from the drainage of surface and sub-surface waters and further to protect the adjacent property from caving of earth and to assist in the maintaining of the existing natural grade of such adjacent property.

(Ord. 01-24. Passed 3-5-01.)

1351.99 PENALTY.

(a) Whoever violates any provisions of this chapter or fails to conform to the grade line set or reviewed by the Director of Public Service and Properties shall be deemed guilty of a ~~minor~~ fourth degree misdemeanor.

(b) Each day such violation is committed or permitted to continue shall constitute a separate offense. (~~Ord. 01-24. Passed 3-5-01.~~)

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 will be in full force and take effect at the earliest time permitted by law.

PASSED:

PRESIDENT OF COUNCIL

CLERK

MAYOR

CHAPTER 1155

Minimum Lot Area Requirements, Residence Districts

- 1155.01 First Residence District.
- 1155.02 Third Residence District.
- 1155.03 Fourth Residence District. (Repealed)
- 1155.04 Exceptions on older lots.
- 1155.05 Computing lot area.
- 1155.06 Subsequent reduction or reconsideration of area.

CROSS REFERENCES

Enforcement provisions - see P. & Z. 1123.03

Accessory uses - see P. & Z. 1149.02

1155.01 FIRST RESIDENCE DISTRICT.

In a First Residence District no dwelling shall hereafter be constructed or enlarged upon a lot unless such lot contains in area not less than 14,700 square feet per family to be housed in such building.

(Ord. 78-143. Passed 12-18-78.)

1155.02 THIRD RESIDENCE DISTRICT.

(A) In a Third Residence District no dwelling shall hereafter be constructed or enlarged upon a lot unless such lot contains in area not less than 7,500 square feet per family to be housed in such building.

(B) In a Third Residence District no buildings or structures permitted by C.O. 1145.01(B) shall hereafter be constructed upon a lot unless such lot contains in area not less than twenty-five (25) acres.

(Ord. 78-143., Passed 12-18-78.)

1155.03 FOURTH RESIDENCE DISTRICT.

(EDITOR'S NOTE: Section 1155.03 was repealed by Ordinance 78-143, passed December 18, 1978.)

1155.04 EXCEPTIONS ON OLDER LOTS.

Notwithstanding the provisions of the preceding sections, a single family dwelling may be constructed on a lot separately owned on September 5, 1922, or on a numbered lot in a subdivision recorded in the Office of the Recorder of Cuyahoga County prior to April 29, 1954.

(Ord. 54-42 Passed 4-2--54. Art. VII, §4)

1155.05 COMPUTING LOT AREA.

In computing the area of a lot for the purposes of C.O. 1155.01, 1155.02(A) and 1155.03 the depth used shall not exceed three times the mean width of such lot.

(Ord. 78-143. Passed 12-18-78.)

1155.06 SUBSEQUENT REDUCTION OR RECONSIDERATION OF AREA.

No lot area used for the purpose of meeting the requirements of this Zoning Code for any building, structure or use in Residence Districts shall be reduced or again considered as any part of the lot area required for any other building, structure or use.

(Ord. 54-42. Passed 4-29-54. Art. VII, §4)

ORDINANCE NO:
INTRODUCED BY:

AN ORDINANCE
MORATORIUM ON EXCEPTIONS ON OLDER LOTS,
UNDER CHAPTER 1155.04, AND DECLARING AN EMERGENCY.

WHEREAS, it has been determined that there is a need to request further time to study the impact of Chapter 1155.04 on Exceptions on Older Lots within the City of Bay Village;

WHEREAS, this moratorium shall have no effect on the development of lots which meet the square footage minimum as set forth under Chapter 1155; and

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

SECTION 1. That Council hereby enacts a ninety (90) day moratorium under the exception under Chapter 1155.04 in order to provide a review by City Council, Planning Committee, Planning Commission, Board of Zoning Appeals, and any committee appointed by Council.

SECTION 2. That the Clerk of Council is hereby directed to forward a copy of this legislation to the Building Director, the Planning Commission, Board of Zoning Appeals, and any committee appointed by City Council for review of this legislation.

SECTION 3. 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 4. 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 that it is immediately necessary to protect the planning process and minimum square footage lot requirements, 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

6-1-16 ll

Mayor Debbie Sutherland
City of Bay Village
P: (440) 899-3415
350 Dover Center Rd
Bay Village, OH 44140

Begin forwarded message:

From: News from Calfee <newsfromcalfee@calfee.com>
Date: May 6, 2016 at 3:31:43 PM EDT
To: Deborah Sutherland <dsutherland@cityofbayvillage.com>
Subject: New Law Authorizes Creation of Downtown Redevelopment Districts
Reply-To: "newsfromcalfee@calfee.com" <newsfromcalfee@calfee.com>
<newsfromcalfee@calfee.com>

[http://e2ma.net/userdata/29897/images/templates/calfee_lb_01.gif] <<https://t.e2ma.net/click/n5sth/fb06f/fvj7sb>>
Public Law & Finance | May 6, 2016

New Law Authorizes Creation of Downtown Redevelopment Districts
Legislation recently passed by the Ohio General Assembly authorizes cities and villages to create downtown redevelopment districts (DRDs) for the purpose of rehabilitating historic buildings, creating jobs and promoting economic development in commercial and mixed-use commercial and residential areas. A DRD is an area of not more than 10 acres enclosed by a continuous boundary in which at least one historic building is being, or will be, rehabilitated. A DRD may not be created in areas used exclusively for residential purposes and shall not be used for development or redevelopment of residential areas.

