



CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

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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)

5425-2017 AN ORDINANCE APPROVING THE FINAL PLAT OF MEADOW LAKES, SUBDIVISION 12, IN THE MEADOW LAKES PCD FOR RECORDING PURPOSES ONLY.

WHEREAS, K. Hovanian of Ohio, LLC, has submitted the final plan and plat to the Planning Commission of North Ridgeville which granted final approval on the 10th day of January 2017 for Meadow Lakes, Subdivision 12, in the Meadow Lakes PCD; and

WHEREAS, the Engineer of the City of North Ridgeville has reviewed the site plan and plat and finds them in good order and has approved them subject to full compliance with both his recommendations to Planning Commission and applicable City of North Ridgeville Ordinances, and recommends to Council that this phase be approved; and

WHEREAS, this Council desires to approve the plat for recording purposes and for compliance with all North Ridgeville Codified Ordinances.

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

SECTION 1. The Council of the City of North Ridgeville does hereby approve the final plan, including the plat as submitted by K. Hovanian of Ohio, LLC, for Meadow Lakes, Subdivision 12 in the Meadow Lakes PCD for recording purposes.

SECTION 2. The City Engineer has reviewed the site plan and plat and he, together with the other necessary City officials, is authorized to approve the necessary plat and documents showing compliance with engineering requirements and applicable North Ridgeville Codified Ordinances.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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

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meetings open to the public in accordance with all legal requirements, including §121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

5426-2017 AN ORDINANCE AMENDING VARIOUS SECTIONS OF N.R.C.O. CHAPTER 806 ALARM SYSTEMS.

WHEREAS, the Administration and City Council wish to exclude residential premises and schools, churches and daycare centers from the fees, fines or other costs imposed by this chapter.

WHEREAS, the current wording of N.R.C.O. Section 806.01 *Definitions* reads as follows:

As used in this chapter:

(a) "Alarm site" means the specific property or area of the premises upon or within which an alarm system is installed.

(b) "Alarm system" and "central alarm system" mean any device used to detect or prevent burglary, theft, fire or other such emergency situations which, when activated, causes notification to be made, directly or indirectly, to the Police Department or the Fire Department; any device or system designed primarily for the purpose of giving an audible or visual signal of an attempted burglary, theft, fire or other such emergency; or any device that, when manually or automatically activated, will sound an audio or visual warning device on or off the protected premises and which will cause notification to be made directly or indirectly to the Fire Department or the Police Department.

The terms "alarm system" and "central alarm system" do not include:

(1) An alarm installed on a motor vehicle;

(2) An alarm designed so that no notification is given to the Police Department or the Fire Department until after the occupant, or an agent of the owner or lessee, has checked the alarm site and determined that there is physical evidence at the site showing that the alarm was the result of criminal activity of the kind for which the alarm system was designed to give notice, provided that a person who is able to grant access to the alarm site remains at such site until the Police Department or Fire Department arrives whenever either such Department is notified after an alarm has been activated, and provided that such person renders access and such other assistance as he or she is able to give and that is needed by the Police Department or the Fire Department to properly investigate the situation; or

(3) An alarm installed upon premises occupied by the United States Government, the State, the City or any County government situated within the corporate limits of the City.

(c) "Alarm system business" means any person who installs, services or responds to an alarm system for remuneration.

(d) "Automatic dialing device" means any device connected to an alarm system which automatically sends a prerecorded message or coded signal indicating the activation of the alarm system to a predetermined location.

(e) "Burglar alarm" means any device intended to prevent or detect an unauthorized entry or attempted unauthorized entry into the alarm site.

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(f) "Central station" means that part of an alarm system business which intercepts signals indicating the activation of an alarm device and which relays this information by live voice to the Police Department or the Fire Department.

(g) "False alarm" means any alarm which was not the result of an emergency of the kind for which the alarm systems was designed to give notice.

(h) "Fire alarm" means a functionally related group of devices that will sound audio or visual warning devices on or off the protected premises when either manually or automatically activated.

(i) "Hold-up alarm" means any device activated by human action as a result of a robbery or attempted robbery at or of the alarm site.

(j) "Local alarm" means any alarm emitting audible and/or visual signals in, at or on the alarm site when activated and which causes notification to be made, directly or indirectly, to the Police Department or the Fire Department.

(k) "Permit" means a certificate of authorization issued by the Safety-Service Director to the person in control of the property which authorizes the operation of an alarm system.

