



## CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

Publication date: 12.04.2017

---

The City of North Ridgeville Legislative Bulletin contains Ordinances and Resolutions acted upon by City Council. If noted within Ordinance or Resolution text, supplemental and supporting documents, such as exhibits, are available, upon request, by contacting Tara L. Peet, MMC at the Clerk of Council's office, 7307 Avon Belden Road, North Ridgeville, OH 44039, (440) 353.1508.

---

### ORDINANCE(S)

**5496-2017 AN ORDINANCE AMENDING CHAPTER 884 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE PURSUANT TO OHIO REVISED CODE §5739.09(B)(3) TO AUTHORIZE THE CITY TO IMPOSE AN ADDITIONAL THREE PERCENT TAX ON TRANSACTIONS FOR TRANSIENT GUESTS AT A HOTEL FOR THE PURPOSE OF PROMOTING ECONOMIC DEVELOPMENT AND TOURISM IN THE CITY AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ordinance No. 846-73 adopted on May 7, 1973 and codified as Chapter 884, Transient Occupancy Tax, established an excise tax of three percent (3%) on hotel accommodations (hereinafter referred to as the “lodging tax” or “bed tax”); and

**WHEREAS**, O.R.C. §5739.09(B)(3) now permits the City to enact local legislation to increase its lodging tax an additional three percent (3%); and

**WHEREAS**, the City now has until December 31, 2017 to increase the rate of its lodging tax by three percent (3%) so long as all of the revenue from this three percent (3%) increase is used by the municipality for economic development and tourism-related purposes; and

**WHEREAS**, City Council, deeming it to be in the best interests of the health, safety and welfare of the residents and businesses of North Ridgeville, desires to enact the additional three percent (3%) lodging tax to promote economic development and tourism in this area.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:**

**SECTION 1.** N.R.C.O. Section 884.01(a) is hereby amended to increase an excise tax levied on transactions by which lodging by a hotel is or is to be furnished to transient guests by an additional three

**5496-2017 Continued**

(3%) to promote economic development and tourism in the City of North Ridgeville pursuant to O.R.C. §5739.09(B)(3) resulting in a total aggregate tax due on hotel lodging of six percent (6%).

**SECTION 2.** All lodging furnished by hotels, motels and motor inns in the City to transient guests are subject to the tax.

**SECTION 3.** All other provisions of Ordinance No. 846-73 shall remain in full force and effect.

**SECTION 4.** This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate need to have this Ordinance in effect by year-end. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

---

**RESOLUTIONS**

**1415-2017      A RESOLUTION REVISING COMMUNITY REINVESTMENT AREA  
REQUIREMENTS BY AMENDING RESOLUTION NO. 768-94, SECTION 4.**

**WHEREAS**, fluctuating economic cycles have or may cause commercial enterprises granted community reinvestment tax abatement from the City to fail to meet required specified numbers of jobs created or maintained pursuant to the terms of the CRA agreement; and

**WHEREAS**, such commercial enterprises although failing to meet prescribed requirements may be providing substantial benefit to the community as intended and thus should be permitted to continue under the terms of the agreement if the shortfall can be attributed to factors beyond their control; and

**WHEREAS**, Section 4 currently reads:

In the event that any applicant/recipient of the tax benefits available in the Community Reinvestment Area No. 14, prior to the expiration of the term for which the application was granted, vacates the project site or moves, relocates any material portion of its operations, fails to meet its job targets or ceases operations within the City of North Ridgeville as contemplated in its application for exemptions, then, in that event any and all tax exemptions granted hereunder shall immediately cease and in addition thereto, the application/recipient shall forthwith repay any and all tax benefits received pursuant to its designation as an entity entitled to the benefits of Community Reinvestment Area No. 14. In that event, the City may record a Certificate of Non-Compliance with the Lorain County Recorder's Office which shall serve, in addition to other remedies which may be available at law or in equity, as a lien or charge against the property until repayment of taxes has been made in full.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH  
RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:**

**1415-2017 Continued**

**SECTION 1.** Section 4 shall be amended to read as follows:

In the event that any applicant/recipient of the tax benefits available in the Community Reinvestment Area No. 14, prior to the expiration of the term for which the application was granted, vacates the project site or moves, relocates any material portion of its operations, *fails to make good faith efforts* to meet its job targets or ceases operations within the City of North Ridgeville as contemplated in its application for exemptions, then, in that event any and all tax exemptions granted hereunder shall immediately cease and in addition thereto, the application/recipient shall forthwith repay any and all tax benefits received pursuant to its designation as an entity entitled to the benefits of Community Reinvestment Area No. 14. In that event, the City may record a Certificate of Non-Compliance with the Lorain County Recorder's Office which shall serve, in addition to other remedies which may be available at law or in equity, as a lien or charge against the property until repayment of taxes has been made in full.