The ordinance creating a DRD must include an economic development plan (the Plan) for the DRD that describes the principal purposes and goals to be served by creating the DRD, explains how the city or village will collaborate with businesses and property owners within the DRD to develop strategies for achieving such purposes and goals and describes how the service payments to be received from the DRD will be used to promote economic development and job creation within the DRD.

The municipal corporation may exempt up to 70% of the increase in assessed value of identified parcels within a DRD for up to 10 years or, with the consent or reimbursement of the affected school district, as long as 30 years. The municipality may require the owners of exempted parcels within the DRD to make service payments in lieu of taxes. The service payments may be used to: (i) finance or support loans or grants to owners of buildings within the DRD for the purpose of rehabilitating historic buildings or to make repairs or improvements to buildings that are not historic buildings; (ii) to make contributions to a special improvement district,

CIC or nonprofit corporation for use to rehabilitate a historic building or otherwise promote or enhance the DRD; or (iii) to finance public infrastructure improvements, within the DRD, identified in the Plan.

Sub. H.B. 233 also authorizes the designation of an innovation district (ID) within a new or existing DRD if the district includes an area equipped with a high-speed broadband network capable of download speeds of at least 100 gigabits per second. If an ID is created, the service payments may also be used to finance or support loans or grants to business primarily engaged in a trade or business that involves research and development, technology transfer, bio-technology, information technology, or the application of new technology developed through research and development or acquired through technology transfer (a qualified business), or to incubators and accelerators that provide services and capital to qualified businesses within an innovation district. The loans or grants must be used to start or develop one or more qualified businesses within the ID.

The municipality and a property owner in a DRD may agree to impose a redevelopment charge on the property for the same purposes that service payments may be used. The redevelopment charge may be a fixed dollar amount or determined on the basis of the assessed valuation of the property or all or part of the profits, gross receipts or other revenues of a business operating on the property, including lease revenues. The redevelopment charge is treated as a lien on property and may be collected in the same manner as real property taxes. The property owner's agreement is a covenant running with the land and binding on future owners of the land. No purchase agreement for real estate on which a redevelopment charge is levied shall be enforceable by the seller or binding on the purchaser unless the purchase agreement specifically refers to the redevelopment charge.

"A DRD is an area of not more than 10 acres enclosed by a continuous boundary in which at least one historic building is being, or will be, rehabilitated.... Sub. H.B. 233 also authorizes the designation of an innovation district (ID) within a new or existing DRD if the district includes an area equipped with a high-speed broadband network capable of download speeds of at least 100 gigabits per second."

For additional information and discussion on this topic, please get in touch with your regular Calfee contact or one of the attorneys listed below:

[http://d31bzlhk6di2h5.cloudfront.net/20160506/c7/47/6f/33/4d743fbef1ac324d55f27daf_92x128.JPG]
<<https://t.e2ma.net/click/n5srh/fb06f/vnk7sb>>



City of Bay Village

KW Per Year	Current Rate	Current Spend	PreAuction Price	New Spend	Savings
1,400,000	0.0731	\$102,340	0.0636	\$89,040	\$13,300.00

Total Savings Per Year \$13,300.00

Total Savings over 3 Years \$39,900.00


Pricing Quote
City of Bay Village



CEI
 June 2016
 1,400,000 kWh

Fixed Price	
Supplier	12 Months
Direct Energy	0.06100
MidAmerican	0.06147
GDF Suez	0.06220
AEP Energy	0.06512
Liberty Power	0.06611
Crius Energy	0.06629

Fixed Price	
Supplier	24 Months
Direct Energy	0.06252
MidAmerican	0.06255
GDF Suez	0.06397
Liberty Power	0.06557
AEP Energy	0.06596
Crius Energy	0.06746

Fixed Price	
Supplier	36 Months
Direct Energy	0.06360
MidAmerican	0.06365
GDF Suez	0.06498
Liberty Power	0.06605
AEP Energy	0.06618
Crius Energy	0.06809

Joan Kemper

From: Mark Spaetzel
Sent: Tuesday, May 24, 2016 3:31 PM
To: Joan Kemper
Subject: RE: Cahoon Park Trustees agenda item request

thanks

Mark A. Spaetzel
Chief of Police

From: Joan Kemper
Sent: Tuesday, May 24, 2016 3:32 PM
To: Mark Spaetzel
Subject: RE: Cahoon Park Trustees agenda item request

I forwarded your request to Paul Koomar, Mark and at the same time will pencil it on the agenda list for June 6.

From: Mark Spaetzel
Sent: Tuesday, May 24, 2016 3:29 PM
To: Joan Kemper <jkemper@cityofbayvillage.com>
Cc: Deborah Sutherland <dsutherland@cityofbayvillage.com>; Scott Thomas <stthomas@cityofbayvillage.com>; Donny Landers <dlanders@cityofbayvillage.com>; Chris Lyons <clyons@cityofbayvillage.com>
Subject: Cahoon Park Trustees agenda item request

The City is hosting its Second Annual Bay Village Touch-a-Truck Event on Saturday, September 10, 2016 from noon to 3pm (additional time needed for setup and tear down). The event will take place rain or shine at the combined safety campus of the Bay Village Police and Bay Village Fire Departments on Wolf Rd. Part of the event will include the landing of the Lifeflight helicopter. Each department will be showcasing their vehicles and operations. We will also have outside agencies such as the Ohio Department of Natural Resources, Metropark Rangers and others participating.

I would like to seek permission from the Cahoon Park Trustees to hold this event again this year. Please let me know what other information you may need to get this on the agenda. Thanks in advance.

Mark A. Spaetzel
Chief of Police

Bay Village Police Department
28000 Wolf Rd
Bay Village, Ohio 44140
O: (440) 899-3465
F: (440) 899-3478
mSPAETZEL@CITYOFBAYVILLAGE.COM