(l) "Permit holder" means the individual, corporation, partnership or other legal entity to whom or which an alarm system permit is issued.

(m) "Safety-Service Director" means the Safety-Service Director of the City or his or her authorized representative.

(n) "Telephone answering service" means any business, other than an alarm system business, which intercepts signals indicating the activation of an alarm system and which relays this information by live voice to the Police Department or the Fire Department.

(o) "Thirty-minute shut-off" means an automatic device associated with a local alarm which automatically causes the alarm to shut off and discontinue the emission of an audible signal after not more than thirty minutes of continuous operation.

WHEREAS, the current wording of N.R.C.O. Section 806.02 *Permit Required; Application of Section to Alarm System Businesses* reads as follows:

No person shall operate, cause to be operated or permit the installation of an alarm system, unless a current permit has been issued by the Safety-Service Director for such system. However, this section shall not be applicable to an alarm system business which monitors, services or monitors and services an alarm system installed and designed to protect property under the control of a person other than the alarm system business, but the person in control of the property which the alarm system is designed to protect shall be subject to prosecution if he or she permits the operation of such system without a valid permit.

The person in control of the property shall obtain a separate permit for each alarm system on so much of the premises that is under the direct control of the applicant for the permit. A separate permit shall be obtained for hold-up alarms, burglar alarms and fire alarms.

For purposes of the fees set forth in Section 806.07, an alarm system means and includes all alarms operated under one permit.

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WHEREAS, the current wording of N.R.C.O. Section 806.05 Permit Required for Systems Installed prior to Effective Date of Chapter; Application of Section to Alarm System Businesses reads as follows:

No person shall operate or permit the operation of an alarm system which was installed on his or her property prior to the effective date of this chapter, unless a permit for such alarm system is obtained within 180 days of such effective date. To obtain such a permit, the person in control of the property shall file an application therefor pursuant to Section 806.03 and pay the permit fee. However, this section shall not be applicable to an alarm system business which monitors or services, or monitors and services, an alarm system installed and designed to protect property under the control of a person other than the alarm system business, but the person in control of the property which the alarm system is designed to protect shall be subject to prosecution if he or she permits the operation of such system without a valid permit.

WHEREAS, the current wording of N.R.C.O. Section 806.07 Permit Fees reads as follows:

The fee for a permit issued pursuant to this chapter shall be twenty-five dollars (\$25.00). However, the fee for a permit for an alarm system installed on premises used solely as a residence shall be five dollars (\$5.00). No fee shall be charged if the person in control of the property paid a fee and obtained a permit, unless the control of the property has been transferred from the holder of such permit.

WHEREAS, the current wording of N.R.C.O. Section 806.11 Duties of Persons Providing Access or Assistance to Police and Fire Departments reads as follows:

Any person who is notified by any member of the Police Department or the Fire Department of the activation of an alarm system and who is able to give access to the alarm site shall come to the alarm site within one and one-half hours of the time such person is notified of such activation and shall provide the Police Department or the Fire Department any necessary access or assistance.

WHEREAS, the current wording of N.R.C.O. Section 806.19 Charges for Responses to False Alarms; Revocation of Permit for nonpayment reads as follows:

(a) The City shall respond to proper notification of the activation of an alarm system without charge if there are reasonable grounds to believe that the cause of the activation of the alarm was an emergency of the type for which the alarm system was designed.

For responses to a false alarm, that is, an alarm for which there is not reasonable cause to believe that the cause of the activation was an emergency for which the alarm system was designed, there shall be no charge for the first incident through the fifth incidents, a charge of fifty dollars (\$50.00) each for the sixth through the tenth incidents, and a charge of one hundred dollars (\$100.00) each for the eleventh and each succeeding incident, within a calendar year. For a fire alarm, if the Fire Chief or his or her designated representative determines that there has been a malfunction of the system and that such malfunction is not the fault of the owner or occupant, no service call shall be charged.

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(b) A permit for an alarm system may be revoked if the permit holder fails to pay the charges provided in subsection (a) hereof within sixty days of receipt of notice to pay the same.

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 806.01 Definitions is hereby amended by adding the following language:

(b)(4) An alarm installed upon residential premises by homeowners.

(b)(5) An alarm installed in churches, schools or daycare centers.