**SECTION 2.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were conducted 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 accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 3.** This Resolution shall take effect and be in full force from and after the earliest period allowed by law.

---

**1416-2017      A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO, APPROVING AND RATIFYING AN APPLICATION FOR TAX INCENTIVE IN COMMUNITY REINVESTMENT AREA NO. 14 CREATED BY THE CITY OF NORTH RIDGEVILLE RESOLUTION NO. 768-94, BY RLG CLEVELAND, LLC, AN OHIO LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OHIO.**

**WHEREAS,** the Council of the City of North Ridgeville, Ohio, by Resolution No. 768-94 adopted on June 20, 1994, established and described the boundaries of a "Community Reinvestment Area No. 14" in accordance with §3736.66 of the Ohio Revised Code; and

**WHEREAS,** the Council of the City of North Ridgeville, Ohio, established standards for the terms and extent of the real property exemptions permitted within Community Reinvestment Area No. 14 by the passage of Resolution No. 768-94 and subsequent amendments; and

**WHEREAS,** RLG Cleveland, LLC, an Ohio Limited Liability Company organized and existing under the laws of the State of Ohio has submitted a tax incentive request, on a form prescribed for that purpose by the City of North Ridgeville, Ohio, setting the outline of a plan for the renovation of an approximately 44,000 square foot structure located at 4937 Mills Industrial Parkway, at an approximate cost of \$3,020,000.00 within the City of North Ridgeville Community Reinvestment Area No. 14, to maintain

**1416-2017 Continued**

current employees and to hire new employees, and to encourage economic stability, maintain real property values, and generate new employment opportunities in the City of North Ridgeville; and has requested that the City of North Ridgeville grant tax exemption incentives mentioned in Section 3735 and related sections of the Ohio Revised Code in exchange for the implementation of the aforementioned plan and application as attached hereto; and

**WHEREAS**, the Tax Incentive Review Board has reviewed the application submitted by RLG Cleveland, LLC, and has recommended the same for approval. RLG Cleveland, LLC is found to qualify for a Class 2 exemption under Section 3(C) of Resolution No. 768-94 and subsequent amendments.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:**

**SECTION 1.** The Housing Officer is hereby directed and authorized to grant the application of RLG Cleveland, LLC, an Ohio Limited Liability Company, for a Class 2 Community Reinvestment Area No. 14 tax incentive, pursuant to the authority of Resolution No. 768-94 and subsequent amendments, in accordance with the description set forth in the application attached hereto and incorporated by reference herein.

**SECTION 2.** The Clerk of Council is hereby directed immediately to transmit a certified copy of this Resolution, along with the Tax Incentive Request, to the Lorain County Auditor and other appropriate state and local officials including without limitation the North Ridgeville City School District.

**SECTION 3.** The Mayor is hereby authorized to enter into an agreement establishing the CRA Tax Incentive in substantially the same form and terms as attached hereto to this Resolution and labeled **Exhibit 1.**

**SECTION 4.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were conducted 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 accordance with all legal requirements, including §121.22 of the Ohio Revised Code.

**SECTION 5.** This Resolution shall take effect and be in full force from and after the earliest period allowed by law.

---

### **CITY COUNCIL MEETING DATES FOR 2018**

January 2, 2018	January 16, 2018	February 5, 2018
February 20, 2018	March 5, 2018	March 19, 2018
April 2, 2018	April 16, 2018	May 7, 2018
May 21, 2018	June 4, 2018	June 18, 2018
July 2, 2018	July 16, 2018	August 6, 2018
August 20, 2018	September 4, 2018	September 17, 2018
October 1, 2018	October 15, 2018	November 5, 2018
November 19, 2018	December 3, 2018	December 17, 2018

[www.nridgeville.org](http://www.nridgeville.org)