SECTION 2. N.R.C.O. Section 806.02 Permit Required; Application of Section to Alarm System Businesses is hereby amended as follows:

No person shall operate, cause to be operated or permit the installation of an alarm system at a property primarily dedicated to commercial activity or to other non-residential activity, unless a current permit has been issued by the Safety-Service Director for such system. However, this section shall not be applicable to an alarm system business which monitors, services or monitors and services an alarm system installed and designed to protect property under the control of a person other than the alarm system business, but the person in control of the property which the alarm system is designed to protect shall be subject to prosecution if he or she permits the operation of such system without a valid permit.

The person in control of the property shall obtain a separate permit for each alarm system on so much of the premises that is under the direct control of the applicant for the permit. A separate permit shall be obtained for hold-up alarms, burglar alarms and fire alarms.

For purposes of the fees set forth in Section 806.07, an alarm system means and includes all alarms operated under one permit.

SECTION 3. N.R.C.O. Section 806.05 Permit Required for Systems Installed prior to Effective Date of Chapter; Application of Section to Alarm System Businesses is hereby amended as follows:

No person shall operate or permit the operation of an alarm system which was installed prior to the effective date of this chapter, unless a permit for such alarm system is obtained within 180 days of such effective date. To obtain such a permit, the person in control of the property shall file an application therefor pursuant to Section 806.03 and pay the permit fee. However, this section shall not be applicable to an alarm system business which monitors or services, or monitors and services, an alarm system installed and designed to protect property under the control of a person other than the alarm system business, but the person in control of the property which the alarm system is designed to protect shall be subject to prosecution if he or she permits the operation of such system without a valid permit.

SECTION 4. N.R.C.O. Section 806.07 Permit Fees is hereby amended as follows:

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The fee for a permit issued pursuant to this chapter shall be twenty-five dollars (\$25.00). No fee shall be charged if the person in control of the property paid a fee and obtained a permit, unless the control of the property has been transferred from the holder of such permit.

SECTION 5. N.R.C.O. Section 806.11 *Duties of Persons Providing Access or Assistance to Police and Fire Departments* is hereby amended as follows:

Any person who is notified by any member of the Police Department or the Fire Department of the activation of an alarm system and who is able to give access to the alarm site shall come, or shall direct a designee to come to the alarm site within one and one-half hours of the time such person is notified of such activation and shall provide the Police Department or the Fire Department any necessary access or assistance.

SECTION 6. N.R.C.O. Section 806.19 *Charges for Responses to False Alarms; Revocation of Permit for nonpayment* is hereby amended as follows:

(a) The City shall respond to proper notification of the activation of an alarm system without charge if there are reasonable grounds to believe that the cause of the activation of the alarm was an emergency of the type for which the alarm system was designed.

For responses to a false alarm, that is, an alarm for which there is not reasonable cause to believe that the cause of the activation was an emergency for which the alarm system was designed, there shall be no charge for the first incident through the fifth incidents, a charge of one hundred dollars (\$100.00) each for the sixth through the tenth incidents, and a charge of two hundred dollars (\$200.00) each for the eleventh and each succeeding incident, within a calendar year. For a fire alarm, if the Fire Chief or his or her designated representative determines that there has been a malfunction of the system and that such malfunction is not the fault of the owner or occupant, no service call shall be charged.

(b) A permit for an alarm system may be revoked if the permit holder fails to pay the charges provided in subsection (a) hereof within sixty days of receipt of notice to pay the same.

SECTION 7. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 8. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

RESOLUTION(S)

1403-2017 A RESOLUTION TO APPROVE, WITH MODIFICATION, THE APPLICATION MADE BY JOSEPH M. AND JOYCE M. SOLOMON REGARDING CERTAIN LAND OWNED BY THEM WHICH HAS BEEN DESIGNATED AS AN AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.

WHEREAS, the applicants, Joseph M. and Joyce M. Solomon have applied to the County Auditor to place not less than ten acres in an agricultural district for at least five years or as otherwise qualified under O.R.C. Section 929.02 and said application either has been or must be approved by the County Auditor; and

WHEREAS, the General Assembly of the State of Ohio has enacted Sections 929.01 to 929.05 of the Ohio Revised Code to permit the establishment of agricultural districts to preserve agricultural land, to exempt land in those districts from the collection of specified utility assessments and to provide other benefits for land in those districts; and

WHEREAS, Section 929.02(B) provides that the legislative authority of a municipal corporation may reject or modify an application for inclusion in an agricultural district filed pursuant to O.R.C. Section 929.02(A), if such rejection or modification is necessary to prevent a substantial, adverse effect on the provision of municipal services within the municipal corporation, efficient use of land within the municipal corporation, the orderly growth and development of the municipal corporation, or the public health, safety or welfare; and

WHEREAS, the legislative authority of a municipal corporation is required to review each application for inclusion in an agricultural district made by an owner of real property which is located within the municipal corporation by approving, rejecting or approving with modifications within the statutory time frame; and

WHEREAS, Joseph M. and Joyce M. Solomon filed such an application, available for inspection and located in the office of the Clerk of Council and which application is incorporated by reference as if fully rewritten herein.

NOW THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO:

SECTION 1. The application is hereby approved for all purposes encompassed by O.R.C. Sections 929.01 to 929.05 and any other benefits made available by the Ohio Revised Code except for the exemption from collection of assessments provided by O.R.C. Section 929.03. This constitutes a modification and is necessary to prevent an adverse effect on the provision of municipal services, to ensure efficient land use and orderly growth and development and to provide for the public health, safety and welfare.

1403-2017 Continued

SECTION 2. Should the County Auditor reject or refuse this application; should the applicant(s) fail to renew the application when necessary, or for any other reason should the applicant(s) fail to comply with or become out of compliance with the requirements to be included in an agricultural district, this approval shall terminate.

SECTION 3. That is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 including §121.22 of the Ohio Revised Code.

SECTION 4. This Resolution shall take effect and be in full force from and after the earliest period allowed by law.

**1404-2017 A RESOLUTION TO APPROVE, WITH MODIFICATION, THE
APPLICATION MADE BY JAYNE M. ELLIOT REGARDING CERTAIN
LAND OWNED BY HER WHICH HAS BEEN DESIGNATED AS AN
AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.**

WHEREAS, the applicant, Jayne M. Elliot has applied to the County Auditor to place not less than ten acres in an agricultural district for at least five years or as otherwise qualified under O.R.C. Section 929.02 and said application either has been or must be approved by the County Auditor; and

WHEREAS, the General Assembly of the State of Ohio has enacted Sections 929.01 to 929.05 of the Ohio Revised Code to permit the establishment of agricultural districts to preserve agricultural land, to exempt land in those districts from the collection of specified utility assessments and to provide other benefits for land in those districts; and

WHEREAS, Section 929.02(B) provides that the legislative authority of a municipal corporation may reject or modify an application for inclusion in an agricultural district filed pursuant to O.R.C. Section 929.02(A), if such rejection or modification is necessary to prevent a substantial, adverse effect on the provision of municipal services within the municipal corporation, efficient use of land within the municipal corporation, the orderly growth and development of the municipal corporation, or the public health, safety or welfare; and

WHEREAS, the legislative authority of a municipal corporation is required to review each application for inclusion in an agricultural district made by an owner of real property which is located within the municipal corporation by approving, rejecting or approving with modifications within the statutory time frame; and

WHEREAS, Jayne M. Elliot filed such an application, available for inspection and located in the office of the Clerk of Council and which application is incorporated by reference as if fully rewritten herein.

1404-2017 Continued

NOW THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO:

SECTION 1. The application is hereby approved for all purposes encompassed by O.R.C. Sections 929.01 to 929.05 and any other benefits made available by the Ohio Revised Code except for the exemption from collection of assessments provided by O.R.C. Section 929.03. This constitutes a modification and is necessary to prevent an adverse effect on the provision of municipal services, to ensure efficient land use and orderly growth and development and to provide for the public health, safety and welfare.

SECTION 2. Should the County Auditor reject or refuse this application; should the applicant(s) fail to renew the application when necessary, or for any other reason should the applicant(s) fail to comply with or become out of compliance with the requirements to be included in an agricultural district, this approval shall terminate.

SECTION 3. That is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 including §121.22 of the Ohio Revised Code.

SECTION 4. This Resolution shall take effect and be in full force from and after the earliest period allowed by law.

CITY COUNCIL MEETING DATES FOR 2017

January 3, 2017	January 17, 2017	February 6, 2017
February 21, 2017	March 6, 2017	March 20, 2017
April 3, 2017	April 17, 2017	May 1, 2017
May 15, 2017	June 5, 2017	June 19, 2017
July 3, 2017	July 17, 2017	August 7, 2017
August 21, 2017	September 5, 2017	September 18, 2017
October 2, 2017	October 16, 2017	November 6, 2017
November 20, 2017	December 4, 2017	December 18, 2017

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